

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060  
 PHONE: (831) 427-4863  
 FAX: (831) 427-4877  
 WEB: WWW.COASTAL.CA.GOV

**W24b**

**Important Hearing Procedure Note:** This is a substantial issue only hearing. Public testimony will be taken only on the question of whether the appeal raises a substantial issue. Generally and at the discretion of the Chair, testimony is limited to 3 minutes total per side. Please plan your testimony accordingly.

Appeal Filed: 11/26/2014  
 49<sup>th</sup> Day: 1/14/2015  
 Staff: K. Kahn - SC  
 Staff Report: 12/18/2014  
 Hearing Date: 1/7/2015

## APPEAL STAFF REPORT SUBSTANTIAL ISSUE DETERMINATION

**Appeal Number:** A-3-MRB-14-0068

**Applicant:** Mel and Marilyn Wammack

**Appellants:** Betty DeRosa; Jeff Heller; and Alex Beattie

**Local Decision:** Approved by the Morro Bay Planning Commission on September 16, 2014, and upheld by the City Council on November 12, 2014 (City CDP application number CP0-417).

**Project Location:** 505 Walnut Street, City of Morro Bay (APN 066-253-006).

**Project Description:** Construction of a new two-story 2,025 square-foot single-family residence, with an attached two-car garage and attached secondary dwelling unit (for a total of 2,935 square feet), plus 272 square feet of porch and deck area, on an existing 4,534 square-foot vacant lot.

**Staff Recommendation:** No Substantial Issue

---

### SUMMARY OF STAFF RECOMMENDATION

The City of Morro Bay approved a coastal development permit (CDP) authorizing a new 2,025 square-foot single-family residence with an attached 460 square-foot garage and a 450 square-foot secondary dwelling unit located above the garage (for a total of 2,935 square feet), plus a 272 square-foot deck and porch area on an existing 4,534 square-foot undeveloped parcel,

located at 505 Walnut Street in the City of Morro Bay, San Luis Obispo County. The site is a relatively flat vacant corner parcel zoned R-1 (Single Family Residential), located at the intersection of Walnut Street and Main Street and surrounded on two sides by existing single-family residences. The project site is approximately 300 feet from Morro Bay.

The Appellants contend that the approved project is inconsistent with City of Morro Bay Local Coastal Program (LCP) policies that protect visual resources and neighborhood character. Specifically, they contend that the approved project's size and height are incompatible with adjacent homes in the community and will have negative visual impacts. The Appellants cite language in the LCP Land Use Plan's (LUP) Visual Resources chapter that states that currently allowable height and bulk allowances for residential development do not appropriately protect community character and public views. They also state that the project site should be considered a scenic area.

After reviewing the local record, Commission staff has concluded that the approved project does not raise a substantial issue with respect to the project's conformance with the City of Morro Bay LCP. The local action is factually and legally supported by the record, and the project complied with all applicable LCP requirements. The City-approved project is located on a vacant parcel about 300 feet inland from Morro Bay proper, and constitutes infill development within an existing generally urbanized neighborhood. The approved residence complies with all applicable zoning standards for the R-1 district, including height, setback, and lot coverage requirements. The project's approved design is the result of extensive analysis made by the City, including a required redesign from the Planning Commission in order to effectively match and ensure consistency with the established neighborhood architectural aesthetic. Finally, the LUP language the Appellants cite pertaining to residential developments' negative visual resource impacts, as well as the criteria used to designate highly scenic areas, are the criteria used to explain how the LUP's visual resource protection standards were developed initially. This background text in the LUP describes the issues facing the City at the time of initial LCP development, including insufficient development standards in effect at that time prior to the LCP, and segues to explain the purpose of the LCP's policies is to ameliorate these identified problems. In short, this LCP background text provides context in the reasons *for* the applicable LCP policies, such as those that protect views to and along the ocean and scenic coastal areas and require development to be visually compatible with the character of surrounding areas.

Similarly, the LUP's thirteen listed criteria used to designate highly scenic areas were the benchmarks by which the City evaluated whether a particular area should be mapped as a scenic area under those criteria. Again, these criteria describe the rationale behind the areas so mapped in the LCP. Importantly, a site does not need to be mapped as scenic for the LCP's scenic resource protection policies to apply. Rather, a mapped area is an indication that an area is scenic, and those issues need to be evaluated. Similarly, an area that is not mapped could be considered scenic based on the facts of any particular case. Here, the proposed project is not located within an LCP-mapped scenic area. Even if it were, the project would still meet's the LCP's additional required finding that development within such areas be subordinate to the character of its setting, including through the aforementioned findings the City made per the project's architectural compatibility with other structures in this existing, established residential neighborhood. In short, the proposed project constitutes infill development within an existing

developed residential neighborhood and does not raise substantial LCP conformance issues in these regards.

As a result, staff recommends that the Commission determine that the appeal contentions do not raise a substantial LCP conformance issue, and that the Commission decline to take jurisdiction over the CDP for this project. The single motion necessary to implement this recommendation is found on page 4 below.

**TABLE OF CONTENTS**

**I. MOTION AND RESOLUTION ..... 4**

**II. FINDINGS AND DECLARATIONS ..... 4**

    A. PROJECT LOCATION AND DESCRIPTION..... 4

    B. CITY OF MORRO BAY CDP APPROVAL..... 4

    C. APPEAL PROCEDURES ..... 5

    D. SUMMARY OF APPEAL CONTENTIONS ..... 6

    E. SUBSTANTIAL ISSUE DETERMINATION ..... 6

    F. CONCLUSION..... 8

**EXHIBITS**

- Exhibit 1 – Project Location Map
- Exhibit 2 – Approved Project Site Plan
- Exhibit 3 – Approved Project Design
- Exhibit 4 – City’s Final CDP Local Action Notice
- Exhibit 5 – Appeals of City of Morro Bay’s CDP Decision
- Exhibit 6 – Applicable LCP Policies and Implementation Plan Standards
- Exhibit 7 – Visual Simulations
- Exhibit 8 – Correspondence

## I. MOTION AND RESOLUTION

Staff recommends a **YES** vote on the following motion. Passage of this motion would result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission would not hear the application de novo and the local action would become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

***Motion:** I move that the Commission determine that Appeal Number A-3-MRB-14-0068 raises **no substantial issue** with respect to the grounds on which the appeal has been filed under Section 30603. I recommend a **yes** vote.*

***Resolution:** The Commission finds that Appeal Number A-3-MRB-14-0068 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.*

## II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

### A. PROJECT LOCATION AND DESCRIPTION

The City of Morro Bay-approved project authorizes a new 2,025 square-foot single-family residence with an attached 460 square-foot garage and a 450 square-foot secondary dwelling unit above the garage (for a total of 2,935 square feet), plus a 272 square-foot deck and porch area on an existing 4,534 square-foot undeveloped parcel, located at 505 Walnut Street (APN 066-253-006) in the City of Morro Bay (see **Exhibit 1** for the project location map and **Exhibits 2 and 3** for approved project plans). The subject parcel is zoned R-1 (Single Family Residential). The project site is a relatively flat vacant corner parcel located at the intersection of Walnut Street and Main Street and surrounded on two sides by existing single-family residences. The project site is approximately 300 feet from Morro Bay.

### B. CITY OF MORRO BAY CDP APPROVAL

On September 16, 2014, the Morro Bay Planning Commission approved coastal development permit CP0-417 for the proposed project. On November 12, 2014, the Morro Bay City Council denied appeals of said decision and upheld the Planning Commission's CDP approval. The City's notice of final local action was received in the Coastal Commission's Central Coast District office on November 17, 2014 (**Exhibit 4**). The Coastal Commission's ten-working day appeal period for this action began on November 18, 2014 and concluded at 5pm on December 3, 2014. Three valid appeals of the City's CDP decision were received during the appeal period (see below and see **Exhibit 5**).<sup>1</sup>

---

<sup>1</sup> While the appeals forms also list Robert Pegler and Kerry Heller as Appellants, they did not voice their opinions during the local process and thus do not have standing to appeal the City's CDP. Therefore, only Betty DeRosa, Jeff Heller, and Alex Beattie are listed as Appellants.

### C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable because it is located within 300 feet of the mean high tide line of Morro Bay.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo CDP hearing on an appealed project unless a majority of the Commission finds that “no substantial issue” is raised by such allegations.<sup>2</sup> Under Section 30604(b), if the Commission conducts a de novo hearing and ultimately approves a CDP for a project, the Commission must find that the proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project does not include components that are located between the nearest public road and the sea, and thus this additional finding does not need to be made if the Commission were to approve the project following a de novo hearing.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo CDP determination stage of an appeal, if there is one.

---

<sup>2</sup> The term “substantial issue” is not defined in the Coastal Act or in its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance. Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of a local government’s CDP decision by filing a petition for a writ of mandate pursuant to the Code of Civil Procedure, Section 1094.5. In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City does not raise a substantial issue with regard to the Appellants’ contentions.

## **D. SUMMARY OF APPEAL CONTENTIONS**

The Appellants contend that the approved project is inconsistent with City of Morro Bay LCP policies that protect visual resources and neighborhood character. Specifically, they contend that the approved project's size and height are incompatible with adjacent homes in the community and will thus have negative visual impacts. The Appellants cite language in the LUP's Visual Resources chapter that states that currently allowable height and bulk allowances for residential development do not appropriately protect community character and public views. They also state that the project site should be considered a scenic area based on LUP language defining areas as scenic when they meet the following criteria: the uniqueness of scenic qualities, ease of access on foot or by motor vehicle, compatibility with surrounding structures, and preservation of public views. See **Exhibit 5** for the full appeal documents.

## **E. SUBSTANTIAL ISSUE DETERMINATION**

### **Visual Resources**

The LCP contains numerous policies protecting public views, scenic areas, and community character as required by Coastal Act Section 30251. Section D of the LUP's Visual Resources chapter (certified in 1982) describes some of the issues that were facing Morro Bay's built environment at that time pertaining to visual quality. Specifically, Section D states that "new residences and residential additions are often out-of-scale with the character of the surrounding community" because the then-allowable height and bulk for such structures was not appropriate and resulted in blockage of important public views.<sup>3</sup> To address and ameliorate this problem, Section C of the LUP states that, in order to protect the City's significant visual resources, a key first step is to define precisely what constitutes a "scenic view". Section C then goes on to define thirteen criteria used to determine scenic views, including: the abundance and variety of forms and textures, the distance and extent of views, the uniqueness of scenic qualities, the compatibility with surrounding structures, and the preservation of public views, among others. Based on these criteria, the LCP specifically identified the location of LCP-designated scenic views and areas of visual significance and mapped them in LUP Figures 30 and 31. For development within these designated scenic areas, LUP Policy 12.01 requires such development to be subordinate to the character of its setting. This finding is required in addition to other LUP policies that apply to all development within the coastal zone, including Policy 12.01, which requires scenic and visual qualities to be considered and protected, to protect views to and along the ocean and scenic coastal areas, and to be visually compatible with the character of surrounding areas. The Implementation Plan (IP) also includes specific numeric standards for height, lot coverage, and density for each zoning district<sup>4</sup> so as to ensure that structures are appropriately sited and designed, as well as provisions that implement the LUP's visual

---

<sup>3</sup> One Appellant contends that the approved project "blocks the views of several existing homes..." but the LCP protects public views, not private views.

<sup>4</sup> The approved project is located in the R-1 zoning district, which contains the following development standards: 25-foot height limits, 45% maximum lot coverage, two covered parking spaces required for each single-family residence, one parking space required for each secondary dwelling unit, and 20-foot front yard setbacks, among others.

resources policies that apply throughout the coastal zone.<sup>5</sup> Please see **Exhibit 6** for the applicable LCP policies, IP standards, and LUP Figures.

As previously described, the City-approved project authorizes a new 2,025 square-foot single-family residence with an attached 460 square-foot garage and a 450 square-foot secondary dwelling unit located above the garage (for a total of 2,935 square feet), plus a 272 square-foot deck and porch area on an existing 4,534 square-foot undeveloped parcel.

The Appellants contend that the approved project's size and height are incompatible with adjacent homes in the community and will thus have negative visual impacts, and that the area should be considered a scenic area within which this development is inappropriate (again, see **Exhibit 5** for the Appellants' contentions).

The City-approved project is located within the single-family residential zoning district (R-1). The approved residence meets all applicable zoning district standards, including for height (24 feet when 25 feet is allowed), lot coverage (41% when 45% is allowed), front setback (20 feet when 20 feet is allowed), and parking (two covered spaces plus one uncovered space for the secondary dwelling unit, matching applicable zoning requirements). In terms of architectural design and compatibility with other residences in the neighborhood, the City found that the approved-project's size of 2,935 square feet (which includes a garage and a secondary dwelling unit located above the garage) is not unlike other newer residential construction in the vicinity, which is typically two-story and more than 2,500 square feet in size.<sup>6</sup> The project constitutes infill development on a vacant lot in an otherwise generally urbanized residential neighborhood, and since the project parcel is located on the landward side of Main Street, the residence will not adversely impact any blue water views of Morro Bay for northbound drivers along Main Street (which is the primary thoroughfare into the City's popular waterfront area). Finally, in order to address architectural concerns, the City's Planning Commission required a redesign of the proposed project in order to provide for more articulation and less bulk. The Applicant submitted revised plans with a slight reduction in overall square footage (downsized to the approved 2,935 square-feet), a wrap-around porch to provide for more visual interest along the street-facing facade, and a reduction of square footage on the upper floor. These revised plans were approved at a second Planning Commission hearing, with the City finding that the revised plans were consistent with the direction given by the Commission. Thus, the City-approved project is the result of substantial local review and reflects the architectural and design aesthetic envisioned by the City. The local action finds ample factual and legal support in the administrative record. Given all of the above, the approved project does not raise a substantial LCP conformance issue with respect to size, bulk, architectural design, and neighborhood compatibility.

### **Land Use Plan Background Information**

---

<sup>5</sup> IP Section 17.48.190 requires that alterations to natural landforms be minimized, that new development be visually compatible with the character of the surrounding area, and that significant public views to and along the coast be protected, among other requirements.

<sup>6</sup> Including a nearby 2,829 square-foot single-family residence at 281 Main Street that the Commission found raised No Substantial Issue in CDP Appeal No. A-3-MRB-12-026 in March 2013.

Finally, the Appellants cite language in the LUP that states that residential development does not protect community character and public views because of inadequate height and bulk allowances. Additionally, they cite LUP language that identifies thirteen criteria by which to assess and designate scenic views and areas of visual significance, and state that the project site should be considered scenic based upon these criteria. However, the LUP language the Appellants cite pertaining to residential developments' negative visual resource impacts, as well as the criteria used to designate highly scenic areas, are the criteria used to explain how the LUP's visual resource protection standards were developed initially. This background text in the LUP describes the issues facing the City at the time of initial LCP development, including insufficient development standards in effect at that time prior to the LCP, and segues to explain the purpose of the LCP's policies is to ameliorate these identified problems. In short, this LCP background text provides context in the reasons *for* the applicable LCP policies, such as those that protect views to and along the ocean and scenic coastal areas and require development to be visually compatible with the character of surrounding areas.

Similarly, the LUP's thirteen listed criteria used to designate highly scenic areas were the benchmarks by which the City evaluated whether a particular area should be mapped as a scenic area under those criteria. Again, these criteria describe the rationale behind the areas so mapped in the LCP. The LUP states: "Based upon these criteria, natural open space areas, residential neighborhoods, and commercial zones with significant scenic resources or community character were identified and evaluated. Figures 30 and 31 show the location of scenic views and identify areas of visual significance." Importantly, a site does not need to be mapped as scenic for the LCP's scenic resource protection policies to apply.<sup>7</sup> Rather, a mapped area is an indication that an area is scenic, and those issues need to be evaluated. Similarly, an area that is not mapped could be considered scenic based on the facts of any particular case.

Here, the proposed project is not located within an LCP-mapped scenic area. Even if were, the project would still meet's the LCP's additional required finding that development within such areas be subordinate to the character of its setting, including through the aforementioned findings the City made per the project's architectural compatibility with other structures in this existing, established residential neighborhood. As discussed above, the Planning Commission also specifically required modifications to the originally proposed architectural design so that the residence better matched the neighborhood aesthetic of an existing, established residential neighborhood. In short, the proposed project constitutes infill development within an existing developed residential neighborhood and does not raise substantial LCP conformance issues in these regards.

## **F. CONCLUSION**

When considering a project that has been appealed to it, the Commission must first determine whether the project raises a substantial issue of LCP conformity, such that the Commission should assert jurisdiction over a *de novo* CDP for such development. As described above, the Commission has been guided in its decision of whether the issues raised in a given case are

---

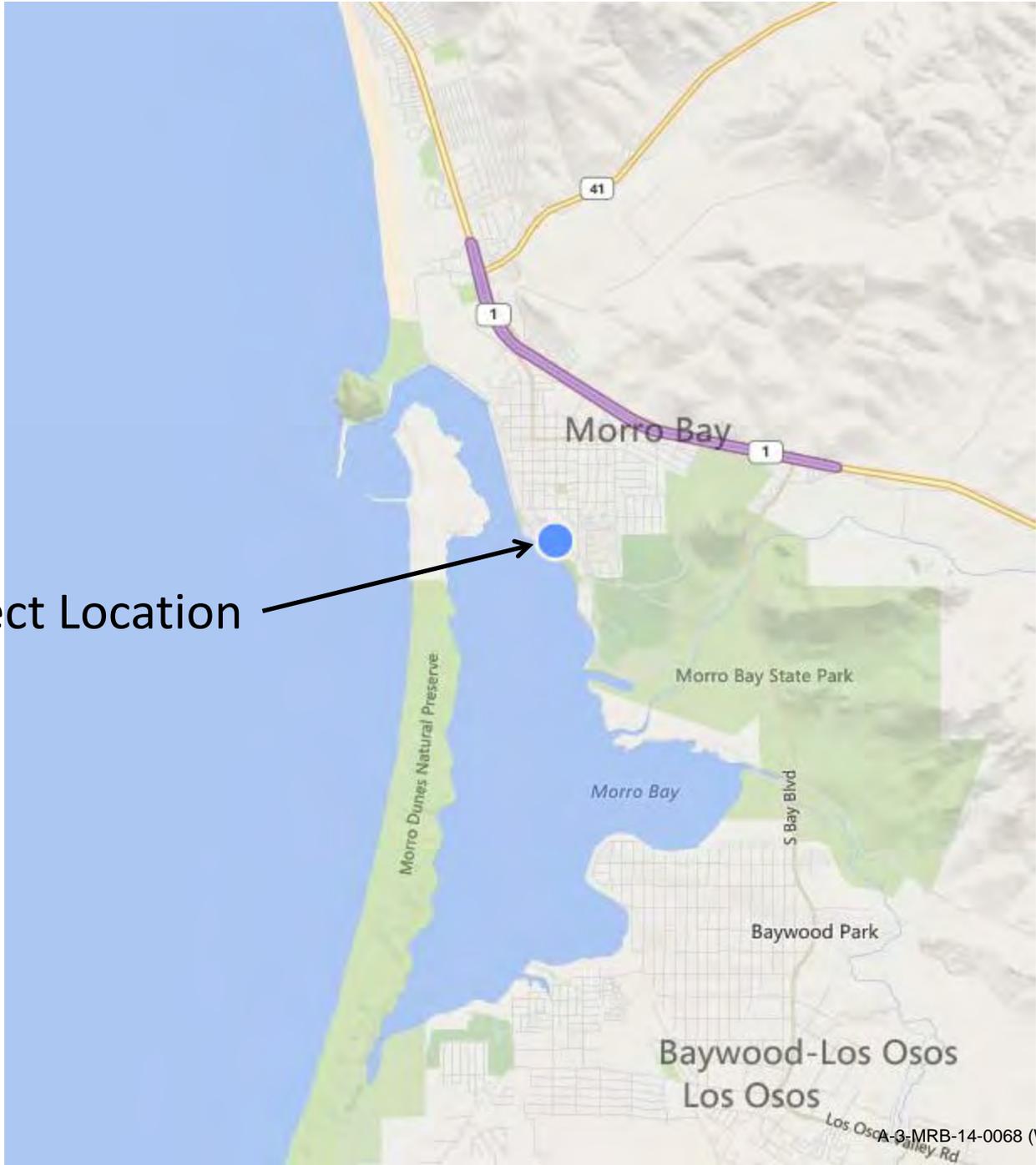
<sup>7</sup> LUP Policy 12.01 clearly describes those figures as a subset of areas that might meet such criteria, stating: "...New development in highly scenic areas *such as* those designated on Figure 31..." (emphasis added, see Exhibit 6).

“substantial” by the following five factors: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance. In this case, these five factors, considered together, support a conclusion that this project does not raise a substantial issue of LCP conformance.

First, the City’s conclusion that, as conditioned, the approved residence would not have significant adverse impacts to visual or other coastal resources is well supported by the record, weighing against finding a substantial issue. Second, the approved project is consistent with the purpose of the zoning district and complies with the LCP’s design and development standards for residential structures, including with respect to height, square footage, setbacks, and site coverage. Thus, the extent and scope of this project weigh in favor of a finding of no substantial issue. Third, the development is not located within a designated highly scenic area, is located on the landward side of Main Street and thus will not block blue water views of Morro Bay, and was redesigned early in the City’s CDP review process to match the neighborhood’s existing architectural aesthetic. Thus, no significant coastal resources are expected to be affected by this approval, and this factor also weighs against finding a substantial issue. The proposed project is consistent with the LCP, so this project should not create an adverse precedent, and thus this factor weighs against finding a substantial issue. Finally, the decisions made here are site and LCP-specific and therefore do not raise issues of regional or statewide significance, also weighing against a finding that a substantial issue exists.

Therefore, all five factors weigh against a finding of that the City’s approval raises a substantial issue with respect to the LCP. Given that the record supports the City’s action and the City’s analysis did not result in the approval of a project with significant coastal resource impacts, complies with applicable LCP provisions, and raises no statewide issues, the Commission finds the appeal does not raise a substantial issue of conformance with the LCP and thus the Commission declines to take jurisdiction over the CDP for this project.

Project Location





Project Location

25 m



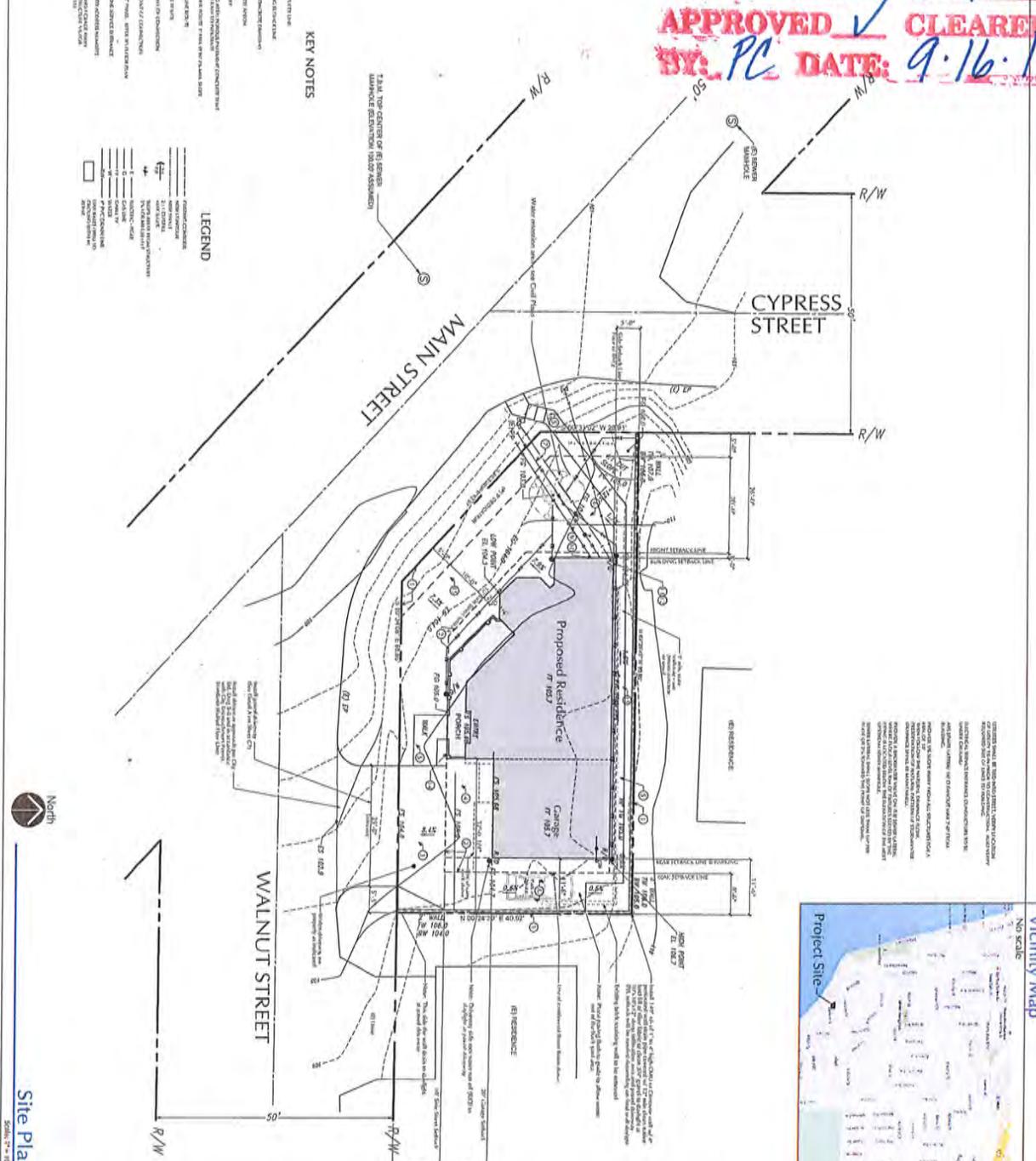
Project Location

**CITY OF MORRO BAY  
PLANNING DIVISION**

**CASE NO. CPD 417**  
**APPROVED ✓ CLEARED**  
**BY: PC DATE: 9.16.14**

- KEY NOTES**
1. PROPERTY LINE
  2. EXISTING/PROPOSED DRIVE
  3. EXISTING/PROPOSED DRIVE
  4. EXISTING/PROPOSED DRIVE
  5. EXISTING/PROPOSED DRIVE
  6. EXISTING/PROPOSED DRIVE
  7. EXISTING/PROPOSED DRIVE
  8. EXISTING/PROPOSED DRIVE
  9. EXISTING/PROPOSED DRIVE
  10. EXISTING/PROPOSED DRIVE
  11. EXISTING/PROPOSED DRIVE
  12. EXISTING/PROPOSED DRIVE
  13. EXISTING/PROPOSED DRIVE
  14. EXISTING/PROPOSED DRIVE
  15. EXISTING/PROPOSED DRIVE
  16. EXISTING/PROPOSED DRIVE
  17. EXISTING/PROPOSED DRIVE
  18. EXISTING/PROPOSED DRIVE
  19. EXISTING/PROPOSED DRIVE
  20. EXISTING/PROPOSED DRIVE
  21. EXISTING/PROPOSED DRIVE
  22. EXISTING/PROPOSED DRIVE
  23. EXISTING/PROPOSED DRIVE
  24. EXISTING/PROPOSED DRIVE
  25. EXISTING/PROPOSED DRIVE
  26. EXISTING/PROPOSED DRIVE
  27. EXISTING/PROPOSED DRIVE
  28. EXISTING/PROPOSED DRIVE
  29. EXISTING/PROPOSED DRIVE
  30. EXISTING/PROPOSED DRIVE
  31. EXISTING/PROPOSED DRIVE
  32. EXISTING/PROPOSED DRIVE
  33. EXISTING/PROPOSED DRIVE
  34. EXISTING/PROPOSED DRIVE
  35. EXISTING/PROPOSED DRIVE
  36. EXISTING/PROPOSED DRIVE
  37. EXISTING/PROPOSED DRIVE
  38. EXISTING/PROPOSED DRIVE
  39. EXISTING/PROPOSED DRIVE
  40. EXISTING/PROPOSED DRIVE
  41. EXISTING/PROPOSED DRIVE
  42. EXISTING/PROPOSED DRIVE
  43. EXISTING/PROPOSED DRIVE
  44. EXISTING/PROPOSED DRIVE
  45. EXISTING/PROPOSED DRIVE
  46. EXISTING/PROPOSED DRIVE
  47. EXISTING/PROPOSED DRIVE
  48. EXISTING/PROPOSED DRIVE
  49. EXISTING/PROPOSED DRIVE
  50. EXISTING/PROPOSED DRIVE
  51. EXISTING/PROPOSED DRIVE
  52. EXISTING/PROPOSED DRIVE
  53. EXISTING/PROPOSED DRIVE
  54. EXISTING/PROPOSED DRIVE
  55. EXISTING/PROPOSED DRIVE
  56. EXISTING/PROPOSED DRIVE
  57. EXISTING/PROPOSED DRIVE
  58. EXISTING/PROPOSED DRIVE
  59. EXISTING/PROPOSED DRIVE
  60. EXISTING/PROPOSED DRIVE
  61. EXISTING/PROPOSED DRIVE
  62. EXISTING/PROPOSED DRIVE
  63. EXISTING/PROPOSED DRIVE
  64. EXISTING/PROPOSED DRIVE
  65. EXISTING/PROPOSED DRIVE
  66. EXISTING/PROPOSED DRIVE
  67. EXISTING/PROPOSED DRIVE
  68. EXISTING/PROPOSED DRIVE
  69. EXISTING/PROPOSED DRIVE
  70. EXISTING/PROPOSED DRIVE
  71. EXISTING/PROPOSED DRIVE
  72. EXISTING/PROPOSED DRIVE
  73. EXISTING/PROPOSED DRIVE
  74. EXISTING/PROPOSED DRIVE
  75. EXISTING/PROPOSED DRIVE
  76. EXISTING/PROPOSED DRIVE
  77. EXISTING/PROPOSED DRIVE
  78. EXISTING/PROPOSED DRIVE
  79. EXISTING/PROPOSED DRIVE
  80. EXISTING/PROPOSED DRIVE
  81. EXISTING/PROPOSED DRIVE
  82. EXISTING/PROPOSED DRIVE
  83. EXISTING/PROPOSED DRIVE
  84. EXISTING/PROPOSED DRIVE
  85. EXISTING/PROPOSED DRIVE
  86. EXISTING/PROPOSED DRIVE
  87. EXISTING/PROPOSED DRIVE
  88. EXISTING/PROPOSED DRIVE
  89. EXISTING/PROPOSED DRIVE
  90. EXISTING/PROPOSED DRIVE
  91. EXISTING/PROPOSED DRIVE
  92. EXISTING/PROPOSED DRIVE
  93. EXISTING/PROPOSED DRIVE
  94. EXISTING/PROPOSED DRIVE
  95. EXISTING/PROPOSED DRIVE
  96. EXISTING/PROPOSED DRIVE
  97. EXISTING/PROPOSED DRIVE
  98. EXISTING/PROPOSED DRIVE
  99. EXISTING/PROPOSED DRIVE
  100. EXISTING/PROPOSED DRIVE

- LEGEND**
- 1. EXISTING DRIVE
  - 2. PROPOSED DRIVE
  - 3. EXISTING DRIVE
  - 4. PROPOSED DRIVE
  - 5. EXISTING DRIVE
  - 6. PROPOSED DRIVE
  - 7. EXISTING DRIVE
  - 8. PROPOSED DRIVE
  - 9. EXISTING DRIVE
  - 10. PROPOSED DRIVE
  - 11. EXISTING DRIVE
  - 12. PROPOSED DRIVE
  - 13. EXISTING DRIVE
  - 14. PROPOSED DRIVE
  - 15. EXISTING DRIVE
  - 16. PROPOSED DRIVE
  - 17. EXISTING DRIVE
  - 18. PROPOSED DRIVE
  - 19. EXISTING DRIVE
  - 20. PROPOSED DRIVE
  - 21. EXISTING DRIVE
  - 22. PROPOSED DRIVE
  - 23. EXISTING DRIVE
  - 24. PROPOSED DRIVE
  - 25. EXISTING DRIVE
  - 26. PROPOSED DRIVE
  - 27. EXISTING DRIVE
  - 28. PROPOSED DRIVE
  - 29. EXISTING DRIVE
  - 30. PROPOSED DRIVE
  - 31. EXISTING DRIVE
  - 32. PROPOSED DRIVE
  - 33. EXISTING DRIVE
  - 34. PROPOSED DRIVE
  - 35. EXISTING DRIVE
  - 36. PROPOSED DRIVE
  - 37. EXISTING DRIVE
  - 38. PROPOSED DRIVE
  - 39. EXISTING DRIVE
  - 40. PROPOSED DRIVE
  - 41. EXISTING DRIVE
  - 42. PROPOSED DRIVE
  - 43. EXISTING DRIVE
  - 44. PROPOSED DRIVE
  - 45. EXISTING DRIVE
  - 46. PROPOSED DRIVE
  - 47. EXISTING DRIVE
  - 48. PROPOSED DRIVE
  - 49. EXISTING DRIVE
  - 50. PROPOSED DRIVE
  - 51. EXISTING DRIVE
  - 52. PROPOSED DRIVE
  - 53. EXISTING DRIVE
  - 54. PROPOSED DRIVE
  - 55. EXISTING DRIVE
  - 56. PROPOSED DRIVE
  - 57. EXISTING DRIVE
  - 58. PROPOSED DRIVE
  - 59. EXISTING DRIVE
  - 60. PROPOSED DRIVE
  - 61. EXISTING DRIVE
  - 62. PROPOSED DRIVE
  - 63. EXISTING DRIVE
  - 64. PROPOSED DRIVE
  - 65. EXISTING DRIVE
  - 66. PROPOSED DRIVE
  - 67. EXISTING DRIVE
  - 68. PROPOSED DRIVE
  - 69. EXISTING DRIVE
  - 70. PROPOSED DRIVE
  - 71. EXISTING DRIVE
  - 72. PROPOSED DRIVE
  - 73. EXISTING DRIVE
  - 74. PROPOSED DRIVE
  - 75. EXISTING DRIVE
  - 76. PROPOSED DRIVE
  - 77. EXISTING DRIVE
  - 78. PROPOSED DRIVE
  - 79. EXISTING DRIVE
  - 80. PROPOSED DRIVE
  - 81. EXISTING DRIVE
  - 82. PROPOSED DRIVE
  - 83. EXISTING DRIVE
  - 84. PROPOSED DRIVE
  - 85. EXISTING DRIVE
  - 86. PROPOSED DRIVE
  - 87. EXISTING DRIVE
  - 88. PROPOSED DRIVE
  - 89. EXISTING DRIVE
  - 90. PROPOSED DRIVE
  - 91. EXISTING DRIVE
  - 92. PROPOSED DRIVE
  - 93. EXISTING DRIVE
  - 94. PROPOSED DRIVE
  - 95. EXISTING DRIVE
  - 96. PROPOSED DRIVE
  - 97. EXISTING DRIVE
  - 98. PROPOSED DRIVE
  - 99. EXISTING DRIVE
  - 100. PROPOSED DRIVE



**Site Plan**  
Scale: 1" = 40'

**Sheet Index**

Sheet	Description
1	General Information & Site Plan
2	Exterior Elevations
3	Floor Plans

**Project Data**

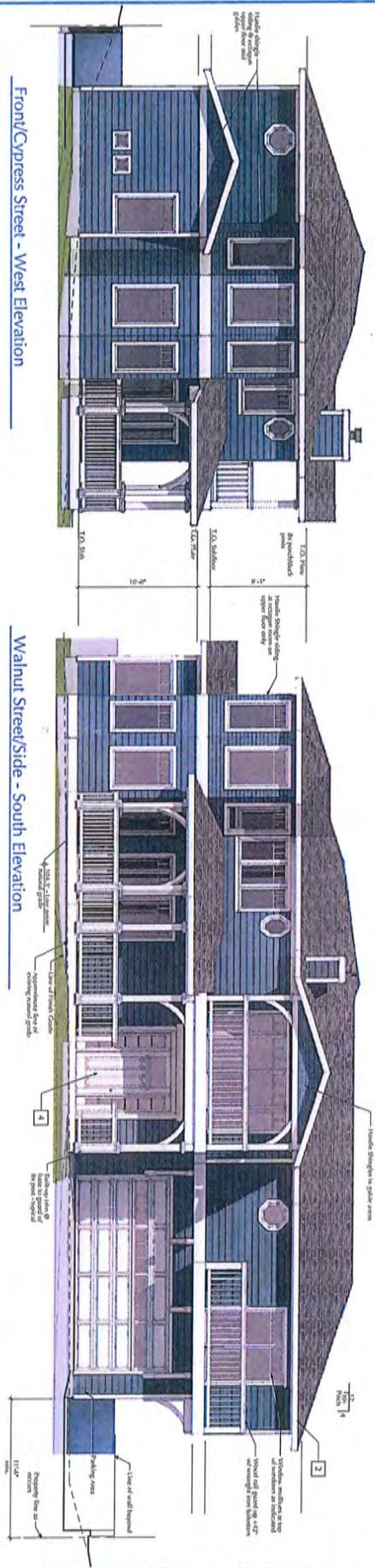
**Project Description:** New Single Family Residence  
**Address:** 305 Walnut Avenue  
**Legal Description:** Lot 16, Block 2, Morro Bay  
**APN:** 066-253-006  
**Zone:** R-1  
**Setback:** Front/Side - Walnut (Garage) 20', Front/Side - Walnut (Residence) 10', Front/Side - Main Street 10', Rear (East) 11.5' (First Floor), 5' (Second Floor)  
**Let Coverage:** Max 40% (Front, Side, Rear), Max 100% (Front)  
**Building Area:** 1,026 S.F.  
**Conditioned Space:** 990 S.F.  
**Second Floor (AGC):** 430 S.F.  
**Total Proposed Living Space:** 2,475 S.F.  
**Front and Rear:** 46.0 S.F.  
**Change Area:** 162 S.F.  
**Front Porch:** 52 S.F.  
**Rear Screen Deck:** 59 S.F.  
**Source:** 2 Story  
**Building Height:** 23'-0" (max allowable)  
**Proposed Use:** Single-Family Residential  
**Proposed Lot:** 162'-0" x 125'-0"  
**Proposed Area:** 16,250 S.F.  
**Construction Type:** V-B  
**Setback:** V-B (INFA 130)  
**Occupancy:** R-3 A U

**Contact Information**

**Owner/Agent:** Mel & Marilyn Wammack  
 16651 Avenida Florencia  
 Poway, CA 92064  
 Mel: 619-291-2652  
 M: 619-291-2652  
**Architect:** Jeff Schneiderit  
 560 Oakdale Street  
 Morro Bay, CA 93948  
 Phone: 405-374-0333  
 Fax: 405-374-0333  
**Contractor:** Rob Reynolds Construction  
 6323 Waveland Road  
 Oceanside, CA 92057  
**Soil Engineer:** Blarney Geotechnical Services, LLC  
 P.O. Box 4814  
 Pismo Beach, CA 93447  
 Phone: 805-545-5450

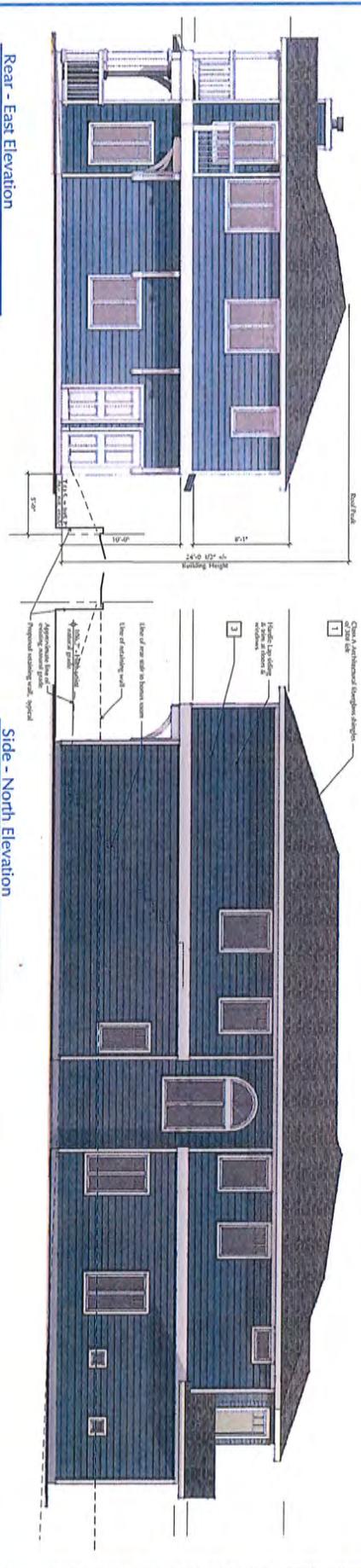
**Wammack Residence**  
 305 Walnut Ave., Morro Bay, CA  
 Mel & Marilyn Wammack

**Jeff Schneiderit Architect**  
 560 Oakdale Street  
 Morro Bay, CA 93948  
 Phone: 405-374-0333  
 Fax: 405-374-0333  
 www.jeffschneiderit.com



Front/Cypress Street - West Elevation

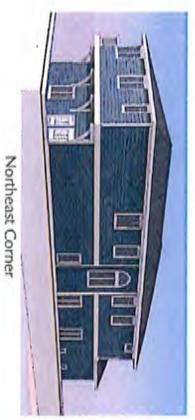
Walnut Street/Side - South Elevation



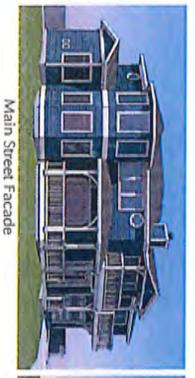
Rear - East Elevation

Side - North Elevation

- Material Legend**
- 1 Composite Siding - Hardwood
  - 2 Composite Siding - Hardwood
  - 3 Composite Siding - Hardwood
  - 4 Composite Siding - Hardwood
  - 5 Composite Siding - Hardwood
  - 6 Composite Siding - Hardwood
  - 7 Composite Siding - Hardwood
  - 8 Composite Siding - Hardwood
  - 9 Composite Siding - Hardwood
  - 10 Composite Siding - Hardwood
  - 11 Composite Siding - Hardwood
  - 12 Composite Siding - Hardwood
  - 13 Composite Siding - Hardwood
  - 14 Composite Siding - Hardwood
  - 15 Composite Siding - Hardwood
  - 16 Composite Siding - Hardwood
  - 17 Composite Siding - Hardwood
  - 18 Composite Siding - Hardwood
  - 19 Composite Siding - Hardwood
  - 20 Composite Siding - Hardwood
  - 21 Composite Siding - Hardwood
  - 22 Composite Siding - Hardwood
  - 23 Composite Siding - Hardwood
  - 24 Composite Siding - Hardwood
  - 25 Composite Siding - Hardwood
  - 26 Composite Siding - Hardwood
  - 27 Composite Siding - Hardwood
  - 28 Composite Siding - Hardwood
  - 29 Composite Siding - Hardwood
  - 30 Composite Siding - Hardwood
  - 31 Composite Siding - Hardwood
  - 32 Composite Siding - Hardwood
  - 33 Composite Siding - Hardwood
  - 34 Composite Siding - Hardwood
  - 35 Composite Siding - Hardwood
  - 36 Composite Siding - Hardwood
  - 37 Composite Siding - Hardwood
  - 38 Composite Siding - Hardwood
  - 39 Composite Siding - Hardwood
  - 40 Composite Siding - Hardwood
  - 41 Composite Siding - Hardwood
  - 42 Composite Siding - Hardwood
  - 43 Composite Siding - Hardwood
  - 44 Composite Siding - Hardwood
  - 45 Composite Siding - Hardwood
  - 46 Composite Siding - Hardwood
  - 47 Composite Siding - Hardwood
  - 48 Composite Siding - Hardwood
  - 49 Composite Siding - Hardwood
  - 50 Composite Siding - Hardwood
  - 51 Composite Siding - Hardwood
  - 52 Composite Siding - Hardwood
  - 53 Composite Siding - Hardwood
  - 54 Composite Siding - Hardwood
  - 55 Composite Siding - Hardwood
  - 56 Composite Siding - Hardwood
  - 57 Composite Siding - Hardwood
  - 58 Composite Siding - Hardwood
  - 59 Composite Siding - Hardwood
  - 60 Composite Siding - Hardwood
  - 61 Composite Siding - Hardwood
  - 62 Composite Siding - Hardwood
  - 63 Composite Siding - Hardwood
  - 64 Composite Siding - Hardwood
  - 65 Composite Siding - Hardwood
  - 66 Composite Siding - Hardwood
  - 67 Composite Siding - Hardwood
  - 68 Composite Siding - Hardwood
  - 69 Composite Siding - Hardwood
  - 70 Composite Siding - Hardwood
  - 71 Composite Siding - Hardwood
  - 72 Composite Siding - Hardwood
  - 73 Composite Siding - Hardwood
  - 74 Composite Siding - Hardwood
  - 75 Composite Siding - Hardwood
  - 76 Composite Siding - Hardwood
  - 77 Composite Siding - Hardwood
  - 78 Composite Siding - Hardwood
  - 79 Composite Siding - Hardwood
  - 80 Composite Siding - Hardwood
  - 81 Composite Siding - Hardwood
  - 82 Composite Siding - Hardwood
  - 83 Composite Siding - Hardwood
  - 84 Composite Siding - Hardwood
  - 85 Composite Siding - Hardwood
  - 86 Composite Siding - Hardwood
  - 87 Composite Siding - Hardwood
  - 88 Composite Siding - Hardwood
  - 89 Composite Siding - Hardwood
  - 90 Composite Siding - Hardwood
  - 91 Composite Siding - Hardwood
  - 92 Composite Siding - Hardwood
  - 93 Composite Siding - Hardwood
  - 94 Composite Siding - Hardwood
  - 95 Composite Siding - Hardwood
  - 96 Composite Siding - Hardwood
  - 97 Composite Siding - Hardwood
  - 98 Composite Siding - Hardwood
  - 99 Composite Siding - Hardwood
  - 100 Composite Siding - Hardwood



Northeast Corner



Main Street Facade



Walnut Street Facade



Walnut Street @ Southeast Corner

**CITY OF MORRO BAY**  
**PLANNING DIVISION**  
**Exterior Elevations**

CASE NO. CPD 417  
**APPROVED** **CLEARED**  
 BY: PL DATE: 9.16.17

**FINAL LOCAL  
ACTION NOTICE**

PUBLIC SERVICES DEPARTMENT

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

REFERENCE # 3-MRB-14-1002  
APPEAL PERIOD 11/17-12/3/14

NOTICE OF FINAL CITY ACTION on Coastal Development Permit No. CP0-417

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

Applicant: Mel and Marilyn Wammack

Address: 16851 Avenida Florencia, Poway, CA 92064

Project Description: Construction of a new two-story 2,935 square-foot single-family residence with a two-car garage, an attached secondary studio unit and 272 square feet of porch and decking, with a third open parking space for the secondary unit.

Planning Commission Resolution 19-14 with findings and conditions for approval is enclosed. City Council Resolution 74-14 denying appeal of the project also enclosed.

Project Location: 505 Walnut, Morro Bay, CA

APN: 066-253-006

Zoning: Residential Single Family (R-1)

Land Use Plan/General Plan: Low Medium Density Residential

Lot Area: 4,534 square feet

Filing Date: July 18, 2014

Approval Body: Planning Commission

Action Taken: Approval with Conditions

Action Date: September 16, 2014. City Council denied appeal on November 12, 2014

THIS SITE IS OUTSIDE OF THE COASTAL COMMISSION APPEAL JURISDICTION

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

**RECEIVED**

NOV 17 2014

CALIFORNIA Exhibit 4  
COASTAL COMMISSION (FD)  
CENTRAL COAST AREA  
PAGE 17

APPLICANT'S ACCEPTANCE  
OF  
CONDITIONS OF APPROVAL

CASE NO. CP0-417

SITE LOCATION: 505 Walnut, Morro Bay, CA

APPLICANT NAME: Mel and Marilyn Wammack

APPROVAL BODY: Planning Commission

DATE OF ACTION: September 16, 2014

I, MEL AND MARILYN WAMMACK 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: CP0-417

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

Marilyn L. Wammack  
APPLICANT'S SIGNATURE

9-18-14  
DATE

Mel Wammack

9/18/14

**RECEIVED**

NOV 17 2014

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA



# City of Morro Bay

Morro Bay, CA 93442

(805) 772-6200

www.morro-bay.ca.us

September 19, 2014

Mel and Marilyn Wammack  
16851 Avenida Florencia  
Poway, Ca 92064

SUBJECT: Case No.: CP0-417

SITE: APN: 066-253-006

Address: 505 Walnut . Morro Bay, CA

**Project Description:** Construction of a new two-story 2,935 square-foot single-family residence with a two-car garage, an attached secondary studio unit and 272 square feet of porch and decking, with a third open parking space for the secondary unit.

Planning Commission Resolution 19-14 with findings and conditions for approval is enclosed.

Dear Mel and Marilyn Wammack,

The Planning Commission at a regularly scheduled hearing approved your request for a Coastal Development Permit as described above with the attached conditions. 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 prior to the issuance of a building permit.*

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.

Sincerely,

Rob Livick  
Director Public Services Department

By: \_\_\_\_\_

**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

## COASTAL DEVELOPMENT PERMIT

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

CASE NO: CP0-417

### THIS PERMIT IS HEREBY APPROVED AND ISSUED FOR:

SITE ADDRESS: 505 Walnut, Morro Bay, CA

APPLICANT: Mel and Marilyn Wammack

APN/LEGAL: 066-253-006

DATE APPROVED: September 16, 2014

APPROVED BY: Planning Commission

CEQA DETERMINATION: Exempt under CEOA Section 15303(a), Class 3 New construction

DESCRIPTION OF APPROVAL: Construction of a new two-story 2,935 square-foot single-family residence with a two-car garage, an attached secondary studio unit and 272 square feet of porch and decking, with a third open parking space for the secondary unit.

**Please See Reverse For Permit 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 and after expiration of the City of Morro Bay appeal period. Appeals must be in writing and should be addressed to: California Coastal Commission, 725 Front Street, Ste. 300, Santa Cruz, CA 95060, Phone: 415-427-4863. If you have any questions, please call the City of Morro Bay Public Services Department, 772-6270.

**IF NOT APPEALED, YOUR PERMIT WILL BE EFFECTIVE:** Subject to appeal period above

ATTEST: \_\_\_\_\_

*Whitney M. Irvine*

DATE: September 19, 2014

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

APPLICANT'S ACCEPTANCE  
OF  
CONDITIONS OF APPROVAL

CASE NO. CP0-417

SITE LOCATION: 505 Walnut , Morro Bay, CA

APPLICANT NAME: Mel and Marilyn Wammack

APPROVAL BODY: Planning Commission

DATE OF ACTION: September 16, 2014

I, \_\_\_\_\_ 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: CP0-417

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

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE



## RESOLUTION NO. PC 19-14

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING THE COASTAL DEVELOPMENT PERMIT (CP0-417) FOR THE CONSTRUCTION OF A NEW TWO-STORY 2,935 SQUARE- FOOT SINGLE-FAMILY RESIDENCE WITH A TWO-CAR GARAGE, AN ATTACHED SECONDARY UNIT, AND 272 SQUARE FEET OF PORCH AND DECKING WITH A THIRD OPEN PARKING SPACE AT 505 WALNUT 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 August 19, 2014, for the purpose of considering Coastal Development Permit #CP0-417, and continued review until September 16, 2014; and

**WHEREAS**, notices of said public hearings 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 appellant and 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)**

1. Pursuant to the California Environmental Quality Act, the Director has found the project as proposed categorically exempt under Section 15303, Class 3(a), "New Construction or Conversion of Small Structures," because the project is a single-family home with an attached secondary dwelling in a residential zone and does not have a significant effect on the environment.

### **Coastal Development Permit Findings**

2. The Planning Commission finds the development of a new single-family residence with an attached secondary dwelling unit is consistent with the applicable provisions of the General Plan and certified Local Coastal Program.
3. The Planning Commission finds the project, as conditioned, is consistent with the character of the neighborhood in which it is located. It is surrounded by compatible uses of low density residential development; has similar bulk and scale as nearby structures; and like other structures in the neighborhood, the proposed project is two stories and has an attached two car garage.

4. The Planning Commission finds the development of a new single-family residence and attached secondary dwelling unit will not cause any health and safety concerns, and will not impact neighboring uses, environmentally sensitive habitat areas, or otherwise create significant impacts.

**Section 2. Action.** The Planning Commission does hereby approve Coastal Development Permit #CP0-417 subject to the following conditions:

### **STANDARD CONDITIONS**

1. This permit is granted for the land described in the staff report dated September 16, 2014, for the project at 505 Walnut Street depicted on plans dated August 28, 2014, 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 Planning Commission approved plans submitted for CP0-417, unless otherwise specified herein.
2. Inaugurate Within Two Years: Unless the construction 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 Public Services 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 or conditions of approval shall be subject to review and approval by the Public Services Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.

6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance and a Certificate of Occupancy, as may be required. 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.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

**Planning Conditions:**

1. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. At the time of foundation inspection, the property owner shall verify lot boundaries and building setbacks to the satisfaction of the City Planning Manager and City Building Official.
1. Height Certification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the City Planning Manager certifying the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection a licensed surveyor shall measure the height of the structure and submit a letter to the City Planning Manager, certifying the height of the structure is in accordance with the approved set of plans and complies with the height requirements of the Morro Bay, Municipal Code Section 17.12.310.
2. Dust Control: Prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems, shall be submitted for review and approval by the Building Official. (MBMC Section 17.52.070)
3. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find shall be left untouched until a qualified professional archaeologist, knowledgeable in local indigenous culture, or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation or salvage. The developer shall be liable for costs associated with the professional investigation. (MBMC Section 17.48.310)

4. Secondary Unit Parking: The minimum width of the area between the face of the retaining wall along the eastern property line and the eastern face of the building shall be 11 feet to enable room for a viable parking space for the secondary unit.
5. Lighting: Prior to issuance of a building permit, the applicant shall submit an exterior lighting plan for review and approval by the City Planning Manager. The plan shall show all exterior lighting fixtures and locations and shall be subject to the following standards:
  - a. The point source of all exterior lighting shall be shielded from offsite views.
  - b. Exterior lighting shall be directed downward and shall use cut-off fixtures or shields.
  - c. Exterior lighting shall be designed not to focus illumination onto exterior walls.
  - d. Bright white-colored lighting shall not be used for exterior lighting.
6. Undergrounding: All utilities to the structure shall be undergrounded.
7. Retaining Walls: The retaining walls along the east and north property lines shall incorporate surface texture and be neutral in color. The project landscape plan shall include vegetation to mitigate the visual impact of the retaining wall especially as seen from the public streets. The landscape plan shall support vegetation to enable 50% coverage of the retaining wall within 5 years.
8. Fencing: Fencing is prohibited in the exterior yard setback along Main Street to avoid interference with traffic sight distance. Any project fencing elsewhere on site is subject to conformance with MBMC Section 17.48.100.
9. Landscaping: A complete landscape plan showing plant type, size, number, location, watering schedule, and method of maintenance shall be submitted with the building plans. Plant material shall be predominately native and drought tolerant. Planting within 10 feet of the Main Street property line shall not have a mature height of more than 18 inches to avoid interference with traffic sight distance.
10. Inspection: The applicant shall comply with all Planning conditions listed above and obtain a final inspection from the Planning Division at the necessary time in order to ensure all conditions have been met.

#### **Building Conditions:**

1. Prior to construction, the applicant shall submit a complete building permit application and obtain the required building permit.

#### **Fire Code Requirements:**

1. Fire Sprinklers. The new residence shall be equipped with an automatic fire sprinkler system, in accordance with MBMC Section 14.08.090(I)(2) and 2010 California

Residential Code, Section R313.

2. Carbon Monoxide Alarms. For new construction, an approved carbon monoxide alarm shall be installed in dwelling units and in sleeping units within which fuel-burning appliances are installed and in dwelling units that have attached garages. (CRC 315)

**Public Works Conditions:**

1. Sewer Backwater Valve: Construction plans shall reflect that a sewer backwater valve shall be installed on site to prevent a blockage or maintenance of the municipal sewer main from causing damage to the proposed project. (MBMC Section 14.24.070).
2. Frontage improvements are required along Main Street (MBMC Section 14.44.020) Specific improvements include a street tree, curb, gutter and six-foot wide sidewalk with ADA compliant ramps at the corners. Building plans shall show the ultimate street improvements for the Main Street frontage. Developer may defer the installation of curb, gutter and sidewalk if deemed necessary to better coordinate construction with other planned improvements. If work is deferred, the required improvements shall be shown on the building plans with a note indicating deferral. A deferral agreement shall be recorded against the property prior to issuance of a building permit.
3. To provide sufficient right-of-way for frontage improvements, the property owner shall dedicate to the City a five-foot wide strip of lot frontage along Main Street to the satisfaction of the Public Works Director prior to issuance of a building permit.
4. Provide a standard erosion and sediment control plan (MBMC Section 12.04 & 14.48). The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. This Plan shall be provided with the Building Permit application.
5. Show the installation of a driveway approach per City of Morro Bay standards B-7 or B-8. Note that driveway width for this property shall not exceed 25'.
6. Install a 6-inch asphalt or concrete curb at the edge of pavement as shown on attached Exhibit 1.
7. Include the locations of the sewer lateral, water service, and water and sewer mains.
8. Grading and Drainage: Show existing and proposed topography and grading plan. Show drainage paths on the plans. Projects are encouraged to implement Low Impact Development (LID) feature.
9. A minimum of three street trees shall be planted in the front and exterior yard setbacks with consideration for traffic safety, sight distance, and views to the satisfaction of the Planning Manager and City Engineer.

10. Add the following Notes to the Construction Plans:

- a. No work within (or use of) the City's Right of Way shall occur without an encroachment permit. Encroachment permits are available at the City of Morro Bay Public Services Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
- b. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 16th day of September, 2014 on the following vote:

AYES: Commissioners Michael Lucas, Richard Sadowski, and Gerald Luhr

NOES:

ABSENT:

ABSTAIN: Commission Chairperson Robert Tefft

---

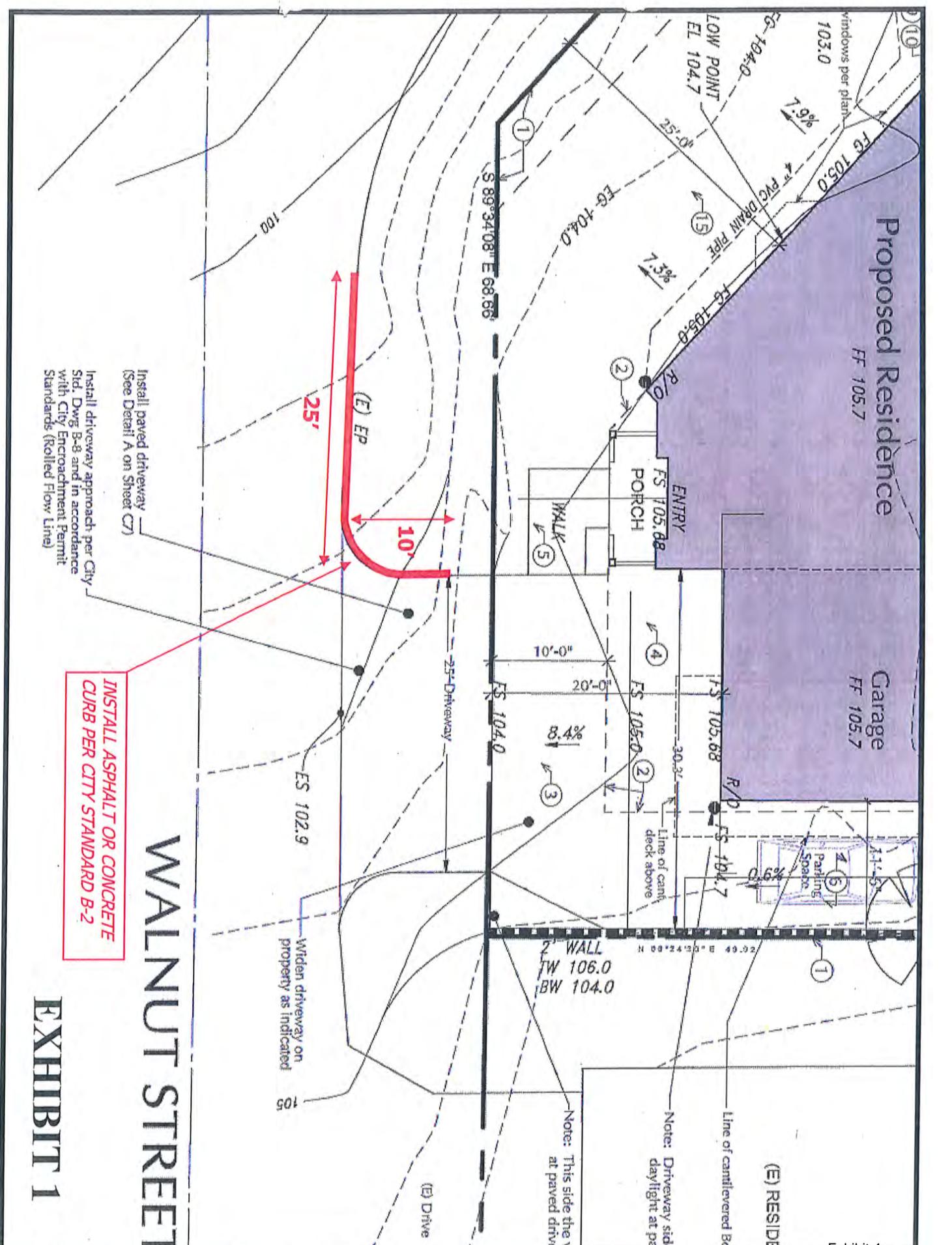
Gerald Luhr, Acting Chairperson

ATTEST

---

Rob Livick, Planning Secretary

The foregoing resolution was passed and adopted this 16th day of September, 2014.



Install paved driveway  
(See Detail A on Sheet C7)

Install driveway approach per City  
Std. Dwg. B-8 and in accordance  
with City Encroachment Permit  
Standards (Rolled Flow Line)

**INSTALL ASPHALT OR CONCRETE  
CURB PER CITY STANDARD B-2**

# WALNUT STREET

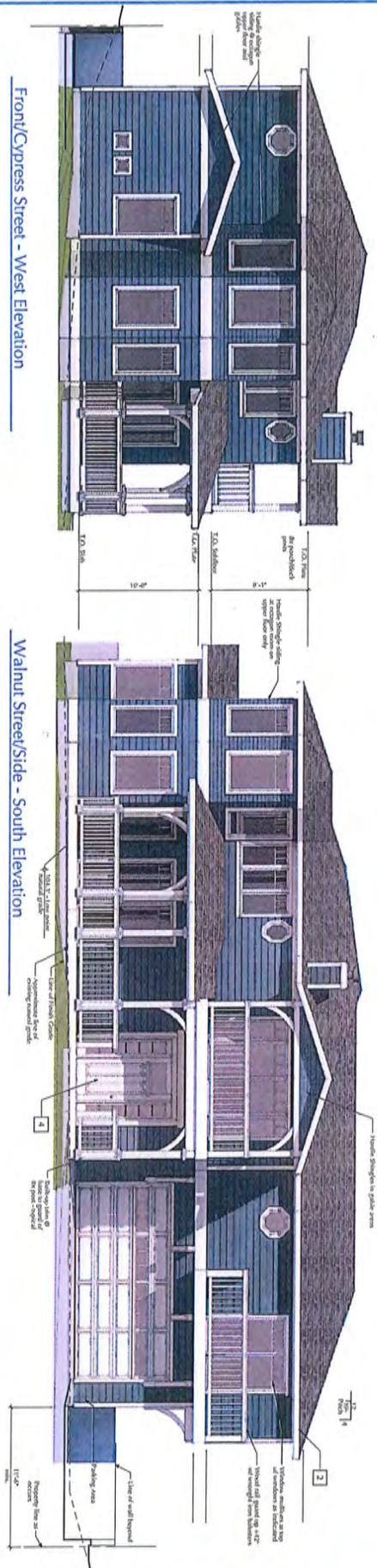
## EXHIBIT 1

Note: This side the v  
at paved drive

Note: Driveway side  
daylight at pa

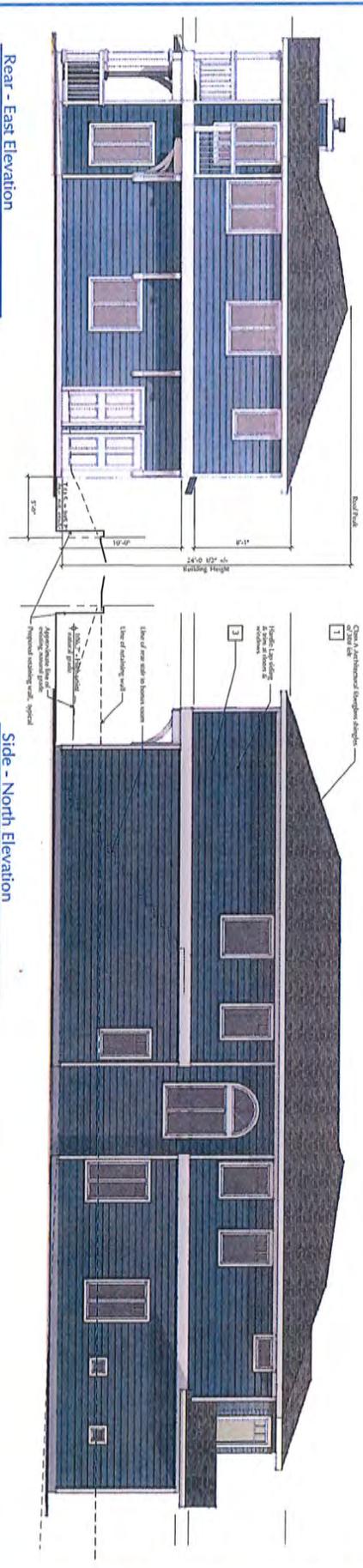
Line of cantilevered Bo

(E) RESIDE



Front/Cypress Street - West Elevation

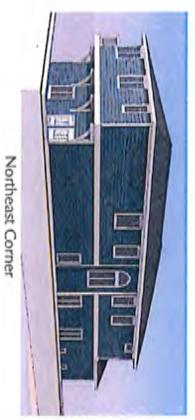
Walnut Street/Side - South Elevation



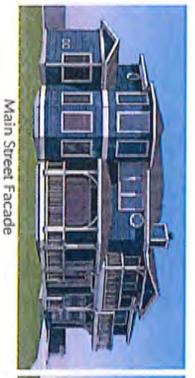
Rear - East Elevation

Side - North Elevation

- Material Legend**
- 1 Composite Siding - Hardwood
  - 2 Composite Siding - Hardwood
  - 3 Composite Siding - Hardwood
  - 4 Composite Siding - Hardwood
  - 5 Composite Siding - Hardwood
  - 6 Composite Siding - Hardwood
  - 7 Composite Siding - Hardwood
  - 8 Composite Siding - Hardwood
  - 9 Composite Siding - Hardwood
  - 10 Composite Siding - Hardwood
  - 11 Composite Siding - Hardwood
  - 12 Composite Siding - Hardwood
  - 13 Composite Siding - Hardwood
  - 14 Composite Siding - Hardwood
  - 15 Composite Siding - Hardwood
  - 16 Composite Siding - Hardwood
  - 17 Composite Siding - Hardwood
  - 18 Composite Siding - Hardwood
  - 19 Composite Siding - Hardwood
  - 20 Composite Siding - Hardwood
  - 21 Composite Siding - Hardwood
  - 22 Composite Siding - Hardwood
  - 23 Composite Siding - Hardwood
  - 24 Composite Siding - Hardwood
  - 25 Composite Siding - Hardwood
  - 26 Composite Siding - Hardwood
  - 27 Composite Siding - Hardwood
  - 28 Composite Siding - Hardwood
  - 29 Composite Siding - Hardwood
  - 30 Composite Siding - Hardwood
  - 31 Composite Siding - Hardwood
  - 32 Composite Siding - Hardwood
  - 33 Composite Siding - Hardwood
  - 34 Composite Siding - Hardwood
  - 35 Composite Siding - Hardwood
  - 36 Composite Siding - Hardwood
  - 37 Composite Siding - Hardwood
  - 38 Composite Siding - Hardwood
  - 39 Composite Siding - Hardwood
  - 40 Composite Siding - Hardwood
  - 41 Composite Siding - Hardwood
  - 42 Composite Siding - Hardwood
  - 43 Composite Siding - Hardwood
  - 44 Composite Siding - Hardwood
  - 45 Composite Siding - Hardwood
  - 46 Composite Siding - Hardwood
  - 47 Composite Siding - Hardwood
  - 48 Composite Siding - Hardwood
  - 49 Composite Siding - Hardwood
  - 50 Composite Siding - Hardwood
  - 51 Composite Siding - Hardwood
  - 52 Composite Siding - Hardwood
  - 53 Composite Siding - Hardwood
  - 54 Composite Siding - Hardwood
  - 55 Composite Siding - Hardwood
  - 56 Composite Siding - Hardwood
  - 57 Composite Siding - Hardwood
  - 58 Composite Siding - Hardwood
  - 59 Composite Siding - Hardwood
  - 60 Composite Siding - Hardwood
  - 61 Composite Siding - Hardwood
  - 62 Composite Siding - Hardwood
  - 63 Composite Siding - Hardwood
  - 64 Composite Siding - Hardwood
  - 65 Composite Siding - Hardwood
  - 66 Composite Siding - Hardwood
  - 67 Composite Siding - Hardwood
  - 68 Composite Siding - Hardwood
  - 69 Composite Siding - Hardwood
  - 70 Composite Siding - Hardwood
  - 71 Composite Siding - Hardwood
  - 72 Composite Siding - Hardwood
  - 73 Composite Siding - Hardwood
  - 74 Composite Siding - Hardwood
  - 75 Composite Siding - Hardwood
  - 76 Composite Siding - Hardwood
  - 77 Composite Siding - Hardwood
  - 78 Composite Siding - Hardwood
  - 79 Composite Siding - Hardwood
  - 80 Composite Siding - Hardwood
  - 81 Composite Siding - Hardwood
  - 82 Composite Siding - Hardwood
  - 83 Composite Siding - Hardwood
  - 84 Composite Siding - Hardwood
  - 85 Composite Siding - Hardwood
  - 86 Composite Siding - Hardwood
  - 87 Composite Siding - Hardwood
  - 88 Composite Siding - Hardwood
  - 89 Composite Siding - Hardwood
  - 90 Composite Siding - Hardwood
  - 91 Composite Siding - Hardwood
  - 92 Composite Siding - Hardwood
  - 93 Composite Siding - Hardwood
  - 94 Composite Siding - Hardwood
  - 95 Composite Siding - Hardwood
  - 96 Composite Siding - Hardwood
  - 97 Composite Siding - Hardwood
  - 98 Composite Siding - Hardwood
  - 99 Composite Siding - Hardwood
  - 100 Composite Siding - Hardwood



Northeast Corner



Main Street Facade



Walnut Street Facade



Walnut Street @ Southeast Corner

**CITY OF MORRO BAY**  
**PLANNING DIVISION**  
**Exterior Elevations**

**APPROVED** ✓ **CLEARED**  
**DATE:** 9.16.17

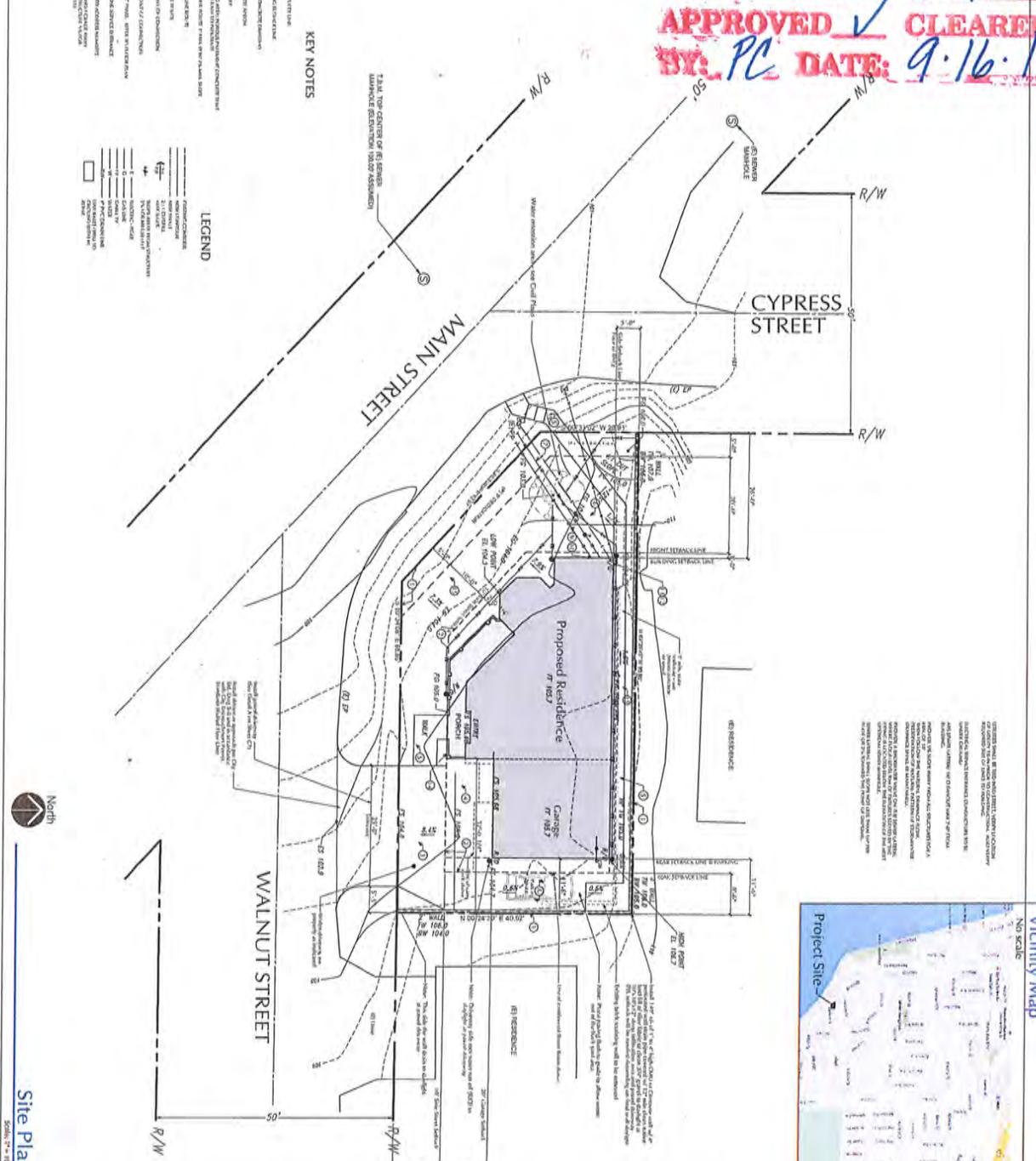
**CASE NO.** 17-0417

**CITY OF MORRO BAY  
PLANNING DIVISION**

**CASE NO. CPD 417**  
**APPROVED ✓ CLEARED**  
**BY: PC DATE: 9.16.14**

- KEY NOTES**
1. PROPERTY LINE
  2. EXISTING CONCRETE DRIVE
  3. EXISTING CONCRETE DRIVE
  4. EXISTING CONCRETE DRIVE
  5. EXISTING CONCRETE DRIVE
  6. EXISTING CONCRETE DRIVE
  7. EXISTING CONCRETE DRIVE
  8. EXISTING CONCRETE DRIVE
  9. EXISTING CONCRETE DRIVE
  10. EXISTING CONCRETE DRIVE
  11. EXISTING CONCRETE DRIVE
  12. EXISTING CONCRETE DRIVE
  13. EXISTING CONCRETE DRIVE
  14. EXISTING CONCRETE DRIVE
  15. EXISTING CONCRETE DRIVE
  16. EXISTING CONCRETE DRIVE
  17. EXISTING CONCRETE DRIVE
  18. EXISTING CONCRETE DRIVE
  19. EXISTING CONCRETE DRIVE
  20. EXISTING CONCRETE DRIVE
  21. EXISTING CONCRETE DRIVE
  22. EXISTING CONCRETE DRIVE
  23. EXISTING CONCRETE DRIVE
  24. EXISTING CONCRETE DRIVE
  25. EXISTING CONCRETE DRIVE
  26. EXISTING CONCRETE DRIVE
  27. EXISTING CONCRETE DRIVE
  28. EXISTING CONCRETE DRIVE
  29. EXISTING CONCRETE DRIVE
  30. EXISTING CONCRETE DRIVE
  31. EXISTING CONCRETE DRIVE
  32. EXISTING CONCRETE DRIVE
  33. EXISTING CONCRETE DRIVE
  34. EXISTING CONCRETE DRIVE
  35. EXISTING CONCRETE DRIVE
  36. EXISTING CONCRETE DRIVE
  37. EXISTING CONCRETE DRIVE
  38. EXISTING CONCRETE DRIVE
  39. EXISTING CONCRETE DRIVE
  40. EXISTING CONCRETE DRIVE
  41. EXISTING CONCRETE DRIVE
  42. EXISTING CONCRETE DRIVE
  43. EXISTING CONCRETE DRIVE
  44. EXISTING CONCRETE DRIVE
  45. EXISTING CONCRETE DRIVE
  46. EXISTING CONCRETE DRIVE
  47. EXISTING CONCRETE DRIVE
  48. EXISTING CONCRETE DRIVE
  49. EXISTING CONCRETE DRIVE
  50. EXISTING CONCRETE DRIVE
  51. EXISTING CONCRETE DRIVE
  52. EXISTING CONCRETE DRIVE
  53. EXISTING CONCRETE DRIVE
  54. EXISTING CONCRETE DRIVE
  55. EXISTING CONCRETE DRIVE
  56. EXISTING CONCRETE DRIVE
  57. EXISTING CONCRETE DRIVE
  58. EXISTING CONCRETE DRIVE
  59. EXISTING CONCRETE DRIVE
  60. EXISTING CONCRETE DRIVE
  61. EXISTING CONCRETE DRIVE
  62. EXISTING CONCRETE DRIVE
  63. EXISTING CONCRETE DRIVE
  64. EXISTING CONCRETE DRIVE
  65. EXISTING CONCRETE DRIVE
  66. EXISTING CONCRETE DRIVE
  67. EXISTING CONCRETE DRIVE
  68. EXISTING CONCRETE DRIVE
  69. EXISTING CONCRETE DRIVE
  70. EXISTING CONCRETE DRIVE
  71. EXISTING CONCRETE DRIVE
  72. EXISTING CONCRETE DRIVE
  73. EXISTING CONCRETE DRIVE
  74. EXISTING CONCRETE DRIVE
  75. EXISTING CONCRETE DRIVE
  76. EXISTING CONCRETE DRIVE
  77. EXISTING CONCRETE DRIVE
  78. EXISTING CONCRETE DRIVE
  79. EXISTING CONCRETE DRIVE
  80. EXISTING CONCRETE DRIVE
  81. EXISTING CONCRETE DRIVE
  82. EXISTING CONCRETE DRIVE
  83. EXISTING CONCRETE DRIVE
  84. EXISTING CONCRETE DRIVE
  85. EXISTING CONCRETE DRIVE
  86. EXISTING CONCRETE DRIVE
  87. EXISTING CONCRETE DRIVE
  88. EXISTING CONCRETE DRIVE
  89. EXISTING CONCRETE DRIVE
  90. EXISTING CONCRETE DRIVE
  91. EXISTING CONCRETE DRIVE
  92. EXISTING CONCRETE DRIVE
  93. EXISTING CONCRETE DRIVE
  94. EXISTING CONCRETE DRIVE
  95. EXISTING CONCRETE DRIVE
  96. EXISTING CONCRETE DRIVE
  97. EXISTING CONCRETE DRIVE
  98. EXISTING CONCRETE DRIVE
  99. EXISTING CONCRETE DRIVE
  100. EXISTING CONCRETE DRIVE

- LEGEND**
- 1. EXISTING CONCRETE DRIVE
  - 2. EXISTING CONCRETE DRIVE
  - 3. EXISTING CONCRETE DRIVE
  - 4. EXISTING CONCRETE DRIVE
  - 5. EXISTING CONCRETE DRIVE
  - 6. EXISTING CONCRETE DRIVE
  - 7. EXISTING CONCRETE DRIVE
  - 8. EXISTING CONCRETE DRIVE
  - 9. EXISTING CONCRETE DRIVE
  - 10. EXISTING CONCRETE DRIVE
  - 11. EXISTING CONCRETE DRIVE
  - 12. EXISTING CONCRETE DRIVE
  - 13. EXISTING CONCRETE DRIVE
  - 14. EXISTING CONCRETE DRIVE
  - 15. EXISTING CONCRETE DRIVE
  - 16. EXISTING CONCRETE DRIVE
  - 17. EXISTING CONCRETE DRIVE
  - 18. EXISTING CONCRETE DRIVE
  - 19. EXISTING CONCRETE DRIVE
  - 20. EXISTING CONCRETE DRIVE
  - 21. EXISTING CONCRETE DRIVE
  - 22. EXISTING CONCRETE DRIVE
  - 23. EXISTING CONCRETE DRIVE
  - 24. EXISTING CONCRETE DRIVE
  - 25. EXISTING CONCRETE DRIVE
  - 26. EXISTING CONCRETE DRIVE
  - 27. EXISTING CONCRETE DRIVE
  - 28. EXISTING CONCRETE DRIVE
  - 29. EXISTING CONCRETE DRIVE
  - 30. EXISTING CONCRETE DRIVE
  - 31. EXISTING CONCRETE DRIVE
  - 32. EXISTING CONCRETE DRIVE
  - 33. EXISTING CONCRETE DRIVE
  - 34. EXISTING CONCRETE DRIVE
  - 35. EXISTING CONCRETE DRIVE
  - 36. EXISTING CONCRETE DRIVE
  - 37. EXISTING CONCRETE DRIVE
  - 38. EXISTING CONCRETE DRIVE
  - 39. EXISTING CONCRETE DRIVE
  - 40. EXISTING CONCRETE DRIVE
  - 41. EXISTING CONCRETE DRIVE
  - 42. EXISTING CONCRETE DRIVE
  - 43. EXISTING CONCRETE DRIVE
  - 44. EXISTING CONCRETE DRIVE
  - 45. EXISTING CONCRETE DRIVE
  - 46. EXISTING CONCRETE DRIVE
  - 47. EXISTING CONCRETE DRIVE
  - 48. EXISTING CONCRETE DRIVE
  - 49. EXISTING CONCRETE DRIVE
  - 50. EXISTING CONCRETE DRIVE
  - 51. EXISTING CONCRETE DRIVE
  - 52. EXISTING CONCRETE DRIVE
  - 53. EXISTING CONCRETE DRIVE
  - 54. EXISTING CONCRETE DRIVE
  - 55. EXISTING CONCRETE DRIVE
  - 56. EXISTING CONCRETE DRIVE
  - 57. EXISTING CONCRETE DRIVE
  - 58. EXISTING CONCRETE DRIVE
  - 59. EXISTING CONCRETE DRIVE
  - 60. EXISTING CONCRETE DRIVE
  - 61. EXISTING CONCRETE DRIVE
  - 62. EXISTING CONCRETE DRIVE
  - 63. EXISTING CONCRETE DRIVE
  - 64. EXISTING CONCRETE DRIVE
  - 65. EXISTING CONCRETE DRIVE
  - 66. EXISTING CONCRETE DRIVE
  - 67. EXISTING CONCRETE DRIVE
  - 68. EXISTING CONCRETE DRIVE
  - 69. EXISTING CONCRETE DRIVE
  - 70. EXISTING CONCRETE DRIVE
  - 71. EXISTING CONCRETE DRIVE
  - 72. EXISTING CONCRETE DRIVE
  - 73. EXISTING CONCRETE DRIVE
  - 74. EXISTING CONCRETE DRIVE
  - 75. EXISTING CONCRETE DRIVE
  - 76. EXISTING CONCRETE DRIVE
  - 77. EXISTING CONCRETE DRIVE
  - 78. EXISTING CONCRETE DRIVE
  - 79. EXISTING CONCRETE DRIVE
  - 80. EXISTING CONCRETE DRIVE
  - 81. EXISTING CONCRETE DRIVE
  - 82. EXISTING CONCRETE DRIVE
  - 83. EXISTING CONCRETE DRIVE
  - 84. EXISTING CONCRETE DRIVE
  - 85. EXISTING CONCRETE DRIVE
  - 86. EXISTING CONCRETE DRIVE
  - 87. EXISTING CONCRETE DRIVE
  - 88. EXISTING CONCRETE DRIVE
  - 89. EXISTING CONCRETE DRIVE
  - 90. EXISTING CONCRETE DRIVE
  - 91. EXISTING CONCRETE DRIVE
  - 92. EXISTING CONCRETE DRIVE
  - 93. EXISTING CONCRETE DRIVE
  - 94. EXISTING CONCRETE DRIVE
  - 95. EXISTING CONCRETE DRIVE
  - 96. EXISTING CONCRETE DRIVE
  - 97. EXISTING CONCRETE DRIVE
  - 98. EXISTING CONCRETE DRIVE
  - 99. EXISTING CONCRETE DRIVE
  - 100. EXISTING CONCRETE DRIVE



**Site Plan**  
Scale: 1" = 40'

**Sheet Index**

Sheet	Description
1	General Information & Site Plan
2	Exterior Elevations
3	Floor Plans

**Project Data**

**Project Description:** New Single Family Residence  
**Address:** 305 Walnut Avenue  
**Legal Description:** Lot 16, Block 1, Morro Bay  
**APN:** 066-253-006  
**Zone:** R-1  
**Setback:** Front/Side - Walnut (Residential) 20', Rear/Side - Walnut Street 10', Rear (East) 11.5' (First Floor), 5' (Second Floor)  
**Let Coverage:** 41.2%  
**Building Area:** 1,026 S.F.  
**Conditioned Space:** 990 S.F.  
**Second Floor (AGC):** 430 S.F.  
**Total Proposed Living Space:** 2,475 S.F.  
**Front and Rear:** 46.0 S.F.  
**Change Area:** 162 S.F.  
**Front Porch:** 52 S.F.  
**Back Porch:** 59 S.F.  
**Source:** 2 Story  
**Building Height:** 23'-0" (max allowable)  
**Proposed Use:** Single-Family Residential  
**Construction Type:** V-B  
**Standards:** V-B (NBPV 130)  
**Occupancy:** R-3 A U

**Contact Information**

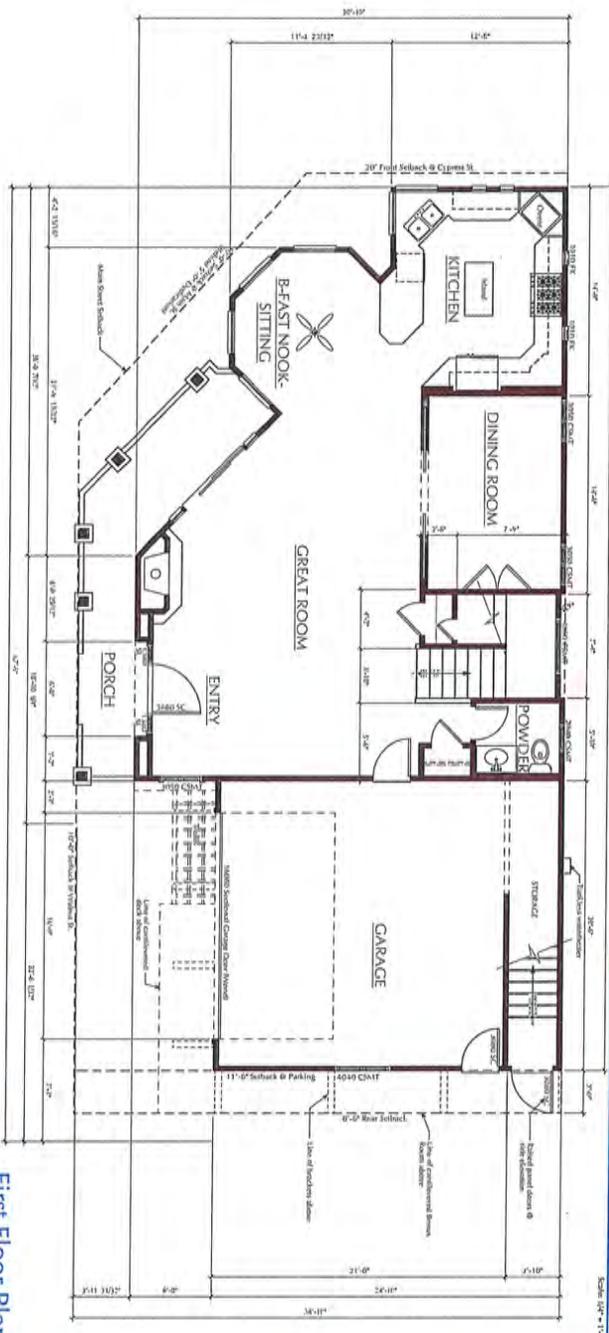
**Owner/Architect:** Mel & Marilyn Wammack  
 16651 Avenida Florencia  
 Poway, CA 92064  
 Mel: 619-291-2652  
 Mar: 619-291-2652  
**Architect:** Jeff Schneiderit  
 560 Oakdale Street  
 Morro Bay, CA 93949  
 Phone: 805-774-0333  
 Fax: 805-774-0333  
**Contractor:** Rob Reynolds Construction  
 6333 Waveland Road  
 Oceano, CA 93947  
 Phone: 805-774-0333  
**Soil Engineer:** Blarney Geotechnical Services, LLC  
 P.O. Box 4814  
 Morro Bay, CA 93949  
 Phone: 805-774-0333

**Wammack Residence**  
 305 Walnut Ave., Morro Bay, CA  
 Mel & Marilyn Wammack

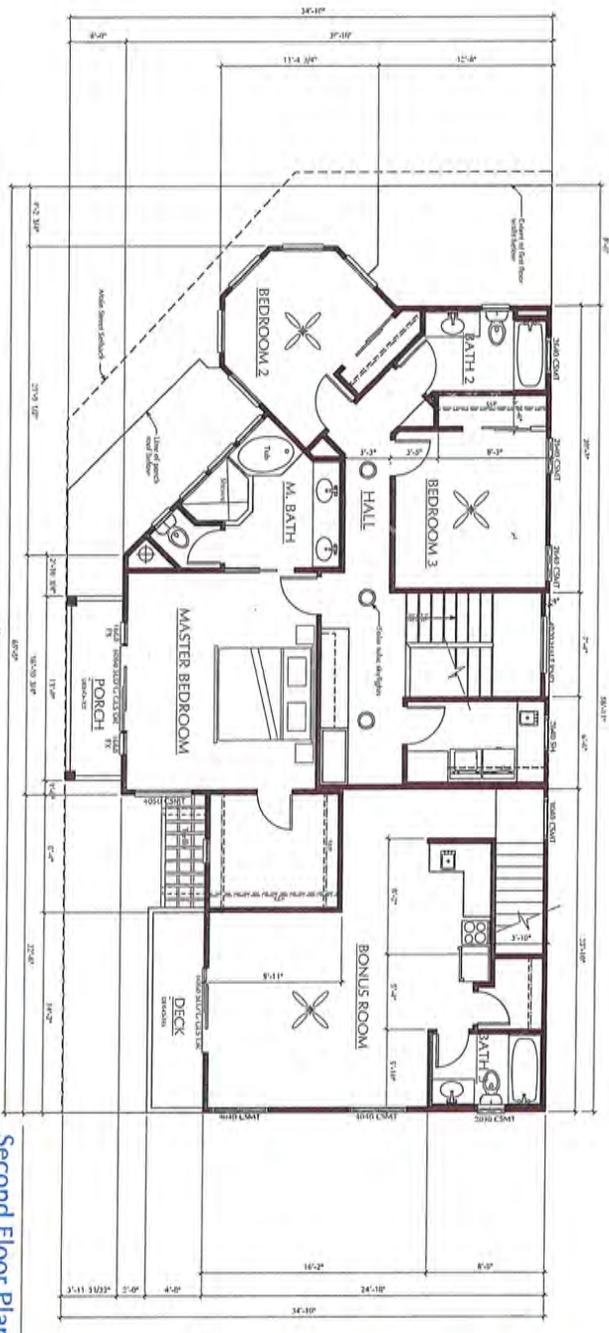
**Jeff Schneiderit Architect**  
 560 Oakdale Street  
 Morro Bay, CA 93949  
 Phone: 805-774-0333  
 Fax: 805-774-0333  
 www.jeffschneideritarchitect.com

**CITY OF MORRO BAY  
PLANNING DIVISION**  
**CASE NO. CP1417**  
**APPROVED  CLEARED**   
**BY: PC DATE: 9.16.14**

Conditioned Space  
 First Floor: 1,035 S.F.  
 Second Floor: 990 S.F.  
 Bonus Room (Appl): 450 S.F.  
 Total Proposed Living Space: 2,475 S.F.



**First Floor Plan**  
Scale: 1/8" = 1'-0"



**Second Floor Plan**  
Scale: 1/8" = 1'-0"

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060-4508  
VOICE (831) 427-4603 FAX (831) 427-4877



**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

**Please Review Attached Appeal Information Sheet Prior To Completing This Form.**

**SECTION I. Appellant(s)**

Name: Betty DeRosa/Robert Pegler (owners of 270 Cypress Street, MB)

Mailing Address: 1549 Columbia Drive

City: Glendale

Zip Code: 91205

Phone: 818 243-1357

**SECTION II. Decision Being Appealed**

1. Name of local/port government:

City of Morro Bay

2. Brief description of development being appealed:

Two story SFR, located on a tri-corner lot. 2,992 sq. ft. with garage and separate unit along an important scenic entryway to Morro Bay. The lot is 4,534 sq. ft.. The project is within 300 feet of the bay and located on a prominent lot in a scenic corridor from the State Park to the City of Morro Bay.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

505 Walnut Street, at the corner of Main Street; APN#066,253,006.

4. Description of decision being appealed (check one.):

- Approval; no special conditions
- Approval with special conditions:
- Denial

**RECEIVED**

NOV 26 2014

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A-3-MRB-14-0068

DATE FILED: 11/26/2014

DISTRICT: Central Coast

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator  
 City Council/Board of Supervisors  
 Planning Commission  
 Other

6. Date of local government's decision: November 12, 2014

7. Local government's file number (if any): CPO-417

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Marilyn and Mel Wammack  
16951 Avenida Florencia  
Poway, CA 92064

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Kerry and Jeffrey Heller  
271 Palm Avenue  
Morro Bay, CA 93442

(2) Nancy and Alex Beattie  
564 Acacia Street  
Morro Bay, CA 93442

(3) Dorothy Cutter  
290 Cypress Street  
Morro Bay, CA 93442

(4) Kathe Kellett  
261 Palm Avenue  
Morro Bay, CA 93442

## **APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**

### **SECTION IV. Reasons Supporting This Appeal**

#### **PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

This appeal is being pursued based on the size and the incompatibility of the proposed SFR with the adjacent homes and disruption of visual continuity in the immediate area. The CC Act Section 30251 states "The visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect view to and along the ocean and scenic areas... to be visually compatible with the character of the surrounding area.." "New development in highly scenic areas, such as those designated in the CAa Preservation and recreation plan.. and by local government shall be subordinate to the character of the setting. The proposed SFR is on a lot in a small unique neighborhood of approximately 4-6 homes almost all of which were built in the 1940's - 1950's of mid-century modern or traditional design. Building materials and paint colors blend with the natural environment on most homes. The proposed DFR is significantly taller and uses 68% of the lot on which it is planning to be built. The proposed height is 24 feet. The lot to the north is 4 feet above grade to the 505 Walnut property and has a 1 story residence, the lot to the east is 2 feet above grade and is an upsloping lot with a split level home. The addition of this oversized SFR would stand out significantly in size and height from the adjacent homes.

This area of south Morro Bay is a highly scenic area due to its location on Main Street with views of the bay, Morro Rock and the ocean. It is an area highly used by motorists, walkers and bicyclists coming into Morro Bay from the State Park and the animal refuge areas. The CC Act section 30253, part 5 states "Where appropriate, protect special communities and neighborhoods which because of their unique characteristics are popular points of recreational use." Along with the scenic value of this area, it is a unique neighborhood built as an artists enclave and retains its laid back qualities today. Section C, Chapter 13 of the City of Morro Bay LCP states that scenic values can be evaluated based on the following criteria. 1. Uniqueness of scenic values 2. Ease of access on foot or motor vehicles 3. Compatibility with surrounding structures 4. Preservation of public views. Section D, Part 6 of Chapter 13 of the City of Morro Bay LCP speaks of neighborhood character: "New residences and new residential additions are often out of scale and character with other residences in the vicinity". It continues to state "The current allowable height and bulk for residential development is not appropriate for some portions of the community. Such buildings in many cases block important views and conflict with the character of individual neighborhoods". There are oversized homes in the immediate area because no one appealed their being built. They were allowed to be built because they followed the MB Planning Departments building codes. Many of these codes are not stringent enough to protect existing neighborhoods in relation to the size and height of proposed structures. The proposed SFR at 505 Walnut is 2,992 sq. ft. on a 4,534 sq. ft. lot and the structure is placed on the lot in the only orientation it would fit. The "visual" impact of this project will be highly negative. The passing of this project does not comply with the City's General Plan or certified LCP with respect to maintaining "neighborhood character" or protecting neighborhoods from projects that are "out of scale."

We are asking the Coastal Commission to overturn the CDP issued by the City of Morro Bay. Local appeals have been exhausted, with our appeals being denied. The applicants satisfied all requests of the MB Planning Committee and applied for no variances to the building codes as they now stand. Morro Bay has continued to set an "overbuilding" precedent over the years and we are attempting to slow it down if not put a stop to it. We would like the building codes in Morro Bay to be applied on a case by case basis in order to maintain the quality of life in Morro Bay for both its residents and the thousands of visitors. This is on an established scenic corridor area into the town of Morro Bay and we do not want it compromised by another oversized SFR.

I would appreciate the opportunity to present oral and pictorial information concerning our appeal. This is an important corridor in Morro Bay and I would like it to keep its unique quality.

Betty DeRosa/Robert Pegler  
Owners of: 270 Cypress Street, Morro Bay

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Betty DeRosa / S  
Signature of Appellant(s) or Authorized Agent

Date: November 26, 2014

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

SC

**To: California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508**

**FAX #: 831 427-4877**

**RECEIVED**

NOV 26 2014

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**From: Betty DeRosa/Robert Pegler  
1549 Columbia Drive  
Glendale, CA 91205**

**Telephone: 818 243-1357**

**This FAX contains 5 pages plus the cover page.**

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060-4508  
 VOICE (831) 427-4863 FAX (831) 427-4877

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

**Please Review Attached Appeal Information Sheet Prior To Completing This Form.**

**SECTION I. Appellant(s)**

Name: Alex Beattie

Mailing Address: 564 Acacia St

City: Morro Bay

Zip Code: 93442

Phone: 805 7725694

**SECTION II. Decision Being Appealed**

1. Name of local/port government:

City of Morro Bay

2. Brief description of development being appealed:

CPO 417 for construction of new residence at 505 Walnut St, Morro Bay

3. Development's location (street address, assessor's parcel no., cross street, etc.):

505 Walnut St, at intersection of So Main St and Walnut

4. Description of decision being appealed (check one.):

- Approval; no special conditions  
 Approval with special conditions:  
 Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A-3-MRB-14-0068

DATE FILED: 11/26/2014

DISTRICT: Central Coast

**RECEIVED**

DEC 01 2014

CALIFORNIA  
 COASTAL COMMISSION  
 CENTRAL COAST AREA

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: Nov. 12, 2014

7. Local government's file number (if any): CPO - 417

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Wammack, etc - exact address unknown. contact City of Morro Bay Planning Dept.

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Jeffery Heller  
271 Palm Ave  
morro Bay, Ca 93442

(2) Betty DeRosa  
270 Cypress Ave  
Morro Bay, CA 0344

(3) Dorothy Cutter  
290 Cypress  
Morro Bay, Ca

(4)

## APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

### SECTION IV. Reasons Supporting This Appeal

#### PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

505 Walnut is a 3000 square foot house proposed for development along a scenic portion south Main St. in Morro Bay. (see photo on attached sheet)The granting of CDP permit CDO -417 for it violates several sections of Article 6 the California Coastal Act plus several parts of the certified Local Coastal Plan for Morro Bay.

- CC act Section 30251 states “The visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, ..... to be visually compatible with the character of the surrounding area ....” “New development in highly scenic areas, such as those designated in the California Preservation and Recreation plan ..... and by local government shall be subordinate to the character of its setting.”

South Main St in Morro Bay is the most scenic street in Morro Bay. The section of South Main St. in the vicinity of 505 Walnut includes several important sites in addition to views of the Bay and surrounding hills. These sites include the windmill house, the old lighthouse, the iconic Gladys Castle, the old cannery and Wadleigh House. Because of this south Main St is the preferred route for recreational walkers and cyclists and is also a main corridor for motorists entering and leaving Morro Bay. As such, it does much to establish the character of Morro Bay..

The City of Morro Bay has designated this area as a highly scenic area except for a portion of South Main near 505 Walnut. The reason for this exclusion is unclear but it may be due to the fact that the City’s LCP is 30 years old and does not reflect the existing situation. The views and the significance of sites in this area exceed those in other areas designated as being scenic. This area clearly qualifies under the “such as” phase in section 30251 of the Coastal Act and this area deserves protection. The house at 505 Walnut is unnecessary large and is sited in such a manner as to block views of existing homes and detract from the scenic quality of the area. It is not subordinate to the character of it setting. 505 Walnut is not visually compatible with its surroundings.

The CC act Section 30253 part 5 states “Where appropriate, protect special communities and neighborhoods which because of their unique characteristics are popular points of recreational use. The area around 505 Walnut is a unique and quiet neighborhood containing narrow streets, numerous trees, and interesting homes. This area was originally developed as an artist community and has maintained its “laid back character. Consequently it is popular with walkers, especially dog walkers, and tourists that are frequently seen driving through the neighborhood. This coastal neighborhood deserves protection.

- Section C of Chapter 13 of The City of Morro Bay LCP states scenic values can be evaluated

based on the following criteria

1. Uniqueness of scenic values
2. Ease of access on foot or motor vehicles.
3. Compatibility with surrounding structures
4. Preservation of public views.

The area near 505 Walnut qualifies as a scenic area per this section since it contains scenic attributes as mentioned previously, is easily accessible by foot, bike and motorists and contains public views. 505 Walnut is not compatible and detracts from the uniqueness of the area

- Section D, Part 6 of Chapter 13 of The City of Morro Bay LCP speaking of neighborhood character states:

“New residences and new residential additions are often out of scale and character with other residences in the vicinity.” Continuing it states “The current allowable height and bulk for residential development is not appropriate for some portions of the community. Such buildings in many cases block important views and conflict with the character of individual neighborhoods.”

The proposed home at 505 Walnut is twice the size of the 10 nearest neighbors and is second largest of the 30 next neighbors. One neighbor described it as a "sore thumb". Only one residence in this area resides on a smaller lot and it house a 1000 SF residence. It also blocks the views of several existing homes and detracts from the visual quality of the area and is out of context with the rest of the this unique coastside neighborhood

I request the opportunity to demonstrate the importance of this area by means of testimony and photographs at a Coastal Commission meeting.

Thank you,  
Alex Beattie.

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Alex D. Beattie  
Signature of Appellant(s) or Authorized Agent

Date: 11/22/2014

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby  
authorize \_\_\_\_\_  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_



**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060-4508  
 VOICE (831) 427-4863 FAX (831) 427-4877

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

**Please Review Attached Appeal Information Sheet Prior To Completing This Form.**

**SECTION I. Appellant(s)**

Name: Jeff & Kerry Heller

Mailing Address: 271 Palm Avenue

City: Morro Bay

Zip Code: CA

Phone: 805-286-8822

**SECTION II. Decision Being Appealed**

1. Name of local/port government:

City of Morro Bay

2. Brief description of development being appealed:

2-story, 25 ft. high, 2,992 sq. ft. SFR with garage and separate unit, on prominent raised corner lot along an important scenic entryway to Morro Bay. The lot is 4,534 sq. ft. The project is within 300 ft of the bay and located on a prominent lot on a primary visual entryway to the City from the State Park. This section of Main Street is used by many residents, vistors, biking clubs, walkers, etc. to view the Bay, after having passed through the State Park, the Marina, the Golf Course, and the Heron Rookery.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

505 Walnut Street, at corner of Main Street and Cypress Avenue; APN#066,253,006.

4. Description of decision being appealed (check one.):

- Approval; no special conditions  
 Approval with special conditions:  
 Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A-3-MRB-14-0068  
 DATE FILED: 11/26/2014  
 DISTRICT: Central Coast

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: 11/12/14

7. Local government's file number (if any): CPO-417

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Mel and Marilyn Wammack

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Alex and Nancy Beatty  
564 Acacia St  
Morro Bay, CA 93442

(2) Dorothy Cutter  
290 Cypress Avenue  
Morro Bay, Ca 93442

(3) Betty and Robert DeRosa  
1549 Columbia Drive  
Glendale, CA 91205

(4) Kathe Kellett  
261 Palm Avenue  
Morro Bay, CA 93442

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

**SECTION IV. Reasons Supporting This Appeal**

**PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

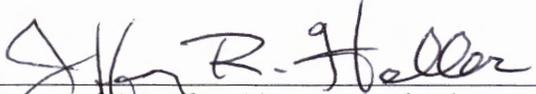
The proposed project is a 2,992 sq. ft. two story home including garage, separate unit, and two upper level decks, all on a 4,534 sq. ft. lot with streets on 3 sides. The subject property is within 300 feet of the bay, and is surrounded by a unique group of adjacent homes generally known as the "artist's colony". Many of the homes in this area were built in the 40's and 50's and have visual characteristics that enhance the entryway drive from the State Park--northward into the City of Morro Bay. While there are larger homes up the hill ("Morro Heights"), the majority of the homes along this section of Main Street (from the Park to the City) and adjacent to the proposed SFR, are single story, highly unique homes. The few two story homes along this area are less than 1,800 sq. ft. This stretch of Main Street provides one of the most unique and beautiful views of the bay in the entire City.

We strongly disagree with the findings of the Planning Commission's Staff Report dated 8/19/14. Paragraph 3 on page 4 of the report addresses "Neighborhood Compatibility Issues". The City's General Plan discusses protection of neighborhood character - "new residences...are often out of scale and character with other residences...the current allowable height and bulk for residential development is not appropriate for some portions of the community". The General Plan goes on to state - "the present human scale and leisurely, low intensity appearance of Morro Bay should be maintained through careful regulation of building height, location, and mass". The certified LCP (Chapter XIII-Item 6) reiterates the importance of "maintaining the unique character of its neighborhoods". By approving the project, the City has failed to comply with Chapter XIII, item 6. By approving this project, the City has failed to comply with the General Plan - has NOT exercised "CAREFUL REGULATION of building height, location, and mass". In fact, it has applied the same maximum height standard of 25 ft., and the same setback requirements applied to ANY SFR being built anywhere in the City. Paragraph 3 of the report continues by stating the "building has been sited toward the northeast corner of the site...reducing visual impact on the streetscape". In fact, the 2,992 sq. ft. structure on this 4,534 sq. ft. lot will not fit any other orientation. The "visual impact" of this project will be highly negative. If constructed--the roof will tower at least 15 ft. above the single story home to the north, and at least 8 ft. above the SFR to the east. The cumulative impact of allowing this project to go forward--will result in a domino affect that will forever alter this very unique section of Main Street. The CDP as issued does not comply with the City's General Plan or certified LCP with respect to maintaining "neighborhood character" or protecting neighborhoods from projects that are "out of scale". We ask that the Coastal Commission review and overturn the CDP issued (with no conditions) by the City of Morro Bay.

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or Authorized Agent

Date: 11/25/14

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

To Downtown



Proposed Project



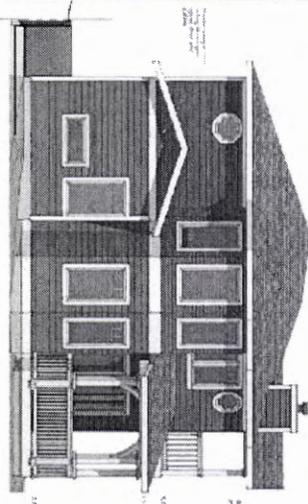
BAY



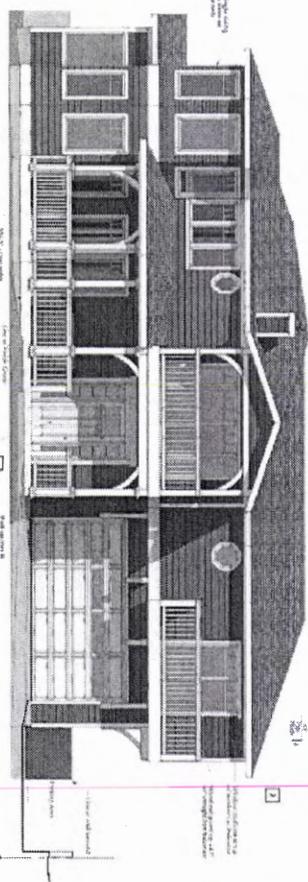
To State Park



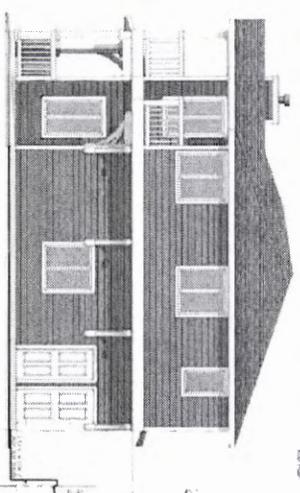




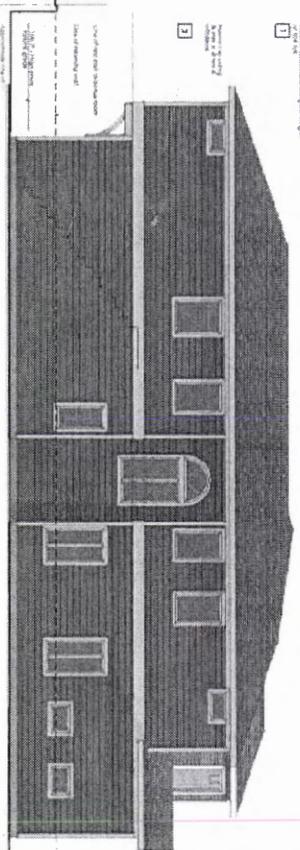
Front/Cypress Street - West Elevation



Walnut Street/Side - South Elevation

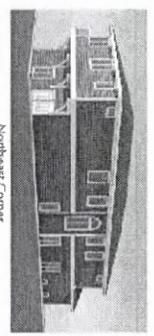


Rear - East Elevation

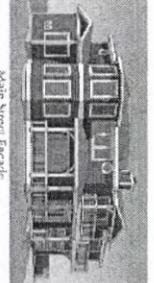


Side - North Elevation

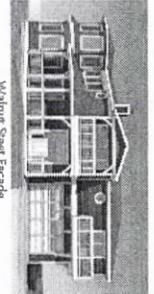
- Materials Legend**
- 1 Concrete Block Siding
  - 2 Paint and Primer
  - 3 Vinyl Siding
  - 4 Cedar Siding
  - 5 Stucco
  - 6 Stone
  - 7 Brick
  - 8 Metal Roofing
  - 9 Asphalt Shingles
  - 10 Wood Decking
  - 11 Wood Railing
  - 12 Wood Stair Treads
  - 13 Wood Stair Risers
  - 14 Wood Stair Balusters
  - 15 Wood Stair Handrails
  - 16 Wood Stair Posts
  - 17 Wood Stair Brackets
  - 18 Wood Stair Stringers
  - 19 Wood Stair Nosing
  - 20 Wood Stair Balusters
  - 21 Wood Stair Handrails
  - 22 Wood Stair Posts
  - 23 Wood Stair Brackets
  - 24 Wood Stair Stringers
  - 25 Wood Stair Nosing
  - 26 Wood Stair Balusters
  - 27 Wood Stair Handrails
  - 28 Wood Stair Posts
  - 29 Wood Stair Brackets
  - 30 Wood Stair Stringers
  - 31 Wood Stair Nosing
  - 32 Wood Stair Balusters
  - 33 Wood Stair Handrails
  - 34 Wood Stair Posts
  - 35 Wood Stair Brackets
  - 36 Wood Stair Stringers
  - 37 Wood Stair Nosing
  - 38 Wood Stair Balusters
  - 39 Wood Stair Handrails
  - 40 Wood Stair Posts
  - 41 Wood Stair Brackets
  - 42 Wood Stair Stringers
  - 43 Wood Stair Nosing
  - 44 Wood Stair Balusters
  - 45 Wood Stair Handrails
  - 46 Wood Stair Posts
  - 47 Wood Stair Brackets
  - 48 Wood Stair Stringers
  - 49 Wood Stair Nosing
  - 50 Wood Stair Balusters
  - 51 Wood Stair Handrails
  - 52 Wood Stair Posts
  - 53 Wood Stair Brackets
  - 54 Wood Stair Stringers
  - 55 Wood Stair Nosing
  - 56 Wood Stair Balusters
  - 57 Wood Stair Handrails
  - 58 Wood Stair Posts
  - 59 Wood Stair Brackets
  - 60 Wood Stair Stringers
  - 61 Wood Stair Nosing
  - 62 Wood Stair Balusters
  - 63 Wood Stair Handrails
  - 64 Wood Stair Posts
  - 65 Wood Stair Brackets
  - 66 Wood Stair Stringers
  - 67 Wood Stair Nosing
  - 68 Wood Stair Balusters
  - 69 Wood Stair Handrails
  - 70 Wood Stair Posts
  - 71 Wood Stair Brackets
  - 72 Wood Stair Stringers
  - 73 Wood Stair Nosing
  - 74 Wood Stair Balusters
  - 75 Wood Stair Handrails
  - 76 Wood Stair Posts
  - 77 Wood Stair Brackets
  - 78 Wood Stair Stringers
  - 79 Wood Stair Nosing
  - 80 Wood Stair Balusters
  - 81 Wood Stair Handrails
  - 82 Wood Stair Posts
  - 83 Wood Stair Brackets
  - 84 Wood Stair Stringers
  - 85 Wood Stair Nosing
  - 86 Wood Stair Balusters
  - 87 Wood Stair Handrails
  - 88 Wood Stair Posts
  - 89 Wood Stair Brackets
  - 90 Wood Stair Stringers
  - 91 Wood Stair Nosing
  - 92 Wood Stair Balusters
  - 93 Wood Stair Handrails
  - 94 Wood Stair Posts
  - 95 Wood Stair Brackets
  - 96 Wood Stair Stringers
  - 97 Wood Stair Nosing
  - 98 Wood Stair Balusters
  - 99 Wood Stair Handrails
  - 100 Wood Stair Posts



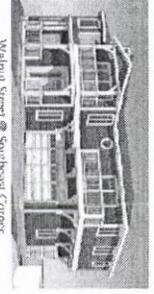
Northeast Corner



Main Street Facade



Walnut Street Facade



Walnut Street @ Southeast Corner

Exterior Elevations

**Wammack Residence**  
 1216 S. Blvd. 3, Moore Rock Park  
 523 Walnut Ave., Moorpark, CA  
 Mel & Marilyn Wammack

**Jeff Schneiderei Architect**  
 1000 S. Blvd. 3, Moore Rock Park  
 523 Walnut Ave., Moorpark, CA  
 www.jeffschneiderei.com



designed to protect views to and along the ocean and scenic coastal areas, and to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by local government shall be subordinate to the character of its setting."

The Coastal Act also recognizes the pressures exerted on coastal communities insofar as development is concerned. In order to address this issue and at the same time protect and preserve the coastal natural resources, the following policy was included.

Sec. 30253. 1. Assure stability and structural integrity, and neither create or contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area in any way that would require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs:

2. Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."

#### → C. ASSESSMENT OF SCENIC VALUES

In order to implement the policies of the coastal Act regarding visual resources, the City must identify areas providing significant public views such as Morro Bay, Morro Rock, and the Pacific Ocean.

To accomplish this task, it is necessary to define scenic views. For the purpose of this document, a scenic view shall be defined as something that is looked at which has significant man-made or natural qualities and which contributes to the identity of a community or area.

These scenic views can then be further evaluated based upon the following criteria:

- (a) the abundance and variety of forms and textures;
- (b) the richness and range of color;
- (c) the distance and extent of views;
- (d) uniqueness of scenic qualities;
- (e) the availability of street furniture and public facilities;
- (f) the ease of access on foot or by motor vehicle;
- (g) the extent of public information.

Because man-made visual quality and natural visual quality are aesthetically pleasing and desirable in different ways, urban views are evaluated under different criteria than natural views.

The criteria used for assessing views of the urban environment include such things as:

- (a) the enhancement of the City's character through the use of building materials and scale of the structures.

- (b) the compatibility with surrounding structures.
- (c) the compatibility with the natural features of the area (i.e. topography);
- (d) the preservation of public views;
- (e) the enhancement and definition of the City's image;
- (f) the uniqueness of the City's image.

Based upon these criteria, natural open space areas, residential neighborhoods, and commercial zones with significant scenic resources or community character were identified and evaluated. Figures 30 and 31 show the location of scenic views and identify areas of visual significance.

1. Area 1 - North Morro Bay

a. Morro Rock City Beach/Atascadero State Beach: A stretch of sandy beach running from Morro Rock northerly to Cayucos that affords long unobstructed views of the coastline. Landward of the sea, these beaches have a backdrop of shifting sand dunes and shallow sandy bluffs that give the user a sense of privacy and closeness to nature.

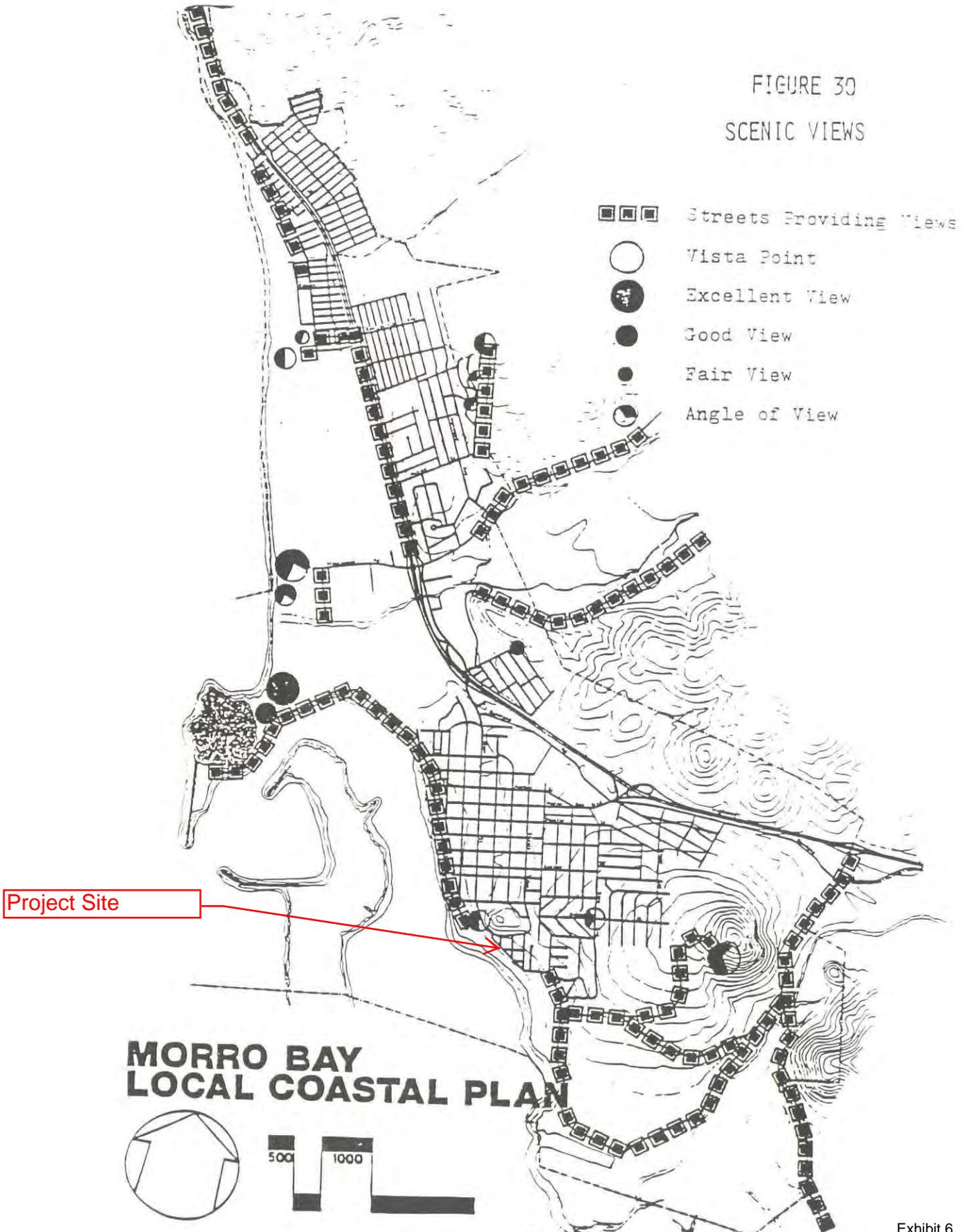
b. Atascadero Beach Tract: A low-lying, single family residential area characterized by its single-level buildings, its proximity to Atascadero State Beach and the open views of the beach from Beachcomber Drive, and the visual corridors afforded by mature groves of Eucalyptus along San Jacinto Street and on the Cloisters parcel.

2. Area 2 - Atascadero Beach

a. Cloisters Parcel: A beach front parcel at the southern end of the Atascadero Beach tract that has been proposed for State acquisition due to its physical and visual access to the beach and its unique grove of Eucalyptus trees.

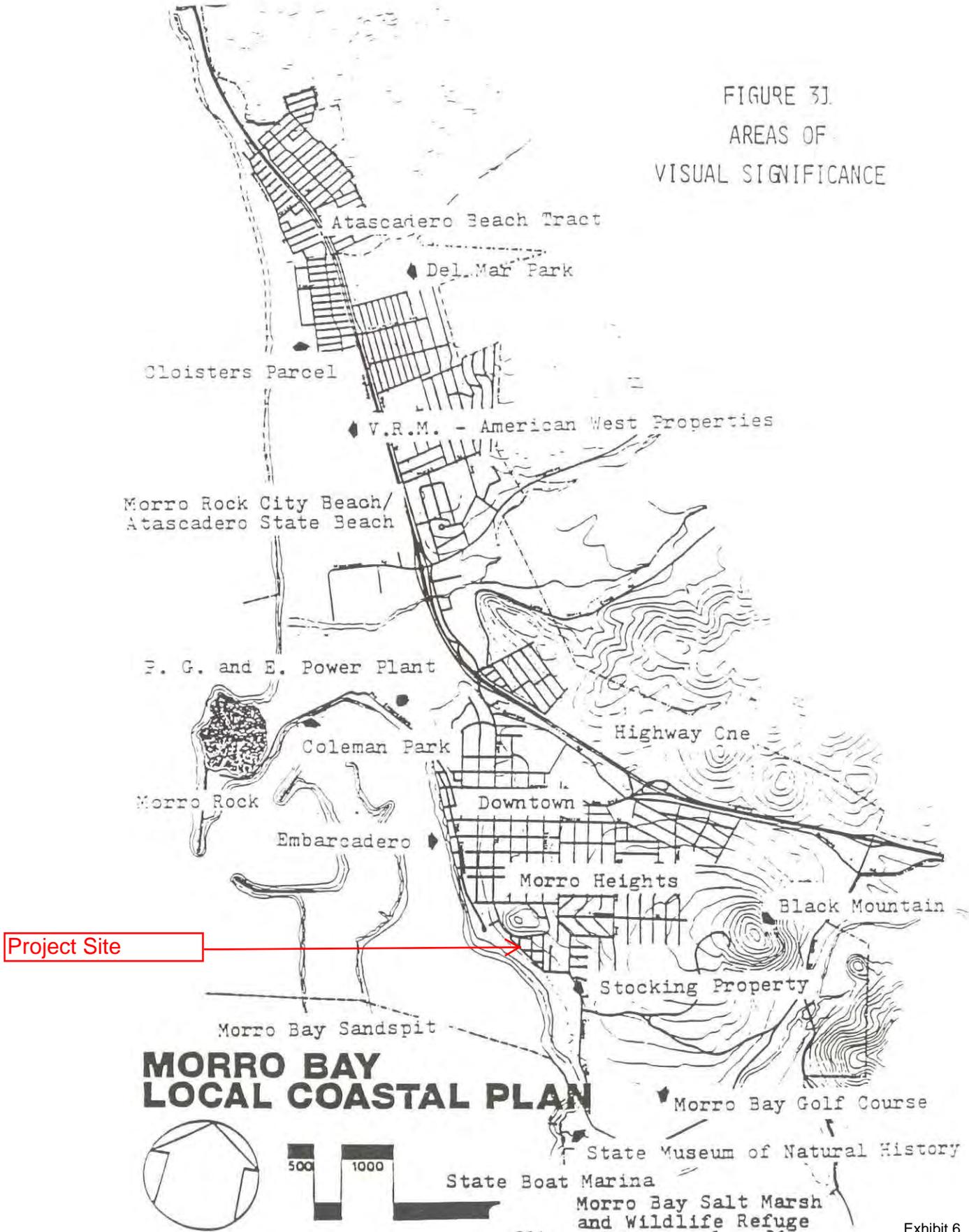
b. Large Undeveloped Parcel: Located in Morro Bay, seaward of State Highway One, between the Morro Bay High School and the Atascadero Beach Tract, this affords viewers along State Highway One and in the hillside residential areas of northern Morro Bay with a broad vista in the tidelands beach area of shifting pristine sand dunes and marshy lowlands

FIGURE 30  
SCENIC VIEWS



**MORRO BAY  
LOCAL COASTAL PLAN**

FIGURE 31.  
AREAS OF  
VISUAL SIGNIFICANCE



(g) Landgrading operations have created unattractive scars and cut faces in hillside areas, and there are no regulations governing the protection of cut slopes with attractive, erosion preventive plant materials. (This can be solved with enforcement of a grading ordinance; see Chapter X - Hazards).

(h) Morro Bay has relied upon the County to develop a Scenic Highways Element that it could adopt by reference, but as yet neither the city nor County have a Scenic Highways Element.

#### 5. Hillside Development and Grading Practices

Some hillside areas within the community have not been developed with regard for the natural topography. Existing subdivisions reflect design criteria more suitable for flat land areas. Some past grading practices also did not take into account the natural topography of the terrain, leading to erosion and scarring of the hillsides.

Some of the problems associated with these subdivisions have been:

(a) Existing development has not followed the natural contours of the hillsides, detracting from the visual qualities this scenic backdrop can provide;

(b) Streets in these portions of the community traverse directly up the hillside, often at ninety degrees to the natural contour.

(c) Ridgelines that help define the eastern edge of the community are not protected from development that would lessen the visual quality of the hillside areas.

(d) Grading practices are not required to reflect as much as possible the natural contours resulting in substantial and unnecessary alteration of the landscape.

For further discussion of hillside concerns see Chapter X, Hazards.

#### → 6. Protection of Neighborhood Character

One of the priorities of the Coastal Act is the protection of the character of the community and its neighborhoods. Morro Bay recognizes the need to preserve the unique character of its varied neighborhoods and to create a higher quality visual environment within them. Among some of the issues that predicate the establishment of policy to preserve neighborhood character are the following:

(a) New residences and new residential additions are often out of scale and character with other residences in the vicinity.

(b) The current allowable height and bulk for residential development is not appropriate for some portions of the community. Such buildings would in many cases block important views and conflict with the character of individual neighborhoods.

(c) Standards of guidelines are needed to create buffers between conflicting land uses;

E. VISUAL RESOURCES POLICIES

→ Policy 12.01 The scenic and visual qualities of coastal areas shall be consider and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic and coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated on Figure 31, shall be subordinate to the character of its setting.

→ Policy 12.02 Permitted development shall be sited and designed to protect views to and along the coast and designated scenic ares and shall be visually compatible with the surrounding areas. Specific design criteria shall be established for the following areas:

- a. The Embarcadero (as defined in Policy 2.03)
- b. Downtown commercial area.

The criteria shall include the following specific requirements and shall be applied to proposed projects on a case-by-case basis during architectural review:

- a. Building height/bulk relationship compatible with existing surrounding uses;
- b. Landscaping to restore and enhance visually degraded areas using native and drought resistant plant and tree species;
- c. Preservation and enhancement of views of the ocean, bay, sandspit and Morro Rock;
- d. Any other requirements applicable from Coastal Commission conceptual approval of the Urban Waterfront Restoration Plan.

Policy 12.02A The City shall develop special design criteria for the development of the coleman Drive planning area to include the following:

- (1) Development of the landward portion of the area shall be limited to only low profile structures necessary to support development of commercial fishing facilities. Structures shall be sited to protect existing views available to Morro Rock and to and along the ocean and structures shall be subordinate to the character of the setting.
- (2) New development shall not encroach within the setback areas of the sensitive habitat located on Morro Rock.

## **17.48.190 - Protection of Visual Resources and Compatible Design**

New development shall protect and, where feasible, enhance the visual quality of the surrounding area. New development may be permitted only if the siting and design meet the following standards:

A. Protection of public views: significant public views to and along the coast are protected.

B. Natural landform protection: alterations to natural landforms are minimized.

C. Compatibility: the development is visually compatible with the character of the surrounding area and any design themes adopted for the area by the city.

D. Visual quality: restores and enhances visual quality in visually degraded areas.

E. Scenic area standards: in highly scenic areas, as depicted in the Morro Bay coastal land use plan/coastal element, the following additional standards shall also apply:

1. Character: the proposed development shall be subordinate in character to its surroundings.
2. Height/bulk: the height/bulk relationships in the development shall be compatible with the surrounding area.
3. Parks or open space: parks or open space shall be designated and incorporated into new developments.
4. View corridors: view corridors shall be incorporated into the development to protect significant public views to and along the shoreline and other scenic areas.
5. Landscaping: landscaping shall be provided to restore and enhance visually degraded areas using native, if feasible, and drought-resistant plant and tree species.
6. Preservation and enhancement: preservation and enhancement of views of the ocean, bay, sandspit and Morro Rock.

# Front elevation rendering, looking northwest from Walnut Street



# Front elevation rendering, looking northwest from Walnut Street



# Rendering facing northeast from Main Street



# Rendering facing east from Main Street



RECEIVED

DEC 15 2014

12/12/14

CALIFORNIA  
COASTAL COMMISSION  
~~CENTRAL COAST AREA~~

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, Ca. – 95060-4508

Jeff Heller (appellant)  
271 Palm Avenue  
Morro Bay, CA  
93442

**Re: A-3-MRB-14-0068**

Ms. Susan Craig,

You will probably be receiving these documents from the City of Morro Bay, but I wanted to make sure you have a copy of my appeal to the City dated 9/26/14, as well as the PowerPoint presentation I prepared for the public hearing. Copies of both documents are enclosed here.

Thank you in advance for your thorough review of this appeal.

Regards

  
Jeff Heller

271 Palm Avenue

Morro Bay, CA 93442

RECEIVED

DEC 15 2014

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA



CITY OF  
MORRO BAY

Public Services Department  
Planning Division

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

APPEAL FORM

In CCC Appeals Jurisdiction?

YES - No Fee  
 NO - Fee Paid:  Yes  No

Project Address being appealed:  
505 Walnut St.

Appeal from the decision or action of (governing body or City officer):  
 Administrative Decision  Planning Commission  City Council

Appeal of action or specific condition of approval:  
Appealing approval of CDP for 2-story house with 25ft. Height limit at this location.

Permit number and type being appealed (ie. coastal permit, use permit, tentative subdivision):  
~~CEP~~ Coastal Development Permit

Date decision or action rendered:  
9/16/14

Grounds for the appeal (attach additional sheets as necessary):  
SEE ATTACHED

Requested relief or action:  
[REDACTED] SEE ATTACHED

Appellant (please print): JEFFREY R. HELLER Phone: 805-286-8822

Address:  
271 Palm Avenue

Appellant Signature: [Signature] Date: 9/26/14

FOR OFFICE USE ONLY

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

## GROUNDS FOR APPEAL

One priority of the Coastal Act is “the protection of the character of the community and its neighborhood.”

### Bulk/Scale

While there are larger homes up the hill in “Morro Heights”, the existing homes along the east side of Main Street (from the Park entrance heading north to Acacia St.) are primarily modest SINGLE STORY houses less than 2000 sq. ft. in size. (See Pictures 1-5). Homes along the west side of Main Street are also single story or 2-story homes that are sited below the main street level and have flat or low sloping roofs. Newer structures have been designed and sited to MINIMIZE their impact on the surrounding structures and neighborhood (See pictures 6-7).

### Neighborhood Character

In addition to modestly scaled structures in this neighborhood, there are a number of unusual structures along this historic section of Main Street, including “The Cannery”, the “lighthouse”, and the “Windmill House”, the “rock house” among others (See pictures 8-11).

Immediately adjacent to the proposed development---historically important single story homes built between 1940 and 1960 exist (See pictures 12-14). These homes were ahead of their time when built. They all follow the natural contours of the land, have modest footprints, and are completely unique designs with natural exposed woods and substantial glazing. They are the basis of a highly unique neighborhood in Morro Bay and are irreplaceable.

**The proposed project is 3,000 sq. ft. with a 25ft. high roof and is sited on the highest point of the lot. The bulk/scale of the structure is clearly incompatible with the majority of existing SFR's along Main Street from the State Park to Acacia St.**

**If built as currently proposed—this project will block views for multiple surrounding homes, de-value adjacent properties of “character”, and set a precedent for future homes of this scale to be built along this unique section of Main Street. Once this precedence is established---it will be difficult to contain.**

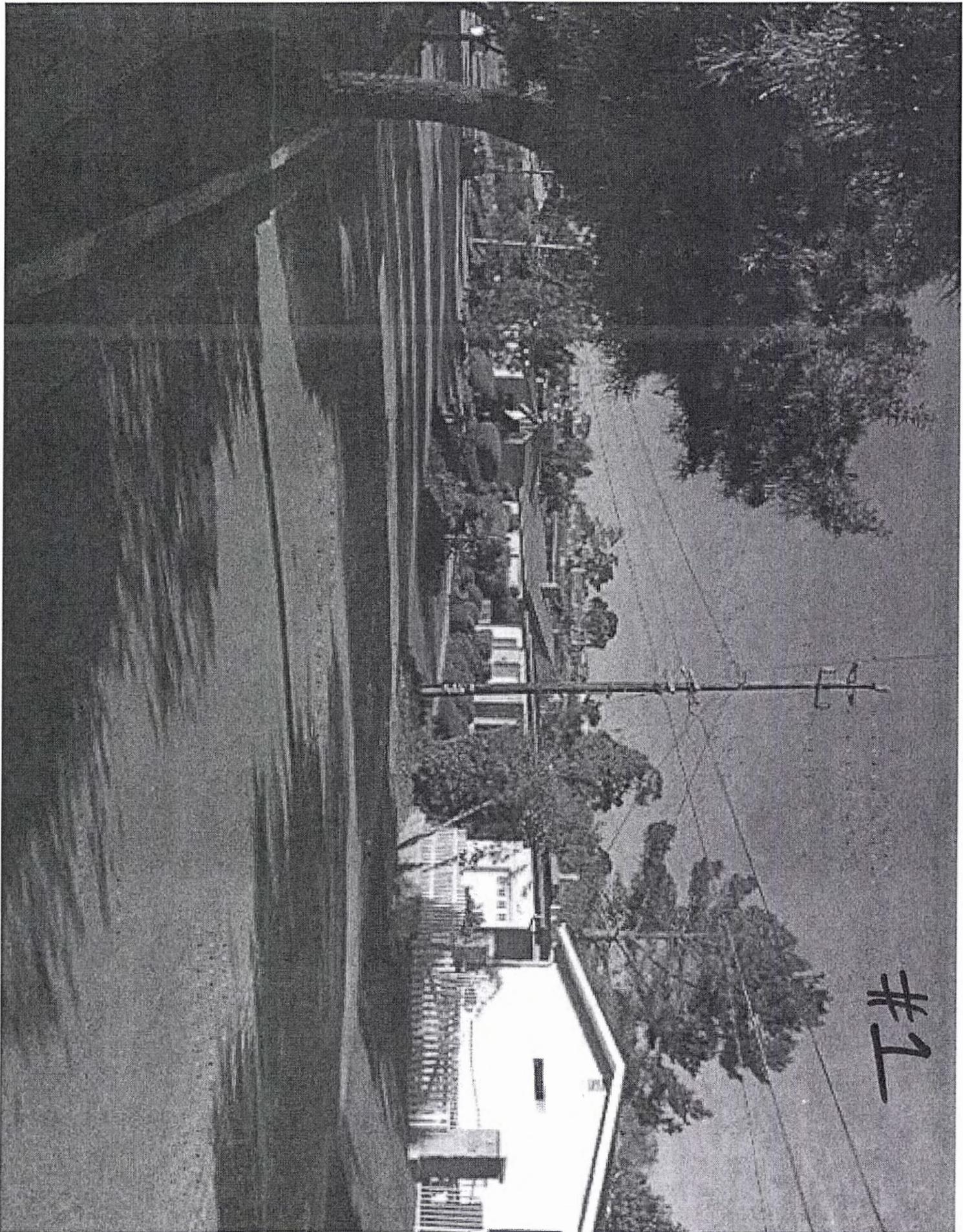
**REQUESTED RELIEF OR ACTION:**

Mitigate the bulk/scale issues by:

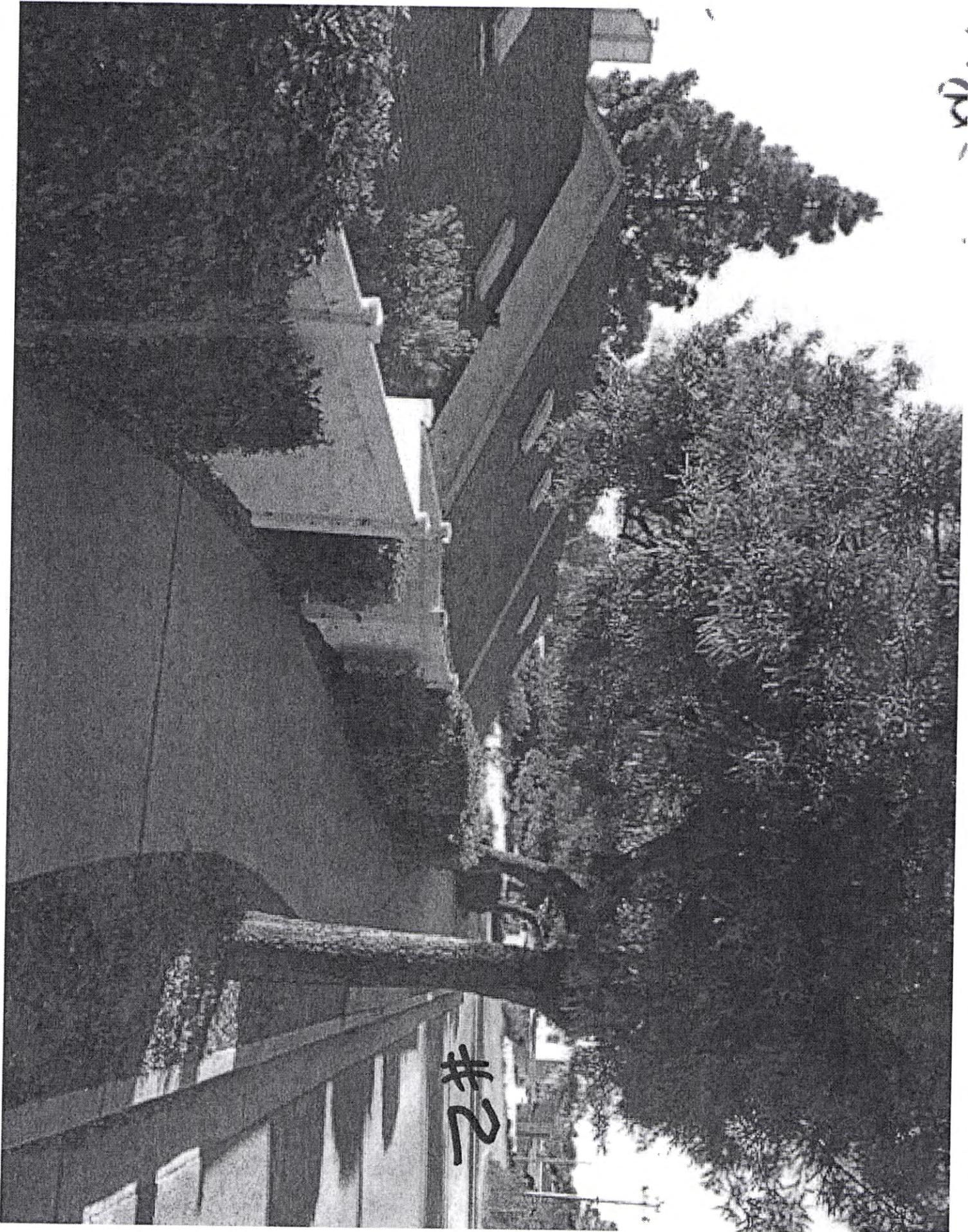
1. Reducing the size of the house (including garage) to a maximum of 2,400 sq. ft.
2. Set the maximum roof height at 20 ft. above average natural grade. (This could easily be accomplished through a combination of excavation of soils and re-design of roof structure).

Mitigate the neighborhood character issues by:

1. Incorporating exterior building materials (stained wood, CMU, roof eave details, window configurations, etc.) that reflect design elements of the adjacent properties of "character".

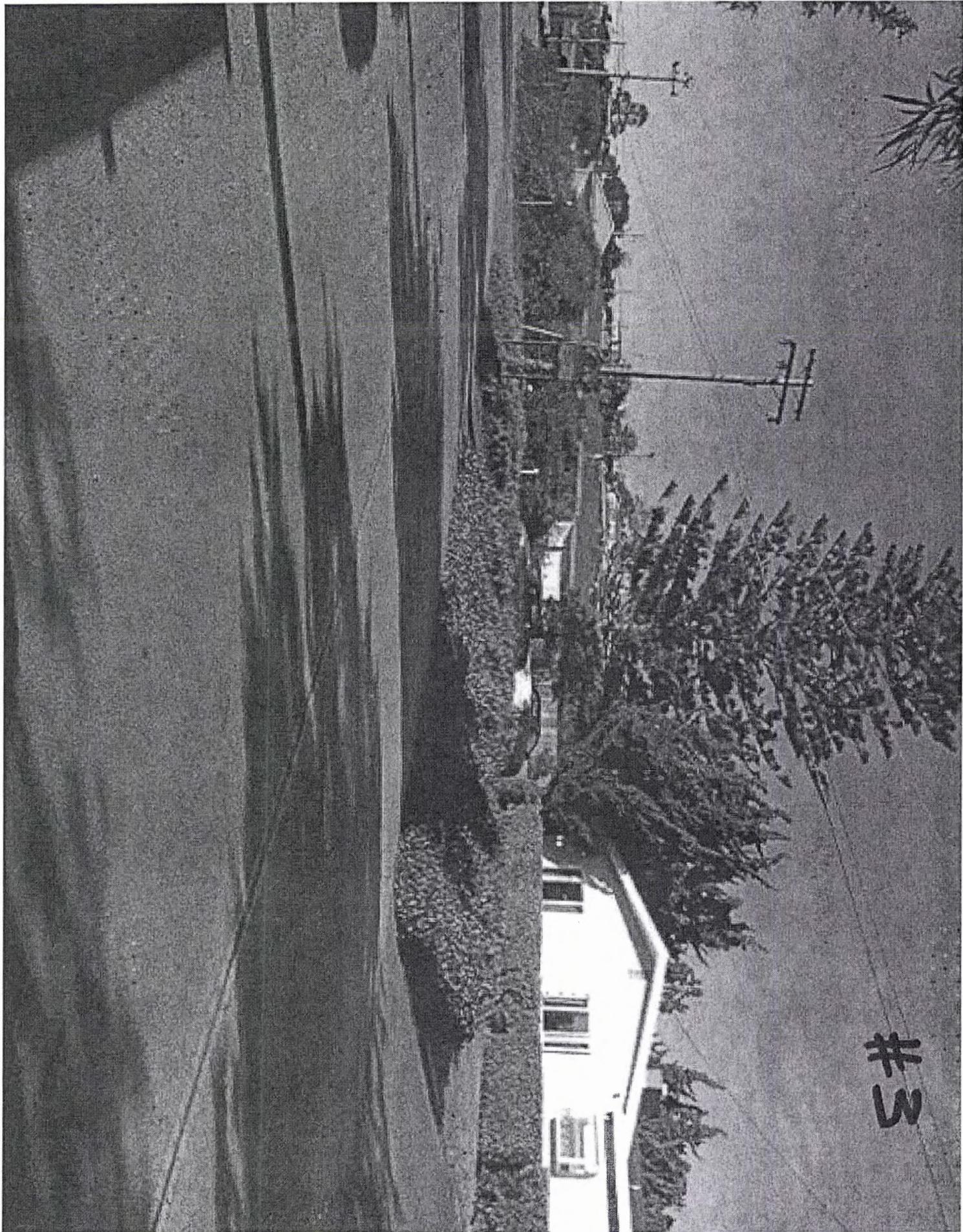


#1

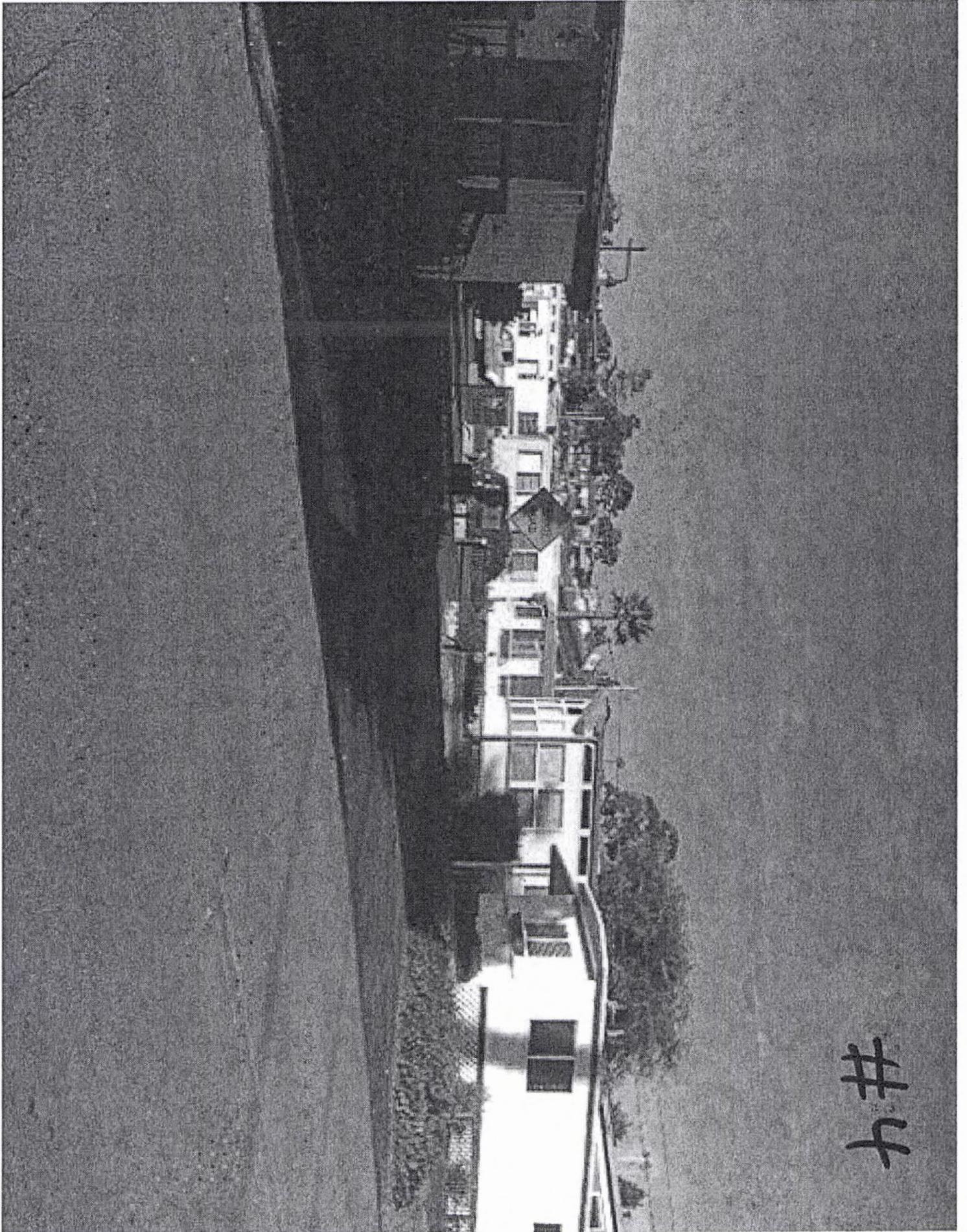


102

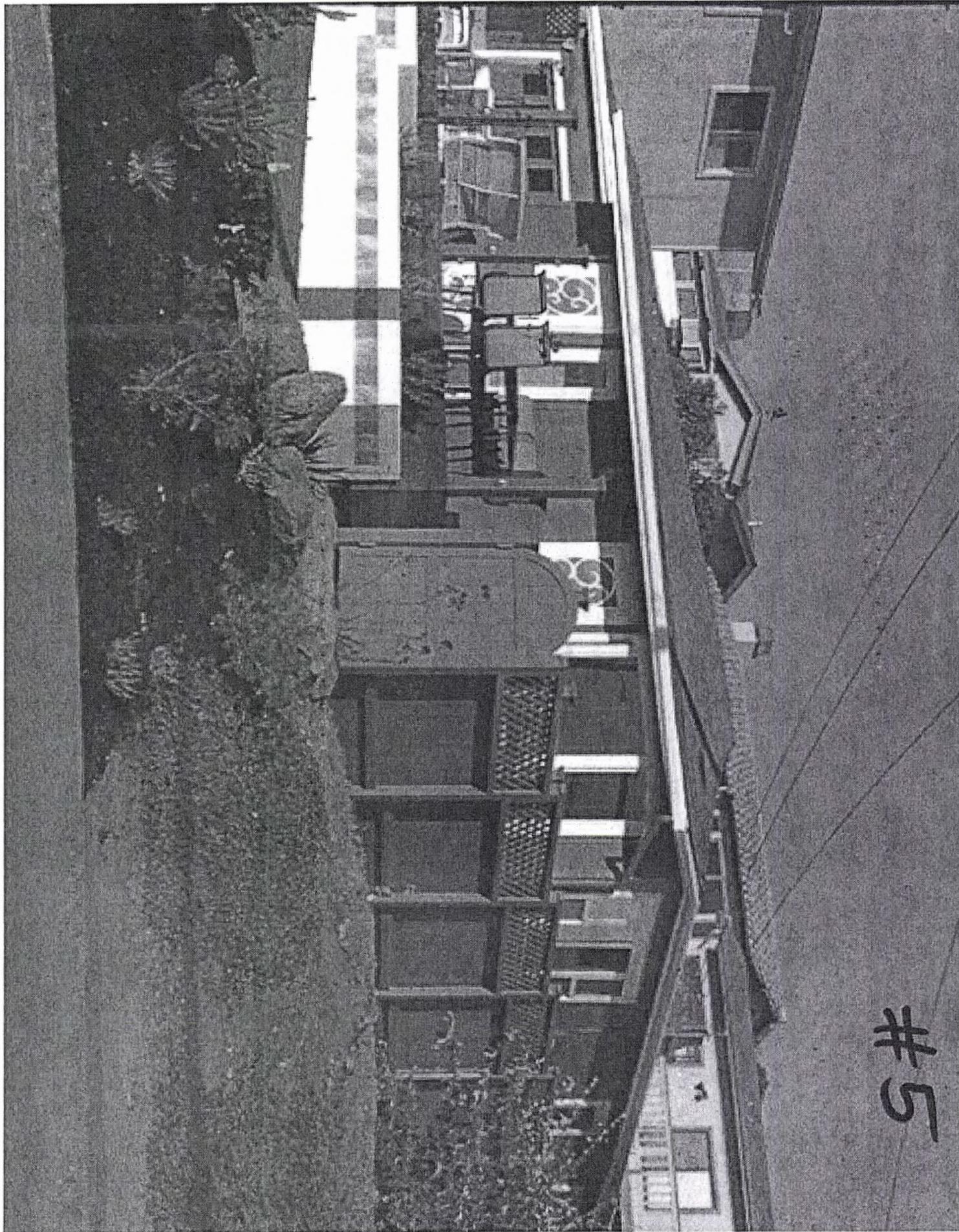
#2

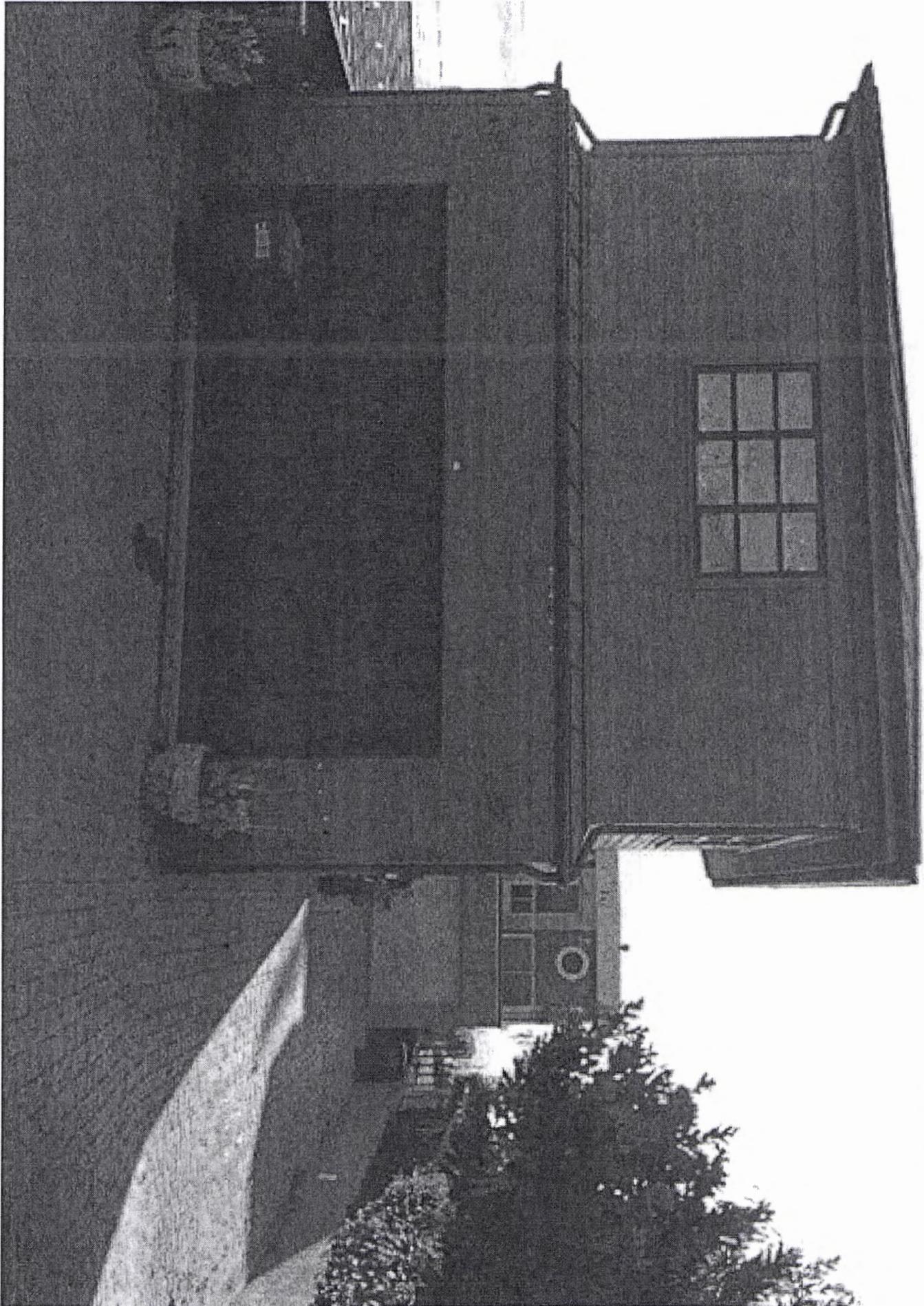


#3

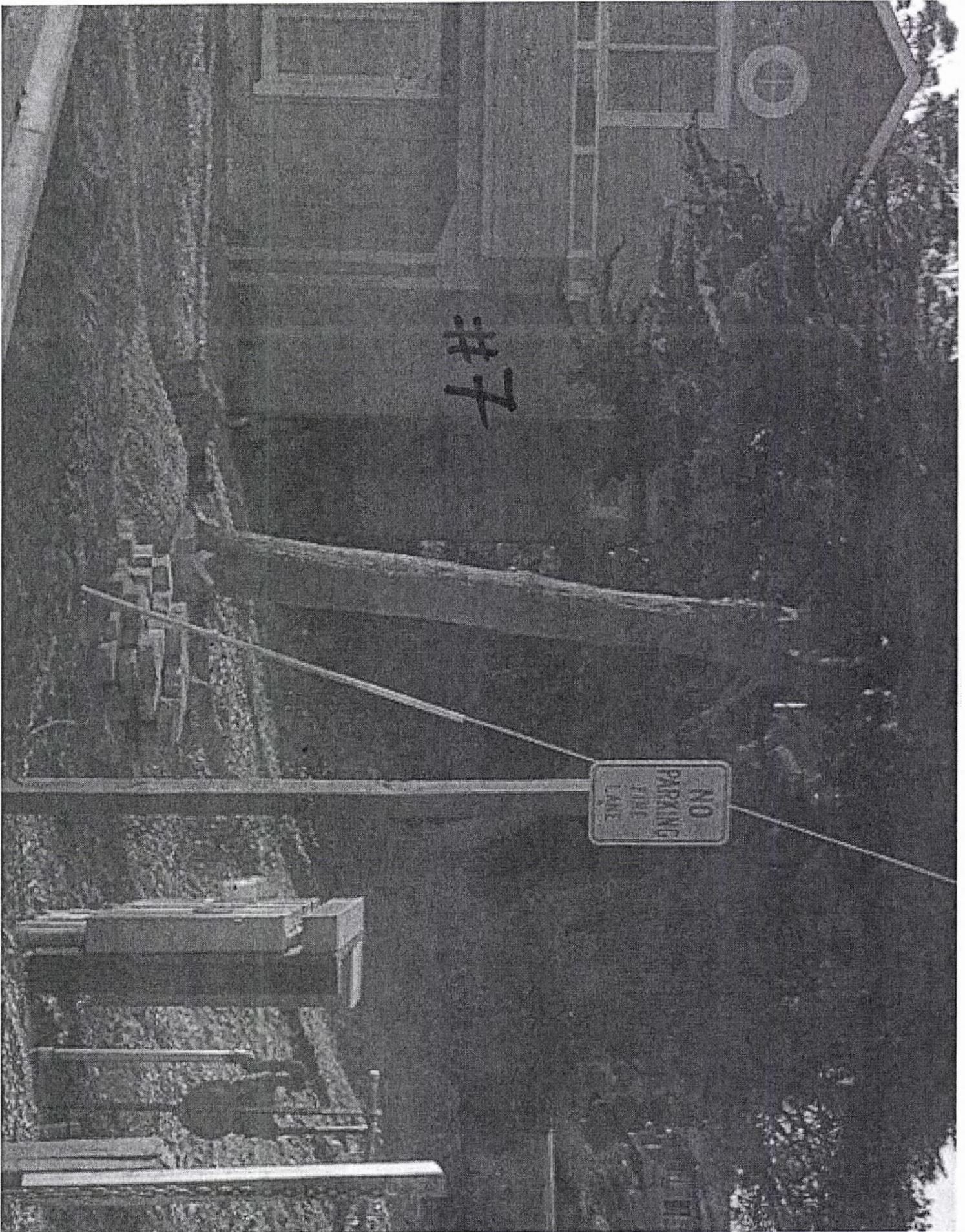


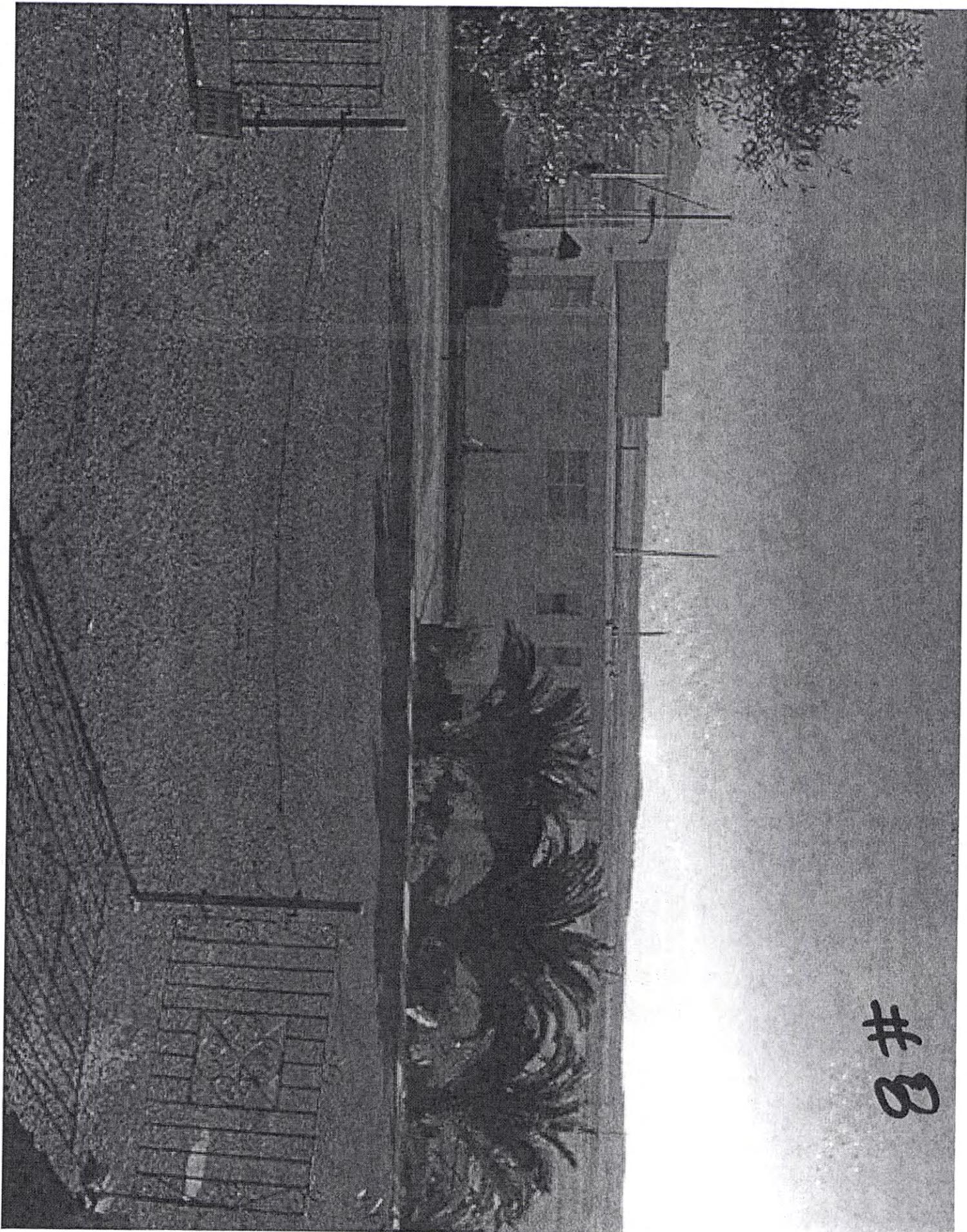
#4



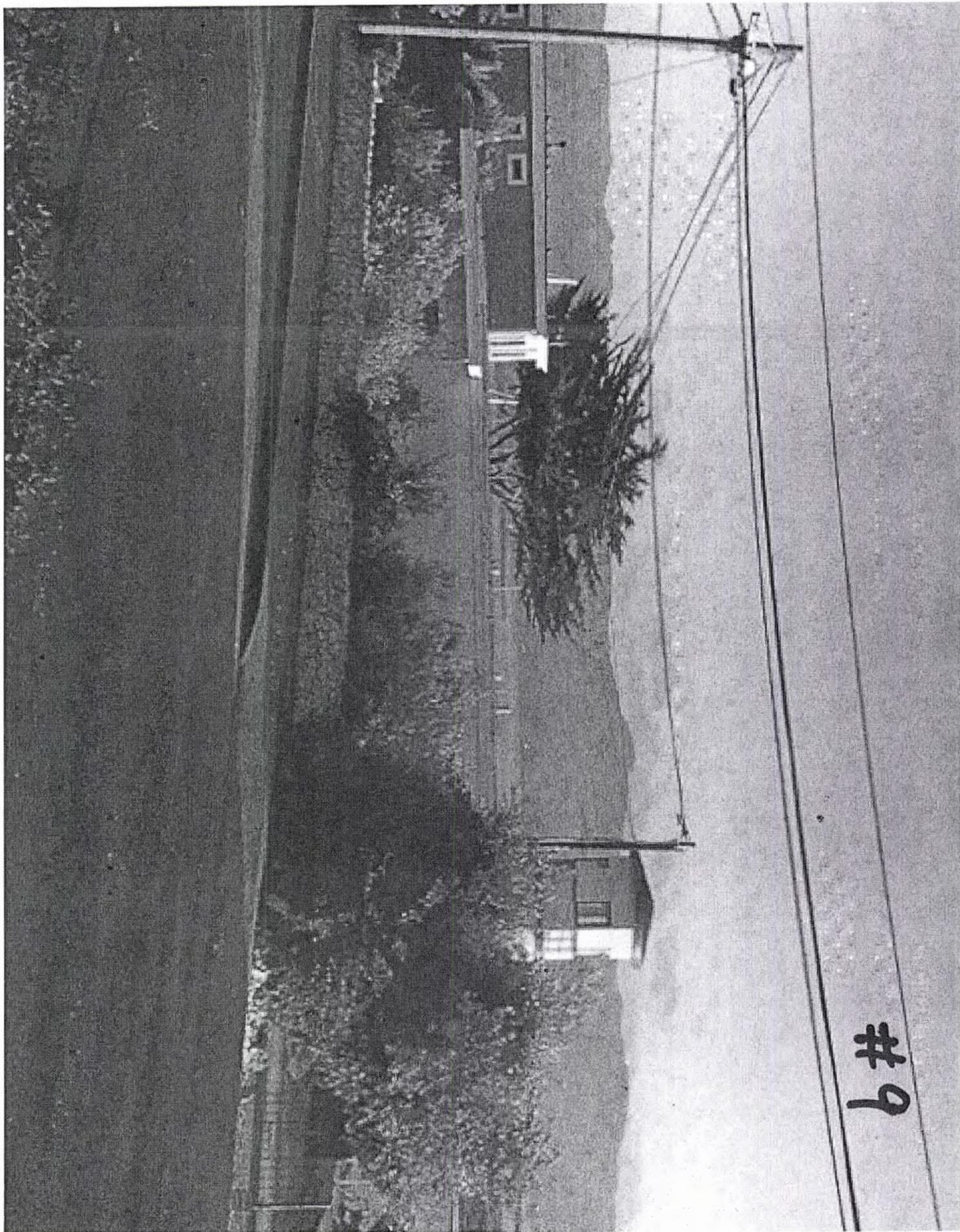


#6

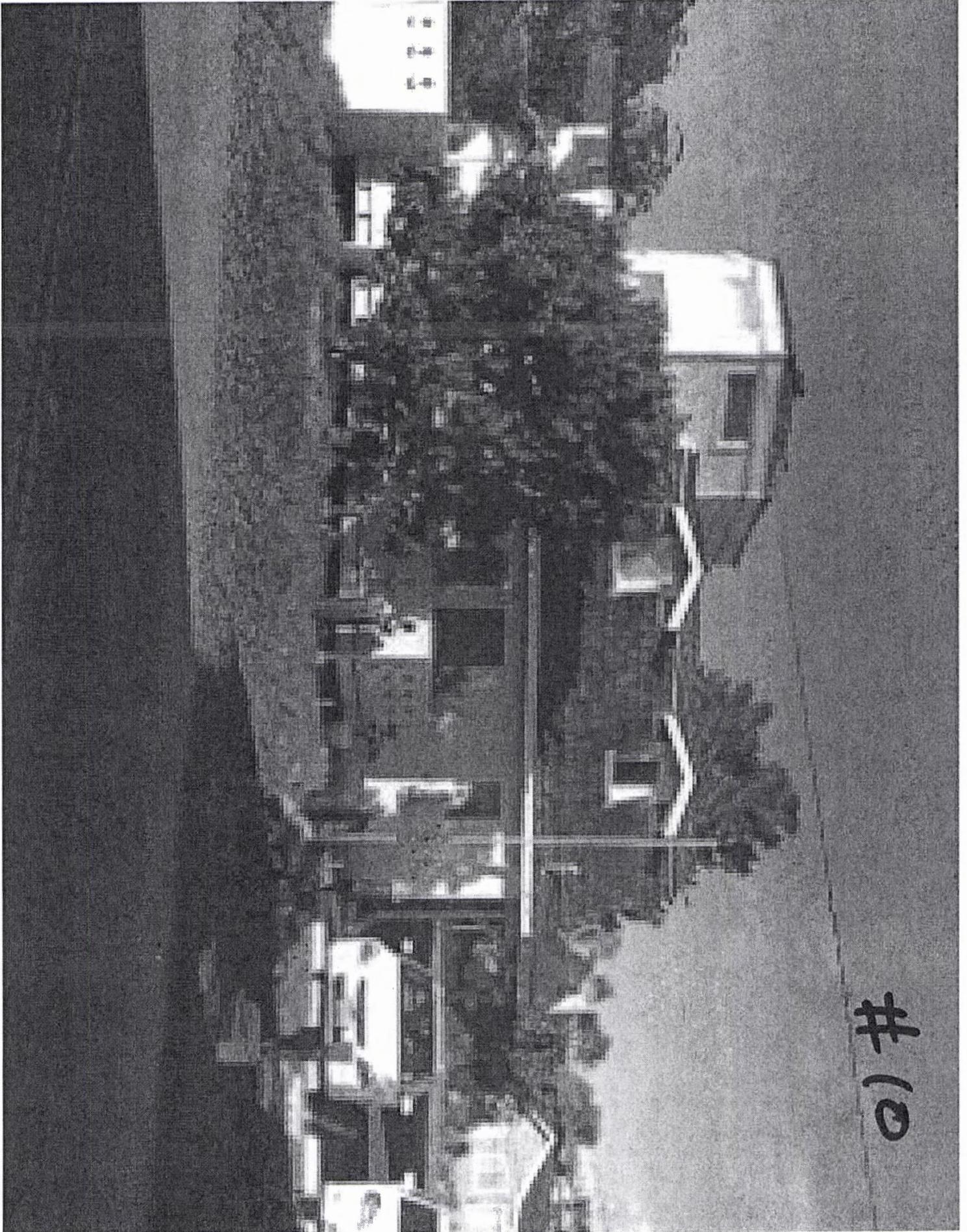


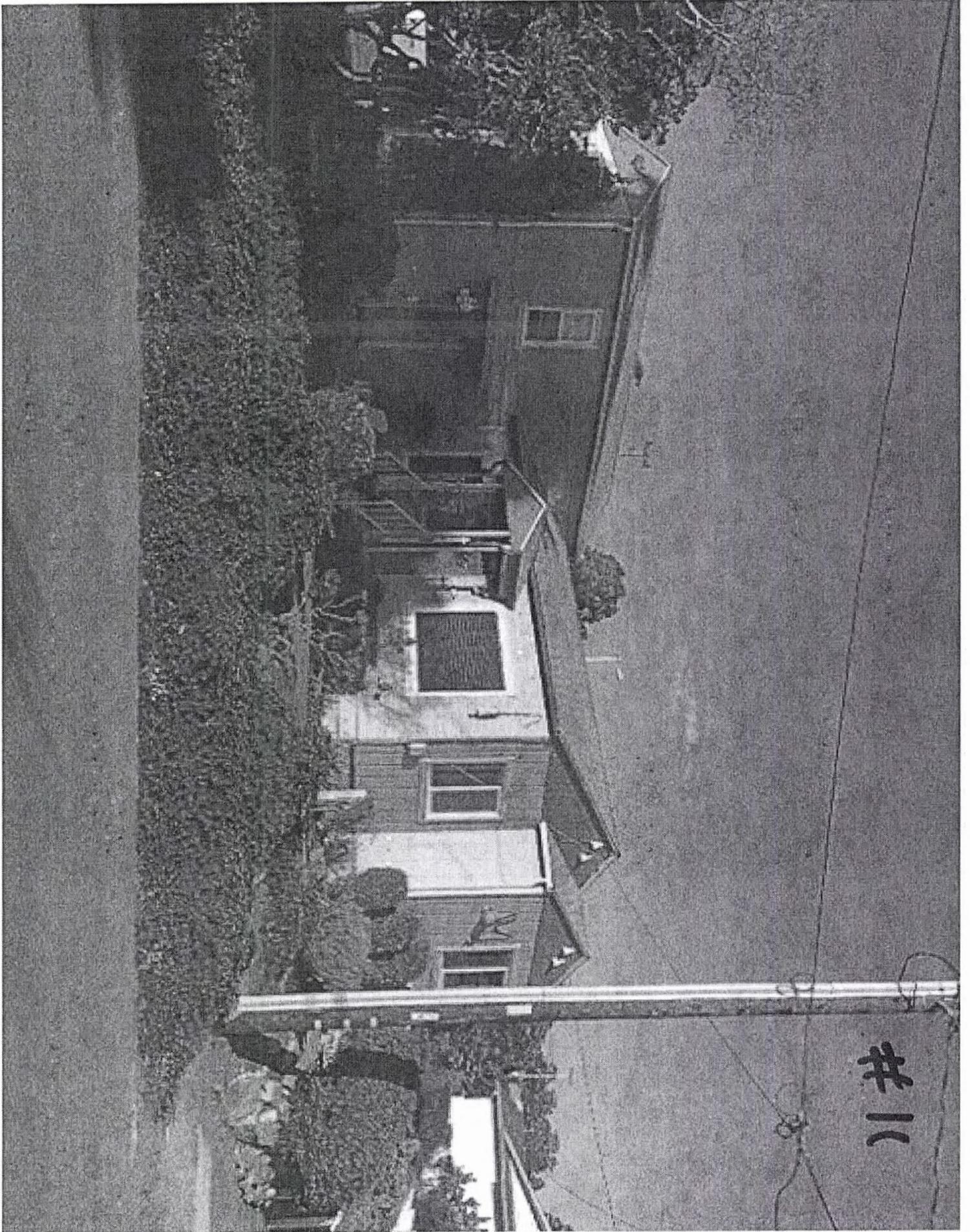


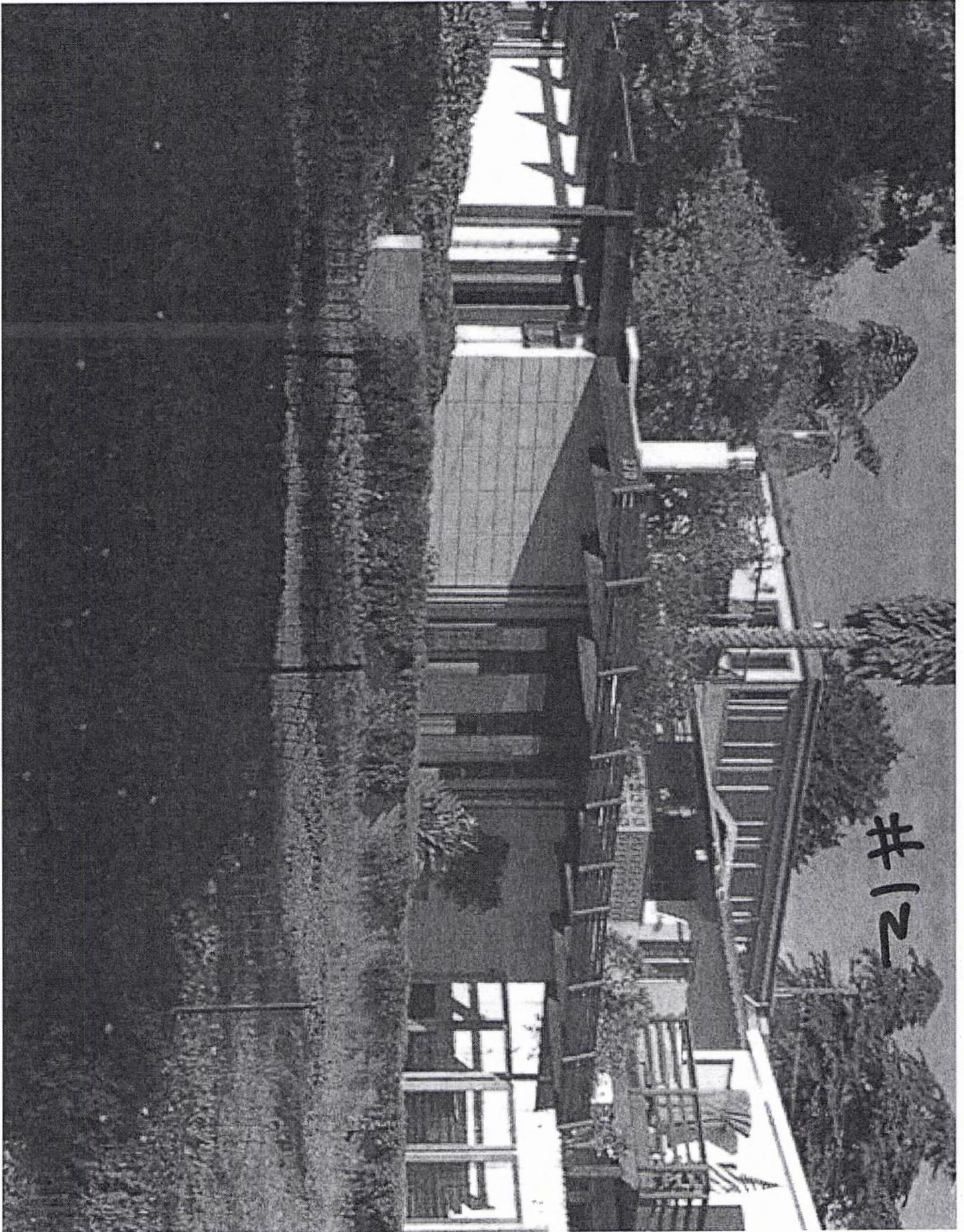
#8



#9







#12





#14

## **Request: Reduce Project Size by 20%**

- We are NOI asking that nothing be built
- We are NOI asking for a single story home
- We ARE ASKING that the project be reduced by at least 20% to a maximum 2,400 sq. ft. with a maximum height of 20 ft. above existing "Average Natural Grade"
- The "cumulative impact" of the current Permit will be IRREVERSIBLE

# Current Approved Size

- 3,000+/- Sq. Ft. Home including garage and separate unit.
- 25 Ft. high roofline (max. allowed anywhere in the City)
- Irregular Corner Lot less than 5,000 sq. ft.
- High profile location of Main Street
- Surrounded by significantly smaller homes

# Project is out of SCALE

- Very Unique Section of Main Street:  
from State Park towards town
- Most homes are single story – ranging  
from 1,000 sq. ft. to 1,600 sq. ft.
- A few 2-story homes – generally smaller  
than 2,000 sq. ft.

# Leaving State Park



# West Side Condos



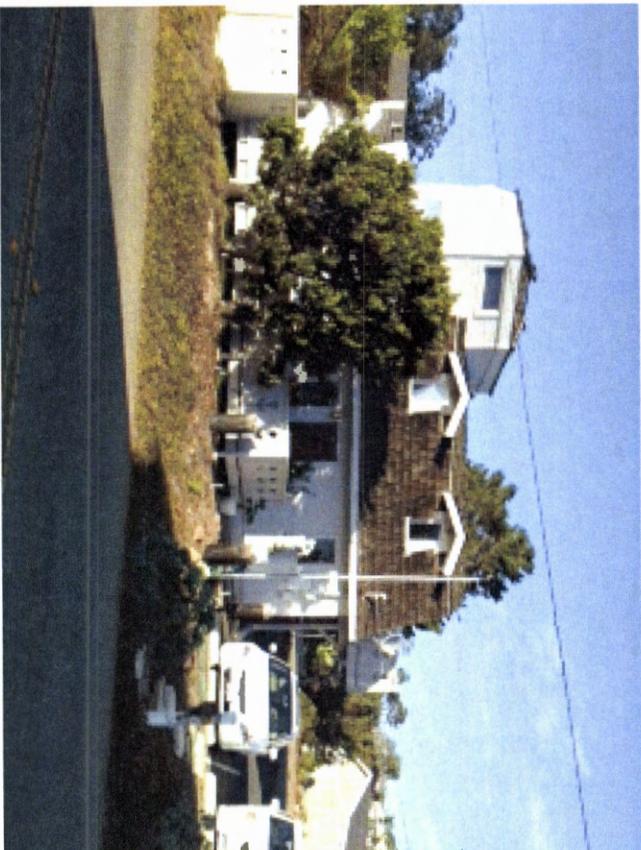
# More Single Story Houses



# Affordable Housing



# East Side-“The Windmill House”



# East Side Single Story



# West Side-“The Cannery”



# West Side-“The Lighthouse”



# Walnut & Main – 1800 sq. ft.



# 1950's Single Story - 1,000 sq. ft.



# 1950's – Sited Behind Trees



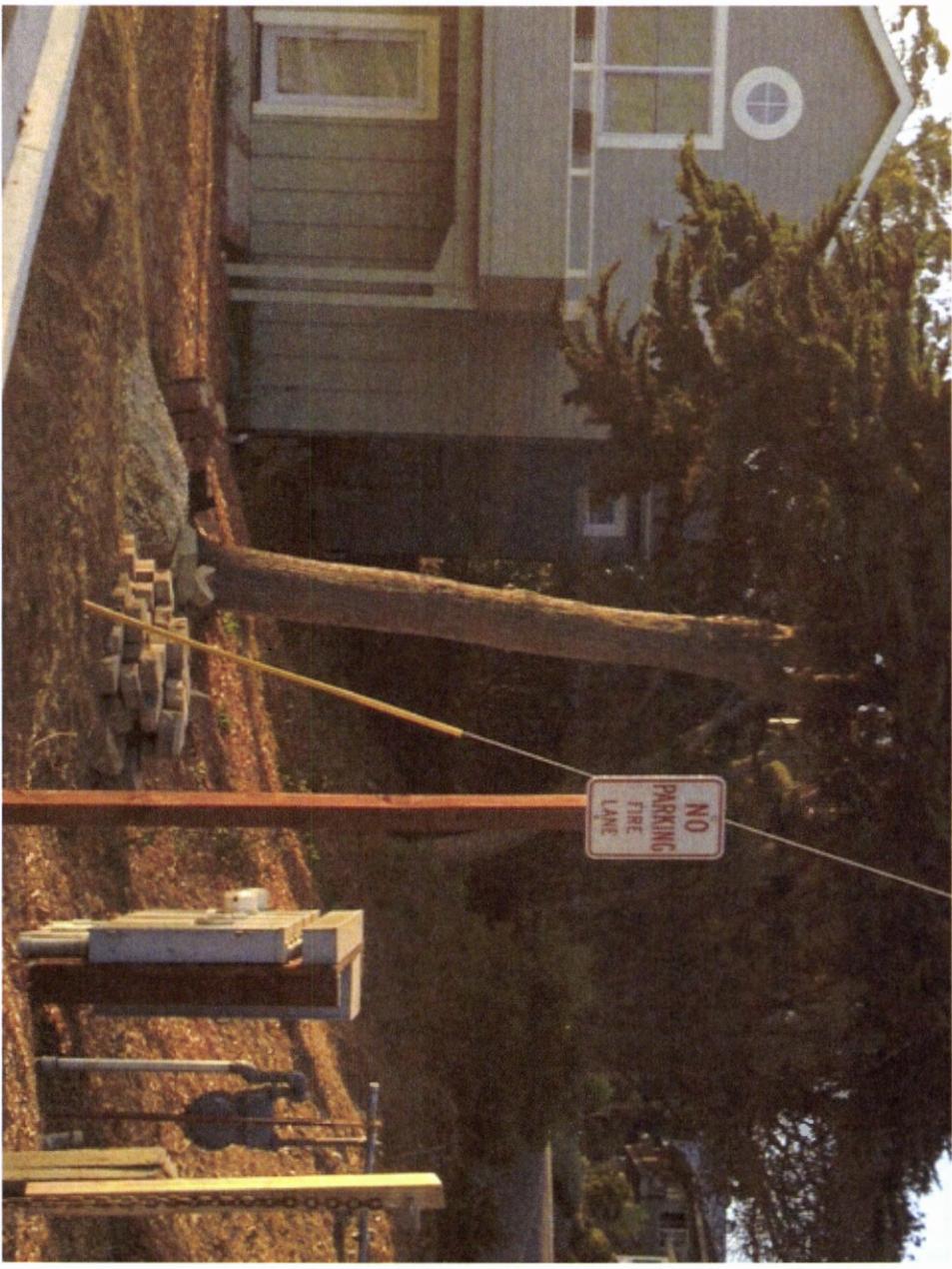
# Low Profile House at 280 Main Street



# Newer Project: West Side – 2000 Sq. Ft – Sited Below Street Level



# Newer Project: West Side – 2200 sq. ft. – Sited Below Street Level



# SCALE is Important

- CITY - Currently drafting guidelines – to Mitigate Impact of large 2-Story Structures being built adjacent to Single Story Homes.
- STATE - Coastal Act (1976) and the LCP (1981) address the importance of keeping the SCALE of new structures---aligned with the SCALE of existing structures.
- The Coastal Act specifically mentions the negative “cumulative impact” of allowing projects that are “out of scale” as an appealable action

# Proposed Reduction of SCALE

- Reduce Size By At Least 20% (to a maximum of 2,400 sq. ft.)
- Reduce Maximum Height to 20 ft. above existing "Average Natural Grade"
- Even at this Reduced Size—project will still be 20% larger than 80% of the homes along this unique section of Main Street.

# How to Reduce SCALES?

- Eliminate Separate Unit
- Excavate Soil so structure is sited lower
- Set Maximum Ceiling Height of 8'0" on both floors
- Reduce Slope of Roof

# Project is out of SCALE

- We are NOI asking that nothing be built
- We are NOI asking for a single story home
- We ARE ASKING that the project be reduced by at least 20% to maximum size of 2,400 sq. ft. with a maximum height of 20 ft. above existing "Average Natural Grade"
- The "cumulative impact" of a 3,000 sq. ft. home with separate unit at this location will have an IRREVERSIBLE affect on Main Street
- It will become the "NEW STANDARD".
- We ask that the council return the approved CDP to the Planning Department to reduce the size of this project