



AGENDA NO: A-3 & B-1

MEETING DATE: April 27, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
PUBLIC REVIEW PRIOR TO THE MEETING**

From: [Jamie Irons](#)
To: [Council](#)
Cc: [Scott Collins](#)
Subject: WRF and Plan Morro Bay
Date: Tuesday, April 27, 2021 5:16:24 AM

Dear Council,

Thank you for maintaining forward progress on the WRF. The complexity of a project of this magnitude is monumental for any city let alone a city of our size and staffing resources. The success of our Grant Application of \$20M for the WRF will be measured by the project itself and the progress we have made to date. Thanks to staff for their hard work in addition to the Ferguson Group for their consulting assistance in navigating the Federal processes and opportunities.

Plan Morro Bay, thank you and congratulations!!! This has been a long journey for our community. Again it takes the commitment of City Council to keep it going to get across the finish line, thank you! Community Advisory groups in addition to the GPAC have been instrumental in this plan and the community deserves it, they deserve many thanks as well. I would also like to thank our City Manager Scott Collins for his leadership, keeping all the balls in the air, chewing gum, and skipping all at the same time. Finally, thank you Scot Graham and you're your planning team. Meetings upon meetings, drafts and redrafts, change of staff, consultants, and CCC staff, Scot just kept moving it forward, Thank you!

I would also like to put in my official request to purchase a signed edition of the Certified GP/LCP.

Thank you for all your hard work!

Sincerely,
Jamie Irons

Sent from [Mail](#) for Windows 10



AGENDA NO: A-3

MEETING DATE: April 27, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
PUBLIC REVIEW PRIOR TO THE MEETING**

Dana Swanson

From: betty winholtz [REDACTED]
Sent: Monday, April 26, 2021 6:19 AM
To: John Headding; Robert Davis; Jeffrey Heller; Dawn Addis; Laurel Barton
Cc: Dana Swanson; Rob Livick
Subject: agenda item a-3

Dear City Council:

I am confused by this sentence in the staff report, "Therefore, the City is now eligible to pursue grant funding up to \$20 Million for the WRF Facility." When I looked at the Bureau's website regarding this grant cycle, I read, " Award Ceiling: \$2,000,000." Please clarify the discrepancy in these amounts.

Thank you,
Betty Winholtz



AGENDA NO: B-1

MEETING DATE: April 27, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
PUBLIC REVIEW PRIOR TO THE MEETING**

From: [Michael Martz](#)
To: [Council](#)
Cc: [REDACTED]
Subject: Shepard Properties Request Letter & Comments
Date: Tuesday, April 27, 2021 3:51:37 PM
Attachments: [Shepard and Seashell Properties Request Letter.pdf](#)
[Public Comments to MB City Council 4.27.21. Michael Martz.pdf](#)

Honorable Mayor and City Council Members,

I am re-submitting the attached letter regarding the Shepard and Seashell Properties for your consideration and to be a part of the public record for the April 27th City Council meeting along with additional comments that I will deliver during the public comment section.

Please don't hesitate to contact me if you would like to discuss in more detail. I can be reached via email at [REDACTED] or by phone at [REDACTED]

Best regards,

Michael Martz
[REDACTED]

VIA EMAIL

January 11, 2021

Honorable Mayor and Council Members
City of Morro Bay, City Hall
595 Harbor Street
Morro Bay, CA 93442

RE: Request for a General Plan Amendment and Rezone; Shepard and Seashell Properties
Dear Honorable Mayor and Council Members:

We are owners of the above captioned properties that total approximately 50-acres of developable land, currently zoned RA. We wish to have our properties included in your pending LCP/General Plan Amendment before the City Council next month for consideration of RM/PD zoning (medium density residential, 7-15 units/acre).

We understand that asking you to include these properties in the Plan will result in a delay. However, we believe that for the long-term economic health of the City this delay will be worth the effort because if the property is not rezoned now, it may never be.

Including the Shepard and Seashell properties in the RM/PD zoning will result in the following:

- Increased multi-family housing stock at affordable prices
- Increased units of designated affordable housing
- Increased City revenue from impact fees
- Permanently removing the sites from low-density RA/PD zoning
- Bringing Morro Bay closer to meeting its RHNA obligation
- Consistent Planning & Policy Documents

At this point in time, you have willing property owners in a rezone that will remove the opportunity for potential future property owners to subdivide with single family homes. There is a significant demand for single family homes in the marketplace today as a result of people fleeing big cities across the Country, looking at the Central Coast as a refuge. We don't believe Morro Bay wants more single family homes or zoning.

Background – Property Description

Our properties are located on the east side of Highway 1 off of South Bay Blvd and Teresa Road and are hereafter referred to the Shepard and Seashell properties.

The Shepard property is identified as number 18 on Table H-36 in the City's Housing Element as providing inventory for future housing needs. This table indicates realistic capacity of 65 units on the 45 acres (gross). However, considering the site constraints including slope of the land, onsite Environmental Sensitive Habitat, avoidance of hillside silhouetting, the actual net development area is approximately 10-acres (Shepard only).

With the current zoning of RA (minimum 20,000 square foot lot) it would yield approximately 20 units. This is much lower than the City presented to the State of California in its certified Housing Element. To achieve the 65 units presented to the state in the Housing Element, the property would have to be developed with a housing product that is not single family detached units.

Proposed Zoning Change

The zoning of this property will be RL under the proposed zoning ordinance. Table 17.07 020 (zoning ordinance) shows that the RL zoning prohibits attached single-dwelling units, two-unit dwellings and multi-unit residential dwellings. Additionally the property's General Plan Designation is Low Density. Low Density is defined in "Plan Morro Bay" as an area for detached single family homes and some group housing uses. Based on the constraints, the proposed new zoning ordinance and the proposed draft Plan Morro Bay document, there is clearly no path to obtain 65 units on the site under the present General Plan designation and zoning. The path forward to achieve the "realistic density" presented to both the public and state is to amend the General Plan designation and rezone the property.

Increased multi-family housing stock at affordable prices

There is potential for the subject sites to provide a mix of housing types, unit sizes and affordability, including deed restricted affordable units if rezoned. The City's planning document "Plan Morro Bay" states that the city can accommodate an estimated maximum population of 12,149 people and further states that it can accommodate all 391 units of the city's regional housing needs allocation (RHNA). An additional 65 units at a rate of 2.08 people per unit would yield 135 additional people to the overall population well within Measure F limits. If the properties were rezoned to RM/PD, a reasonable density (Shepard + Seashell) would yield +/- 150 units and house a total of 312 people.

The General Plan land use element states: "while the high cost of adequate housing is a statewide concern, addressing it in Morro Bay is essential to ensuring economic stability and success for the city" and also states "that the limited vacant land in Morro Bay creates a challenge to the city's ability to expand the economy and maintain the needed population base".

Increased units of affordable housing

If rezoned to allow approximately 150 multifamily units, the properties would yield 15 deed restricted Affordable homes (or apartments). As depicted in the attached chart (Attachment A), another 45 homes would be priced at the median income level, and another 45 would be priced at the moderate income level (assumes 33% housing costs). Estimated monthly home payments are assumed to be roughly equivalent in terms of mortgage (for sale product) or rents (apartments). The chart also depicts the income levels required if the properties were developed with single family homes.

Increased City revenue from impact fees

An example of how development affects the city's economy is the fees it generates. Increasing the density and allowing additional units and/or multiple units will provide for \$41,692 (Table H-43) per unit in fees to the city versus \$31,781 (Table H-43) per unit. This means that by developing more affordable smaller units the city yields more development/impact fees (revenue). Taking this one step further: based on 20 units at the current density the city would see approximately \$500K in fees (general government, Police, parks, fire, storm drain, traffic, school) while building more units under the proposed re-zoning plan would generate approximately \$4.6m in city revenue.

Additionally, more housing units would mean more rate payers to the City to offset the cost of the new water reclamation facility. All of this is good news economically while still furthering the stated goals for development of this property.

Permanently removing the sites from low-density RA zoning

If the properties are to remain as Low Density residential, the housing product will be single family detached units. This type of zoning/general plan designation is not favorable to developing an inclusionary development of mixed housing types and would result in the City's failure to address many goals identified in the City's Housing Element.

One example would be the loss of restricted affordable housing units. The provision of affordable units is based on the number of units built so of course fewer units built results in fewer affordable units. Ordinance 584 requires a minimum of one unit or 10% whichever is greater. If 20 units were developed on the Shepard site, only 2 units would be required to be affordable. With the exception of those 2 units, without the General Plan amendment/rezone the site will only provide units in outside affordability levels as outlined by CA HCD

Policy Considerations – Creating Internal Consistency, Meeting External Commitments

It is important that the City's planning documents are consistent with one another. The public, Planning Commission, City Council and the State are under the impression that the site will have the potential to provide 65 units based on the certified Housing Element, yet your General Plan Land Use element conceives Low Density Residential which is defined as detached single family homes and some group housing uses. This is a real break in the consistency of the City's planning documents. As you must know the General Plan land use is the foundation document and as such the zoning must implement what is in the general plan document. In other words there is no opportunity to differ from single family detached units other than to amend the site's general plan designation.

The draft "Plan Morro Bay" document states that infill properties in the city shall be the preferred strategy for most new development in Morro Bay. Because the Shepard property was included in land inventory for potential units to meet the city's RHNA, it would appear that it was planned for development in the Housing Element. It is common for a City to be hesitant to rezone/amend the general plan of any private property without the consent of the property owner. In this case the City signed an easement agreement with the property owner (Shepard) in which they agreed to assist with the rezoning of this property. Additionally, the Planning Director has had conversations with the representative of the Seashell development regarding the rezoning of that property. So the record indicates that the city was well aware of the need to include these properties in the general plan update to ensure that the long range planning for these properties was a reflection of what the city stated in the Housing Element, furthered the goals of the Housing element and the Land Use element, and acted in good faith on the agreement signed over two years ago.

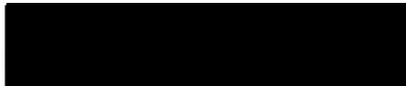
It is unfortunate that this request is coming to you at such a late hour but fortunate that it is still within the window of opportunity for the city to take advantage of the opportunity to ensure that these sites general plan designation reflect what type of growth the city would like to see moving forward into the next decade.

We hope you agree and direct City staff to evaluate these properties together, along with the balance of the City for the pending GPA/LCP project.

Sincerely,



Michael Martz
Owner, Shepard Property



Lou Steiner
Owner, Seashell Property

ATTACHMENT A

Bringing Morro Bay closer to meeting its RHNA obligation

The chart below shows expected pricing per unit based a rezone to RM/PD. Typically in a housing project, there are a variety of units types based on size and price, to meet the market demand of varying family sizes. The projected unit count and sales pricing are hypothetical at this point in time. At the the property is included in the GPA/LCP and rezone, a more precise development application can be provided to the City, inclusive of various regulatory constraints. Also note that 10% of units are priced at an approximate inclusionary 'low' income level.

MULTI FAMILY PRODUCT PRICING, UNIT SQUARE FOOTAGE AND MONTHLY PAYMENTS (150 UNITS)						
Plan Type		Plan A	Plan B	Plan C	Plan D	
Unit Count		45	45	45	15	
Plan Square Feet		850	1,100	1,400	750	
Base Sales Price		\$ 495,000	\$ 585,000	\$ 675,000	\$ 250,000	
Sales Price/SF		565	516	468	323	
Sales Incentives		\$ (14,850)	\$ (17,550)	\$ (20,250)	\$ (7,500)	
Net Sales Price		\$ 480,150	\$ 567,450	\$ 654,750	\$ 242,500	
Down Payment	20%	\$ 100,485	\$ 118,755	\$ 137,025	\$ 50,750	
Interest on Loan	4%	\$ 1,848	\$ 2,184	\$ 2,520	\$ 933	
Property Taxes	1%	\$ 488	\$ 576	\$ 665	\$ 246	
PMI/Insurance		\$ 200	\$ 200	\$ 200	\$ 150	
HOA Dues		\$ 150	\$ 150	\$ 150	\$ 45	
Monthly Payment		\$ 2,686	\$ 3,110	\$ 3,535	\$ 1,375	
PITI/Yearly income to afford at	33%	\$97,658.25	\$113,100.25	\$128,542.24	\$49,985.34	
PITI/Yearly income to afford at	40%	\$80,568.06	\$93,307.70	\$106,047.35	\$41,237.91	
SINGLE FAMILY PRODUCT PRICING, UNIT SQUARE FOOTAGE AND MONTHLY PAYMENTS (30 UNITS)						
Plan Type		Plan 1	Plan 2	Plan 3		
Unit Count		14	14	2		
Plan Square Feet		1,800	2,400	1200		
Base Sales Price		\$ 950,000	\$ 1,200,000	\$ 250,000		
Sales Price/SF		528	500	208		
Sales Incentives		\$ (28,500)	\$ (36,000)	\$ (7,500)		
Net Sales Price		\$ 921,500	\$ 1,164,000	\$ 242,500		
Down Payment	20%	\$ 184,300	\$ 232,800	\$ 48,500		
Interest on Loan	4.00%	\$ 3,328	\$ 4,203	\$ 876		
Property Taxes	1.2%	\$ 922	\$ 1,164	\$ 243		
PMI/Insurance		\$ 200	\$ 200	\$ 200		
HOA Dues		\$ 150	\$ 150	\$ 150		
Monthly Payment		\$4,599.14	\$5,717.33	\$1,468.19		
PITI/Yearly income to afford at	33%	\$ 167,241	\$ 207,903	\$ 53,389		
PITI/Yearly income to afford at	40%	\$ 137,974	\$ 171,520	\$ 44,046		
HCD Income levels in the Median and Moderate Income Levels based on varying percentages of income devoted to housing costs						
HCD Incomes in the Low and Very low levels based on the 10% inclusionary requirement						

		NUMBER OF PERSONS IN HOUSEHOLD							
		1	2	3	4	5	6	7	8
San Luis Obispo County Area Median Income: \$97,300 <small>State Income Limits for 2020; April 30, 2020 HCD Memo</small>	Extremely Low	20400	23300	26200	29100	31450	35160	39640	44120
	Very Low Income	33950	38800	43650	48500	52400	56300	60150	64050
	Low Income	54350	62100	69850	77600	83850	90050	96250	102450
	Median Income	68100	77850	87550	97300	105100	112850	120650	128450
	Moderate Income	81750	93400	105100	116750	126100	135450	144750	154100

April 27, 2021, Morro Bay City Council Meeting: Public Comments by Michael Martz

Warren Buffett once said “You’re sitting in the shade today because someone planted a tree a long time ago.”

As another saying goes, “It wasn’t raining when Noah built the ark.”

Shade, arks, great communities – they don’t just happen by accident. SOMEONE has to plan these things. Plan and then develop. This City Council is charged – and empowered – with developing the community that you all want to live in.

I am speaking on behalf of the owners of the “Shepard Property.” We have a parcel of land that would be perfect for up to 65 [or 150 if including Seashell] housing units – if the City Council would allow the parcel to be a part of the General Plan Amendment. As it is currently zoned, the best we can do for the community is approximately 20 single-family homes. We envision multi-family housing – developing a thriving neighborhood of up to 140 people – moms, dads, kids, grandparents, young adults entering the workforce.

The City’s “Plan Morro Bay” calls for more housing. We have been talking to the City for three years, and have made it clear that we would like to be included in the General Plan Amendment that will allow for more housing – meeting the City’s stated goals. So far, we have denied at every turn.

We have been working with the City since May 2018 on easements the Wastewater Treatment Plant. We finalized an agreement in August 2020 which included a provision that the City would cooperate with us on a rezone. Back in November 2020 when we pressed the City to start the rezone process, we were told that the General Plan Update was “just about done,” and it was too late for us to be included. Two months later, in January 2021, the plan was still not completed. We submitted a letter (dated January 11, 2021), spelling out the many ways that rezoning the property would directly benefit the City. Once again, we were told that the plan was “just about done,” and it was too late to be included. Here we are, nearly 3 years since we started working with the City and 4 months since the January letter, and 6 months after the November comments. The General Plan is not done, and we are not included. What if you had included us in November?

What would you say if Warren Buffet were here today? Would you tell him that it’s not worth planting the tree? That it’s too late? You’ve invested so much time into this process that you can’t possibly add another few month’s to the process? Clearly that’s not true. If you had included us back in November, you’d still be finalizing the plan AND our property would be included, adding units to your housing plan. Would you tell Mr. Buffet that you’re not concerned with the shade on future generations? That you’re only concerned with meeting today’s deadlines. What if your forebears had that same short-sighted vision? Where would Morro Bay be now? Or perhaps you rue the short-sighted vision of your predecessors – you wish that certain plans had been carried out in years past, and you criticize their lack of vision

for the future? Now is your opportunity to show what kind of leaders you are for Morro Bay – committed to your own continuously moving deadline, or committed to creating more housing?

We're asking you to figuratively "plant the tree." If you want enough housing so that Morro Bay can take care of its residents, YOU have to make the commitment. You can't hope that someday in the future, some other group of people figures out how to solve the housing problems.

It has been suggested that we file an independent application for re-zoning. This process is expensive and time-consuming, without the certainty that we would gain the rezoning. Any promises of the sort would be met with skepticism – so far, the City has NOT acted in good faith with regards to our request to be included in the current General Plan Amendment. Any costs we would incur in the independent application would naturally have to be rolled into the housing costs of any units we would build. These costs would have to be passed on to residents.

Your stated goal is to provide more affordable housing for the residents of Morro Bay. We are ready to be a partner in helping you achieve your goal. We ask you today to match your words – your desire to provide housing – to take the steps necessary to make sure those housing units get built.

We are here to restate that we desire to have our properties included in your pending LCP/General Plan Amendment for consideration of RM/PD zoning (medium density residential, 7-15 units/acre).

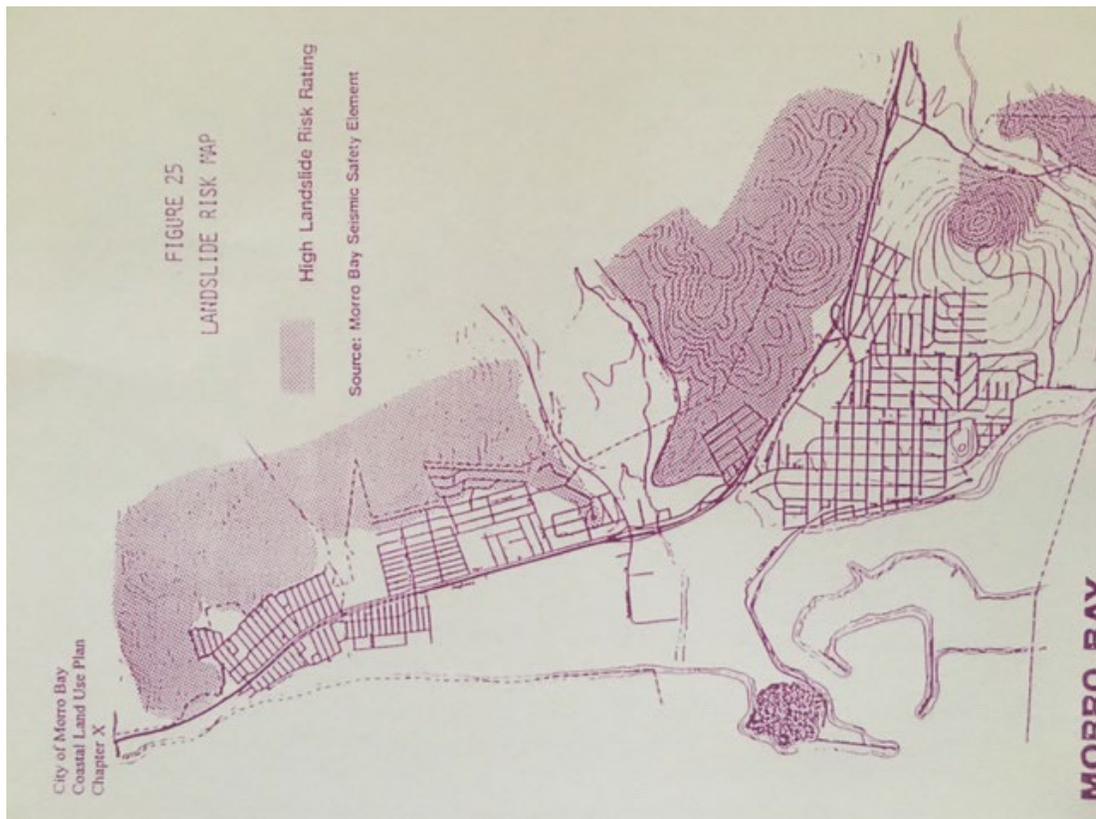
From: [Metzger Tina](#)
To: [Council](#); [Dana Swanson](#)
Subject: City Council Agenda Item B-1 (April 27, 2021)
Date: Tuesday, April 27, 2021 11:32:23 AM

Dear Morro Bay City Council,
Concerning April 27, 2021 Council Agenda Item B-1, please request that Staff correct the Plan Morro Bay Landslide Susceptibility Map in Figure PS-4, page 4-101, **to reflect** the Morro Bay Coastal Land Use Plan High Landslide Risk Rating as pictured in the attached Landslide Risk Map from the City of Morro Bay Coastal Land Use Plan Chapter X (see attachment).

I know you understand that landslides can happen when development causes earth moving, grading, or any man made disturbance of existing topography, in addition to “the shaking of an earthquake,” causing unstable earth material to slide down a slope. It is vital to correct the Plan Morro Bay Landslide Susceptibility Map, Figure PS-4, page 4-101, to reflect the truth.

Given the many excellent letters of Public Comment concerning Council Agenda Item B-1 of the April 27, 2021 Council Agenda, it would be wise for City Council members to vote approval tonight of "Alternative 2: The Council may move to direct staff to re-review and provide additional review in response to public comments received, or Council desired changes."

Sincerely,
Tina Metzger



April 26, 2021

Honorable Mayor and City Council,

The Chamber, an independent nonprofit supported by 260 member businesses that provide over 3,000 jobs, submitted a thorough review of Plan Morro Bay to the Council this month. Our work was produced by more than two dozen volunteer business owner-operators doing business in your city. It is offered to you as policy makers considering nothing less than the “planning constitution” for the City of Morro Bay for the next 20 years in Item B-1 of your agenda packet.

Our members recognize that it is primarily the private sector that will plan, build, house and staff commercial and residential projects to sustain the fiscal and economic viability of the city for the next two decades. Put simply, the private sector is what implements Plan Morro Bay and makes tangible the document’s vision.

The adoption draft of Plan Morro Bay contains policies, implementation actions and land use designations that create a community in which the growth of jobs outpaces the creation of places for workers to live at an unacceptable level. Our members report now that lack of housing in the city is their number one concern. The Plan fails to address circulation between Atascadero Rd and the Embarcadero while envisioning an additional two million square feet of commercial development to occur on the acreage between those roads, promising to worsen the already gridlocked Embarcadero Rd between Beach St. and Morro Rock. This is untenable for the businesses that already exist in north Embarcadero, for future businesses in that area, and for tourism destination management. Further, the land uses proposed on the MB Power Plant acreage are incompatible with PG&E deed restrictions and DTSC land use covenants on that privately owned property, exclude industrial uses completely, and increase greenhouse gas emissions from increased VMT.

Plan Morro Bay is a colossus effort and the time and money spent to date is anything but insignificant. We realize that our comments may be perceived as late but we encourage you to investigate and seek to resolve the concerns we have raised regarding jobs-housing balance, circulation, the Harborwalk, land use on the Power Plant site and lower-cost accommodation policy. Mitigating the consequences of policies in Plan Morro Bay should not fall on the backs of builders and employers. Rather, the Plan should set the table for these folks to expand or create businesses and projects that will both provide jobs and housing to residents and pay sales tax, property tax, and TOT to the General Fund to meet the community’s needs for decades to come.

Sincerely,

A black rectangular redaction box covering the signature of Erica D. Crawford.

Erica D. Crawford
President/CEO
Morro Bay Chamber of Commerce

Date: 04/26/2021

To: Honorable Mayor, Council Members and Staff

From: Don and Kristen Headland, Residents, 31 years

Subject: **City Council Meeting, 04/27/2021, Agenda No: B-1,
Public Hearing for consideration of *Plan Morro Bay*
3300 Panorama Drive, APN: 065-038-001
Request Correction to Land Use Designation**

Hello,

Thank you for this opportunity to provide our concerns regarding the Zoning and Land Use Density designation for 3300 Panorama Drive, the ten-acre parcel in North Morro Bay. The correct Zoning and Land Use Density designation is R-1, Moderate or Low/Medium Density, Single-Family Homes, 4.1 – 7.0 units per acre for 3300 Panorama Drive.

During the process of the *Plan Morro Bay October 2020*, the Land Use designation for 3300 Panorama Drive was changed from “Moderate or Low/Medium Density” to “Medium Density”. This incorrect higher land use density is reflected in the *Plan Morro Bay 2021, Certified Housing Element 08/25/2020* and *Final Environmental Impact Report*.

For the record, we kindly request City Council Members move to direct staff to make additional edits to *Plan Morro Bay* to provide true and correct documents. With corrections being made to documents to reflect the correct Land Use Density Designation of R-1, Single Family Residential Zoning Designation with Land Use Designation of Moderate or Low / Medium Density, Single Family Residential, 4.1 – 7.0 units per acre for 3300 Panorama Drive.

Respectfully,

History:

On 03/16/2021, at the Planning Commission meeting, the Community Development Director reference a City of Morro Bay, 1995, General Plan Amendment and Zoning Amendment sent to the California Coastal Commission that notes a land use change 3300 Panorama Drive.

On the California Coast Commission website, a memorandum dated 02/15/1996. The first paragraph notes “On 11/15/1995, Central Coast District Staff received Local Coastal Program Amendment request No. 3-95 from the City of Morro Bay regarding revising the Implementation Plan (zoning ordinance and zoning maps) and the Land Use Plan maps. This item was filed on 1/2/28/1995.” See Exhibit 1.

In 1995, the City of Morro Bay submitted a *General Plan Amendment and Zoning Amendment* to the California Coastal Commission. In these documents, the City of Morro Bay made a request for 3300 Panorama Drive to be **“Rezone and re-designate old Navy jet fuel storage site from M-1 / Industrial to R-1, Low/Medium Density Residential”** along with other City amendments to update the General Plan / Local Coastal Program. See Exhibit 2.

The California Coastal Commission staff “Approved” the City of Morro Bay *Local Coastal Program, Amendment 3-95 with Certification Review* and the City of Morro Bay adopted *Resolution 08-97 for Amendment 3-95* on 01/13/1997. See Exhibit 3.

Supporting Documents:

1. California Coastal Commission, 02/15/1996, Memorandum “Request to extend the 90 day time limit for City of Morro Bay, LCP Amendment No. 3-95”. <https://documents.coastal.ca.gov/reports/1996/3/Th9b-3-1996.pdf>
2. California Coastal Commission, March 1996, Agenda, *Morro Bay LCP Amendment 3-95 (Zoning Text & LUP Map)*. (Postponed). <https://www.coastal.ca.gov/meetings/mtg-396.html>
3. California Coastal Commission, March 1996, Agenda, *Morro Bay De Minimis, LCP Amendment No. 1-96 (Amend R-1 Density)* (No Objection). <https://www.coastal.ca.gov/meetings/mtg-396.html>

4. California Coastal Commission, 11/20/1996, *City of Morro Bay: Local Coastal Program Major Amendment No. 3-95*.
Public Hearing and Commission action at its meeting on December 10-13, 1996.
<https://documents.coastal.ca.gov/reports/1996/12/Th8a-12-1996.pdf>
5. California Coastal Commission, December 1996, Agenda, *City of Morro Bay, Local Coastal Program Major Amendment No. 3-95*.
(Approved with Modifications).
<https://www.coastal.ca.gov/meetings/mtg-1296.html>
6. *City of Morro Bay, Resolution No. 08-97*, Resolution Acknowledging Receipt Of The California Coastal Commission's *Certification Of Morro Bay Local Coastal Program, Amendment 3-95*, Passed and Adopted 01/13/1997.
<https://documents.morrobayca.gov/WebLink/DocView.aspx?id=5833&searchid=d646d85d-a4fc-4aca-acd7-388c2315d4ff&dbid=0&repo=Morro-Bay>
7. California Coastal Commission, February 1997, Agenda, City of Morro Bay, *LCP Amendment No. 3-95 Certification Review*.
Concurrence with Executive Director's determination that action by City of Morro Bay accepting certification of amendment with modifications is legally adequate. (SG-SC)
(Approved)
<https://www.coastal.ca.gov/meetings/mtg-297.html>

Incorrect Land Use Density:

Morro Bay – Land Use Map (revised February 1997):

Amend the stippling level/dots on the *Morro Bay Land Use Map* to indicate 3300 Panorama Drive as "Low-Medium Residential Density". See Exhibit 4.

<http://www.morrobayca.gov/DocumentCenter/View/441/Land-Use-Map?bidId=>

Plan Morro Bay – 2021:

Amend *Figure LU-4 / Land Use Map*, page 51, with the correct color code of "Yellow" to indicate "Low / Medium or Moderate Density". See Exhibit 5.

<https://www.morrobayca.gov/DocumentCenter/View/15301/Plan-Morro-Bay-City-Council-April-2021>

Certified Housing Element 08/25/2020:

Amend Table H-36 / Land Inventory, page 71, (3-65), the column titled "GP Designation" for 3300 Panorama Drive property should read "Low/Medium Density". See Exhibit 6.

<http://www.morrobayca.gov/DocumentCenter/View/14806/Adopted-Housing-Element-Reso-79-20?bidId=>

Final Environmental Impact Report:

Amend page titled *Proposed Land Use Map*, Figure 2-4, page 2-16, with the correct color code of "Yellow" to indicate "Low / Medium or Moderate Density".

Amend page titled *Toxic Air Contaminants Sources in Morro Bay*, Figure 4.2-1, page 4.2-23, with the correct color code of "Yellow" to indicate "Low / Medium or Moderate Density".

<https://www.morrobayca.gov/DocumentCenter/View/15199/Morro-Bay-GPU-FEIR-February-2021>

Jan
2/22/96

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, STE. 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

Th 96

February 15, 1996

MEMORANDUM

TO: Coastal Commissioners and Interested Parties

FROM: Tami Grove, District Director
Steven Guiney, Coastal Planner

SUBJECT: Coastal Commission meeting of March 14, 1996

→ Request to extend the 90 day time limit for City of Morro Bay LCP Amendment No. 3-95

On November 15, 1995, Central Coast District Staff received Local Coastal Program Amendment request No. 3-95 from the City of Morro Bay regarding revising the Implementation Plan (zoning ordinance and zoning maps) and the Land Use Plan maps. This item was filed on December 28, 1995.

Coastal Act sections 30513 and 30514(b) require that the Commission act on an Implementation Plan amendment within 60 days after the submittal has been deemed to be in proper order for filing. Coastal Act sections 30512 and 30514(b) require that the Commission act on a Land Use Plan amendment within 90 days after filing. Where an amendment request contains both Implementation Plan and Land Use Plan amendments, section 30511(a) of the Coastal Act allows for a 90 day period within which the Commission must act. This amendment request, which contains both Implementation Plan and Land Use Plan amendments, would thus have to be scheduled for hearing at the current March 1996 Commission meeting.

Section 30517 of the Coastal Act allows the Commission to extend, for good cause, the 90 day time limit for a period not to exceed one year. After filing and preliminary review of the documents and the City's response to staff's questions in the filing letter, it has become apparent that additional time will be needed to fully analyse the proposed revisions. Staff is therefore requesting an extension of time not to exceed one year in order to adequately analyse the proposed revisions.

Summary of the Staff Recommendation:

Staff recommends that the Commission extend the 90 day time limit for a period not to exceed one year.

MOTION:

I move that the Commission extend the 90 day time limit to act on the City of Morro Bay's Local Coastal Program Amendment No. 3-95 for a period not to exceed one year.

STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

7. CENTRAL COAST DISTRICT DIRECTOR'S REPORT. Report by District Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Area office at (408) 427-4863 (Santa Cruz).

a. San Mateo Co. LCP Amendment No. 2-92 Certification Review. Concurrence with Executive Director's determination that action by County of San Mateo accepting certification of Amendment No. 2-92 with modifications is legally adequate. (SG-SC) **[NO OBJECTION]**

b. Santa Cruz Co. LCP Amendment No. 3-95 (Part 1) Certification Review. Concurrence with Executive Director's determination that action by County of Santa Cruz, accepting certification with modifications of LCP Amendment No. 3-95 regarding enforcement provisions, is legally adequate. (RH-SC) **[POSTPONED]**

8. CONSENT CALENDAR. See AGENDA HEADINGS .

a. Application No. 3-96-15 (Wells Fargo, Morro Bay) Application of Wells Fargo Bank, c/o Rolf Poprowski to adjust lot line between two lots resulting in sizes of 6,981 & 18,200 sq.ft., with grading and slope stabilization, 206 Surf Street, City of Morro Bay, San Luis Obispo County. (JS-SC) **[APPROVED WITH CONDITIONS]**

9. LOCAL COASTAL PROGRAMS (LCPs). See AGENDA HEADINGS .

a. Pismo Beach Minor LCP Amendment No. 1-96 (Emergency Permits). Public Hearing & action on request by City of Pismo Beach to add emergency coastal development permit process to certified LCP. (SG-SC) **[NO OBJECTION]**

b. Morro Bay LCP Amendment 3-95 (Zoning Text & LUP Map). Public hearing and action on request by City of Morro Bay to amend zoning ordinance through miscellaneous revisions, clarifications, additions, and deletions to the text and to amend the zoning and Land Use Plan maps by making 49 changes in 14 areas of the City involving 1) changing Environmentally Sensitive Habitat (ESH) zone district to overlay, assigning currently mapped ESH areas to adjoining zone district with the ESH as overlay (36 changes); 2) rezone & redesignate old Navy Jet Fuel Storage site from M-1/Industrial to R-1/Low/Medium Density; 3) rezone & redesignate 17 lots along Zanzibar, Yerba Buena & Whibey Streets between Main Street & Tide Ave. from R-4/High Density to R-1/Medium Density; 4) rezone & redesignate area of dunes at Beachcomber Dr. & Java St. from 0A-2 to 0A-1; 5) rezone & redesignate lots bounded by Highway 41, Ironwood St., Ponderosa St. & City limits from R-44/High Density to R-A/Low Density; 6) rezone & redesignate area bounded by Embarcadero Rd. Morro Creek & City corporation yard from M-1/Industrial to C-VS/Open Space/Recreation; 7) add H zone to Pacific Ocean near Morro Rock & harbor mouth; 8) redesignate area between Highway 1 and Quintana Rd. opposite Kennedy Way from C-2/Service Commercial to C-2/Mixed Use Area F; 9) rezone third lot on Scott Ave. north of Beach St. from C-VS to C-2; 10) redesignate lots fronting on Quintana Rd. between La Loma Ave. and Butte Ave. from Service Commercial to Mixed Use Area F; 11) rezone and redesignate lots lying north of Marengo Dr. & on north side of Allesandro Rd./Las Tunas St. between La Loma Ave. & fourth lot east of Las Tunas & Quintana from C-2/Service Commercial to MCR/Mixed Use Area F; 12) rezone & redesignate lots fronting on Butte Ave. between Las Tunas & Balboa from R-1/Low/Medium Density to R-3/High Density; 13) rezone & redesignate lots lying between South Bay Blvd., Quintana Rd., & Highway 1 from C-2/Service Commercial to C-1/District Commercial and; 14) rezone & redesignate 4 lots fronting on Monterey Ave. at Harbor St. (2 north of Harbor St. & 2 south of Harbor St.) from G-O/MUE to C-1/Commercial District. (SG-SC) **[POSTPONED]**

c. Morro Bay de Minimis LCP Amendment No. 1-96 (Amend R-1 Density). Concurrence with Executive Director's Determination that the request by City of Morro Bay, to amend zoning ordinance to clarify that the number of single family residences allowed in the R-1 zone district is limited to the number allowed by the density range in the Land Use Plan, is de minimis. (SG-SC) **[NO OBJECTION]**

10. NEW APPEALS. See AGENDA HEADINGS.

a. Appeal No. A-3-95-65 (Feldman, Monterey Co.) Appeal of John Kingsley from decision of County of Monterey granting

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
FRONT STREET, STE. 300
SAN CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200



RECORD PACKET COPY

Th 8a

November 20, 1996DNL
11/20/96

TO: Commissioners and Interested Persons

FROM: Tami Grove, Deputy Director
Diane Landry, District Legal Counsel
Lee Otter, District Chief Planner
Steven Guiney, Coastal PlannerSUBJECT: CITY OF MORRO BAY: LOCAL COASTAL PROGRAM
 MAJOR AMENDMENT NO. 3-95. For public hearing and Commission action at its meeting of December 10 - 13, 1996, to be held at the Holiday Inn - Union Square, 480 Sutter Street, San Francisco, tel. (415) 273-4000.

SYNOPSIS

The City of Morro Bay is proposing to amend its Implementation Plan text and maps (zoning ordinance and zone district maps), including the North Main Street and Beach Street Specific Plans, and its Land Use Plan maps. The City wishes to amend the text of the zoning ordinance through miscellaneous revisions, clarifications, additions, deletions, and rearrangements. The City wishes to amend the zone district maps and the Land Use Plan maps by making 53 changes in 16 areas of the City. This is the first major "overhaul" revision to the City's zoning ordinance since it was first certified by the Commission in 1984.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission approve the proposed changes with modifications, for the reasons given in this report.

7. **CONSENT CALENDAR (removed from Regular Calendar)**. See AGENDA HEADINGS.

California Coastal Commission December 1996 Agenda

8. **LOCAL COASTAL PROGRAM (LCP)**. See AGENDA HEADINGS .

a. **City of Morro Bay Local Coastal Program Major Amendment No. 3-95**. Public hearing and action on request by City of Morro Bay to amend zoning ordinance through miscellaneous revisions, clarifications, additions, deletions, and rearrangements to text and to amend zoning and Land Use Plan maps by making 53 changes in 15 areas of City. (SG-SC) **[APPROVED WITH MODIFICATIONS]**



9. **NEW APPEALS**. See AGENDA HEADINGS .

a. **Appeal No. A-96-94 (Marina Dunes Resort, Marina)** Appeal by Janie Figen, Ventana Chapter, Sierra Club and Commissioners Calcagno & Areias from decision of City of Marina granting permit with conditions to King Ventures for "Marina Dunes Resort" (112 vacation club units, 71 hotel units, 1 manager unit, 571 seat restaurant/tavern, conference center/retail/office complex, tennis courts, spa, cosmetic surgery suite, 18-space public parking facility, pedestrian boardwalk to beach), at 3295 Dunes Drive, Marina, Monterey County. (JC-SC) (Continued open from 11/14/96 Meeting) **[APPROVED WITH CONDITIONS, AMENDED]**

b. **Appeal No. A-96-108 (Kymco, San Mateo Co.)** Appeal by Diana & Michael Mitchell, Jeanine & Patrick Kelly, Peggy Dover, Philip Barnett, Barbara & Rick Lohman and Lennie Roberts from decision by San Mateo County granting permit to Kymco, Inc., for single-family home, next to Arroyo de en Medio Creek at 461 First Avenue, Miramar, San Mateo County. (JL-E) **[POSTPONED]**

c. **Appeal No. A-96-113 (Vadnais, Cambria, San Luis Obispo Co.)** Recommendation that Commission open and continue public hearing on appeal of 300 Cambria home owners & Cambria Legal Defense Fund from decision of County of San Luis Obispo granting permit to Dean Vadnais authorizing 25 airspace condominium units, floor plans and elevations for 25 attached homes in duplex & triplex configurations, and grading on slopes in excess of 30 percent, at northern corner of Main Street and Pine Knolls Drive, Cambria, San Luis Obispo County. (SG-SC) **[POSTPONED]**

d. **Appeal No. A-96-114 (Miles, City of Morro Bay)** Recommendation that Commission open and continue public hearing on appeal of San Luis Coastal Unified School District from decision of City of Morro Bay granting permit to Rodney Miles for (2) eighteen-hole miniature golf courses and 2,238 sq.ft. arcade building, at 231 Atascadero Road, City of Morro Bay, San Luis Obispo County. (SG-SC) **[WITHDRAWN]**

e. **Appeal No. A-3-96-115 (Pobar and Bender, City of Pismo Beach)** Recommendation that Commission open and continue public hearing on appeal of Surf Rider Foundation from decision of City of Pismo Beach granting permit to Paul & Vicki Pobar and Arthur & Bernice Bender for bluff protection system and repair of rip rap at 2679 and 2685 Spyglass Drive, City of Pismo Beach, San Luis Obispo County. (SG-SC) **[POSTPONED]**

f. **Appeal No. A-3-96-100 (Tokyo Masuiwaya, Pismo Beach)** Appeal by Bruce McFarlan and Marc Kent from decision by City of Pismo Beach granting permit to Tokyo Masuiwaya Calif. Corp. for bluff protection device at Cliffs Hotel, 2757 Shell Beach Road, Pismo Beach, San Luis Obispo County. (SG-SC) **[DENIED]**

g. **Appeal No. A-3-96-118 (Marble, Monterey County)** Appeal of Mr. and Mrs. James Moriarty and Col. and Mrs. Clarence Mitchell from decision of County of Monterey granting permit with conditions to Peter Marble for a second story addition to an existing townhouse, at 3301 Seventeen Mile Drive, Del Monte Forest, Monterey County. (RH/JS-SC) **[POSTPONED]**

10. **COASTAL PERMIT APPLICATIONS**. See AGENDA HEADINGS . **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See AGENDA HEADINGS .) **except** that if that item is subsequently removed from the Consent Calendar by a vote of three or more

California Coastal Commission February 1997 Agenda

c. **Morro Bay LCP Amendment No. 3-95 Certification Review.** Concurrence with Executive Director's determination that action by City of Morro Bay accepting certification of amendment with modifications is legally adequate. (SG-SC) **[APPROVED]**

18. **CONSENT CALENDAR (removed from Regular Calendar).** See AGENDA HEADINGS .

19. **LOCAL COASTAL PROGRAMS (LCPs).** See AGENDA HEADINGS .

a. **Santa Cruz Co. LCP Amendment No. 3-96 (commercial uses, lot sizes & greenhouses).** Public hearing and action on request by Santa Cruz County to amend LCP as follows: 1) add veterinary clinics as permitted uses in the C-2 and C-4 zone districts, add car washes in gas stations as permitted uses in the CT, C-2, and C-4 zone districts. **[APPROVED, PART 1]** 2) revise minimum parcel size requirements for developing existing lots in water quality constraint areas and water supply watersheds; and request to waive time limit on Part B of Amendment 3-96 to amend existing agricultural exclusion and zoning ordinance regarding greenhouses and agricultural support facilities. (SG-SC) **[POSTPONED, PART 2]**

b. **Santa Cruz LCP Amendment No. 2-96 (S. of Laurel & high density residential).** Public hearing and action on request by the City of Santa Cruz to amend its LCP Land Use Plan and Implementation Zoning Ordinance including (1) rezone several parcels from commercial uses to Central Business District, (2) increase allowable densities in the multiple residential zones, and (3) create high density residential zoning district. (JC-SC) **[POSTPONED]**

c. **Monterey LCP Amendment No. 1-97 (Cannery Row mixed uses).** Public hearing and action on request by City of Monterey to amend the Cannery Row Land Use Plan to allow for development of Mixed-Use projects consisting of residential uses above first floor commercial uses within the Cannery Row planning area. (SM-SC) **[APPROVED WITH MODIFICATIONS]**

d. **Morro Bay LCP Amendment No. 2-96 Time Extension.** Public hearing and action on request to extend time limit for action on amendment to adopt as implementation of visual policies the Waterfront Design Guidelines for areas covered by the Waterfront Master Plan. (JC-SC) **[APPROVED]**

20. **COASTAL PERMIT APPLICATIONS.** See AGENDA HEADINGS . **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See AGENDA HEADINGS .) **except** that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 3-96-116 (Parks & Rec., San Luis Obispo Co.)** Application of California Department of Parks & Recreation to remove windblown beach sand and redistribute into inter-tidal zone to maintain vehicle ramp onto beach at Oceano Dunes State Vehicular Area, at west end of Pier Avenue, Oceano, San Luis Obispo County. (SG-SC) **[POSTPONED]**

b. **Application No. 3-96-117 (Gamble, Monterey)** Application of Don & Marilyn Gamble for 2-story single-family home, at 4 Dunecrest Avenue, Del Monte Dunes Tract #2, Monterey, Monterey County. (SM-SC) **[APPROVED WITH CONDITIONS]**

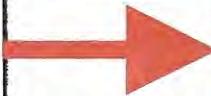
21. **FINDINGS.** See AGENDA HEADINGS .

a. **Appeal No. A-96-94 (Marina Dunes Resort, Marina)** King Ventures granted permit with conditions for "Marina Dunes Resort" 63-unit hotel, at 3295 Dunes Drive, Marina, Monterey County. (JC-SC) **[APPROVED]**

MORRO BAY LCP AMENDMENT 3-95

PROPOSED MAJOR AMENDMENTS

<p>Amendment Component (page notations following each component refer to the findings section where a discussion of the proposed amendment can be found)</p>	<p>Recommendation</p>	<p>Basis For Recommendation Of Modification Or Denial</p>
<p>1. Change Environmentally Sensitive Habitat (ESH) zone district to an overlay and assign currently mapped ESH areas to adjoining primary zone district (p.21).</p>	<p>Denial as submitted; Approval if modified.</p>	<p>While proposed change won't adversely affect ESH areas because proposed ESH overlay takes precedence over primary zone district, Land Use Plan (LUP) map must be changed to allow extension of primary zones.</p>
<p>2. Rezone and redesignate old Navy jet fuel storage site from M-1/Industrial to R-1/ Low/Medium Density Residential (p.21).</p>	<p>Approval as submitted.</p>	
<p>3. Rezone and redesignate 17 lots along Zanzibar, Yerba Buena, and Whidbey Streets between Main Street and Tide Avenue from R-4/High Density Residential to R-1/Medium Density Residential (p. 21).</p>	<p>Approval as Submitted.</p>	
<p>4. Rezone and redesignate area of dunes at Beachcomber Dr. and Java St. from OA-2 to OA-1 (p. 21).</p>	<p>Approval as submitted.</p>	
<p>5. Rezone and redesignate lots bounded by Highway 41, Ironwood St., Ponderosa St., and City limits from R-4/High Density to R-A/Low Density Residential (p. 24).</p>	<p>Approval as submitted.</p>	
<p>6. Rezone and redesignate area bounded by Embarcadero Rd., Morro Creek, and City corporation yard from M-1/Industrial to C-VS/Open Space/Recreation (p. 25).</p>	<p>Approval as submitted.</p>	
<p>7. Add H/Harbor zone district to the area of the Pacific Ocean near Morro Rock and outside of the harbor mouth which currently is not zoned (p.26).</p>	<p>Denial; Approval if modified.</p>	<p>City hasn't proposed a land use designation. New zoning should have an ESH combining overlay attached to it as other H/Harbor zoned areas do. Suggested modification: add Harbor/Navigational Ways land use designation to the Land Use Plan (LUP) map for the area and add ESH combining overlay to the zoning. Note: area is CCC original jurisdiction; zoning and LUP are advisory only.</p>



MORRO BAY LCP AMENDMENT 3-95

Sensitive Habitat (ESH) zone district to an overlay combining district and re-mapping existing mapped ESH areas to the existing adjoining primary zone district. Please refer to Exhibit 3 which shows the areas where changes are proposed to the LUP and zoning maps. The following discussion is by area corresponding to the area maps of Exhibit 3.



- **Areas 1, 2, 3, 4, 5, 6, 7, 8, 13, 14, and 15 ESH Zoning Map Changes:** These 11 areas contain the mapped ESH areas in the City. The proposed ESH change from a primary zone district to an overlay district accounts for 75 percent (37 of 49) of the proposed zoning map changes in this submittal. The City is not proposing any changes to the ESH standards nor any change in the size of ESH areas. The proposed changes would simply rezone the affected land to the adjoining primary zone district and create an ESH overlay zone district covering the area that is currently mapped as ESH. In the case of streams, the existing adjoining primary zone district, unless it was on both sides of the stream, would extend to the centerline of the stream.

Some currently mapped ESH areas, such as Morro Rock, have more than one adjoining primary zone district. In that case, the proposed primary zone district is the one most appropriate for the site and most protective of the ESH. For example, the currently mapped ESH area of Morro Rock adjoins Coastal Dependent Industrial (M-2), Commercial/Recreational Fishing (CF), and two Open Area (OA-1 and OA-2) zone districts (OA-1 is the more restrictive of the two). It would be inappropriate to place a landmark feature such as Morro Rock in the M-2 or the CF zone districts. The City proposes to rezone Morro Rock to the OA-1 zone district with an ESH-R overlay (the "R" is the existing "Restricted" overlay combining zone district which prohibits any development on the rock).

To allow the proposal to go forward, LUP map modification 1 is required. Without also changing the land use map designation of existing ESH areas to a designation appropriate to the proposed zoning, the proposed zoning changes would be inconsistent with the LUP.

In all cases, the existing ESH protections would remain and the proposed ESH overlay would take precedence. There will be no adverse effects on environmentally sensitive habitats. Therefore, the proposed zoning changes, with the suggested modification, are consistent with the LUP.

- **Area 1, Zoning Map Changes:** Area 1 is located in the extreme northern part of the City at Highway One and Toro Creek. This is one of the 37 zoning map changes which involves changing the Environmentally Sensitive Habitat (ESH) zone district to an overlay combining district and assigning existing mapped ESH areas to the existing adjoining primary zone districts. Please see the section on ESH zoning map changes, above, for a discussion of the proposed change.



- **Area 2, Land Use and Zoning Map Changes:** The LUP map is proposed to be changed at three locations in Area 2. At two of the locations, the LUP designation is proposed to be changed from High Density Residential to Medium Density Residential to be more compatible with the residential areas next to them. The third location is the old Navy jet fuel storage site which is proposed to be redesignated from Industrial (General-Light) to Low/Medium Density Residential. This reflects the fact that the Navy has abandoned the site and that the

MORRO BAY LCP AMENDMENT 3-95

 surrounding land use designations in the City are Low/Medium residential. Also, the site abuts the City limit, beyond which lies agricultural land in the unincorporated County area.

LUP Changes: Coastal Act sections 30231, 30240(b), and 30250(a) are applicable to the LUP map changes proposed in Area 2.

Section 30231: *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30240(b): *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Section 30250(a): *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

All three of the proposed LUP map changes in Area 2 are within an area capable of accommodating development. All utilities are available to the undeveloped sites and City streets abut the properties. The proposed changes would result in less intense development than under the current land use designation. The two existing residential areas are surrounded by residential development of similar intensity and the two areas themselves are already mostly developed. Therefore, the proposed LUP map changes in Area 2 are consistent with Coastal Act section 30250(a)

A small creek, designated in the LUP text as an Environmentally Sensitive Habitat (ESH), lies just south of the two existing residential areas and traverses the westerly side of the old Navy jet fuel storage site. Since the two existing residential areas are already mostly developed, the proposed change would result in less intense development, and the City has regulations governing development activity near streams (setbacks, control of siltation, buffers, etc.), the change is unlikely to lead to significant, if any, degradation of the ESH or coastal waters. With respect to the Navy site, there is more of a question about the potential impacts to the ESH and coastal waters from future residential development. This is for two reasons. First, it is unknown what contaminants, such as hydrocarbons, may be in the soil at that site. If there are any such contaminants, grading and other work associated with future development could cause contaminants to enter the creek and eventually make their way to the ocean. Second, there is no development proposal at this time, so it is unknown how residential development would be situated on the site. However, the proposed change from industrial use to residential use would be from a more intense to a less intense use. Additionally, as mentioned above, the City has regulations regarding water quality and development near ESH areas which apply to

MORRO BAY LCP AMENDMENT 3-95

this site. The issue of contaminants would also be addressed by the County Health Department and the Regional Water Quality Control Board during review of any proposed residential development. Based on the foregoing, the proposed change in land use designation on the three sites in Area 2 is consistent with Coastal Act sections 30231 and 30240(b).

Zoning Changes: The proposed zoning changes in Area 2 are a) deleting ESH as a primary zone district and making it an overlay combining zone district, b) extending the adjoining primary zone districts into the currently zoned ESH areas, c) rezoning the old Navy jet fuel storage site from M-1(PD) to R-1, d) rezoning two small areas totaling 17 lots from R-4 to R-1, and e) changing the overlay zone from PD to S.2A on a very small area west of Highway One. a) and b): Please see the section on ESH zoning changes, above, for a discussion about these two changes.

c) and d): Rezoning the old Navy jet fuel storage site from M-1(PD) to R-1 and the 17 lots from R-4 to R-1 reflects the proposed land use designation changes from Industrial to Low/Medium Density Residential and from High Density Residential to Medium Density Residential. The R-1 zone district implements the Low/Medium and Medium Density Residential land use designations. Therefore, the proposed rezoning is consistent with the Land Use Plan, as proposed to be amended.

e): The City is not proposing a land use designation change in this area, but is only proposing to change the overlay combining district from PD, Planned Development, to S.2A. The purpose of the Planned Development overlay is to provide for detailed and substantial analysis of development on parcels which warrant special review because of size, location, public ownership, etc., and to allow for modification of standards of the primary zone district to result in better design or other public benefit, and is not specific to any one area of the City. The S.2A overlay is specific to the single story Atascadero Beach neighborhood of the City west of Highway One, north of Azure Street, which includes this area. The S.2A standards set forth minimum yards, maximum lot coverage, and maximum heights to maintain the neighborhood character. The proposed change in overlay would not affect the density or intensity of uses; it would merely attach the S.2A overlay standards to this area which is physically and logically part of the Atascadero Beach neighborhood. The primary zone district would remain R-1. The proposed change would not alter the primary zone district and would make more specific the standards applicable to the area. Therefore, it is consistent with the LUP.

- **Area 3 Zoning Map Changes:** Only zoning map changes are proposed in Area 3. The proposed zoning changes in Area 3 are a) deleting ESH as a primary zone district and making it an overlay combining zone district, and b) extending the adjoining primary zone districts into the currently zoned ESH areas. Please see the section on ESH zoning changes, above, for a discussion about these two changes.

- **Area 4 Zoning Map Changes:** Only zoning map changes are proposed in Area 4. The proposed zoning changes in Area 4 are a) deleting ESH as a primary zone district and making it an overlay combining zone district, and b) extending the adjoining primary zone districts into the currently zoned ESH areas. Please see the section on ESH zoning changes, above, for a discussion about these two changes.

MORRO BAY LCP AMENDMENT 3-95

- e. **General Office (G-O) District:** The City is proposing to add plant nurseries, coffee shops, and personal services such as barber shops, beauty shops, and shoe repair to the G-O district.

The G-O district implements the Mixed Use Area "E" LUP designation, which, according to the LUP is for the encouragement of *"Professional offices and public/quasi-public uses. . . ."* The City is attempting to broaden the uses allowed in the G-O district by allowing the types of uses that office workers would typically use before and after work hours and on breaks and lunch hours. These types of uses would enhance the G-O district and contribute to making the G-O district more attractive to those seeking to establish offices. There would be no adverse impacts to coastal resources. Therefore, the proposed additional uses in the G-O district are consistent with the LUP.

3. Industrial Zone Districts: The City proposes changes to the following zone districts: Light Industrial (M-1) and Coastal Dependent Industrial (M-2).

- a. **M-1 District:** The M-1 zone district implements the General Industry LUP designation, which the LUP characterizes as *"Light industry land use which do not require materials of equipment which would emit excessive air, audio, water or land pollutants, or would require considerable outdoor storage. . . .that would specifically cater to commercial fishing and regional needs, such as machine shops, auto mechanic shops, blacksmithing, cold storage, warehousing and food processing, light manufacturing, component assembling and small parts processing."*

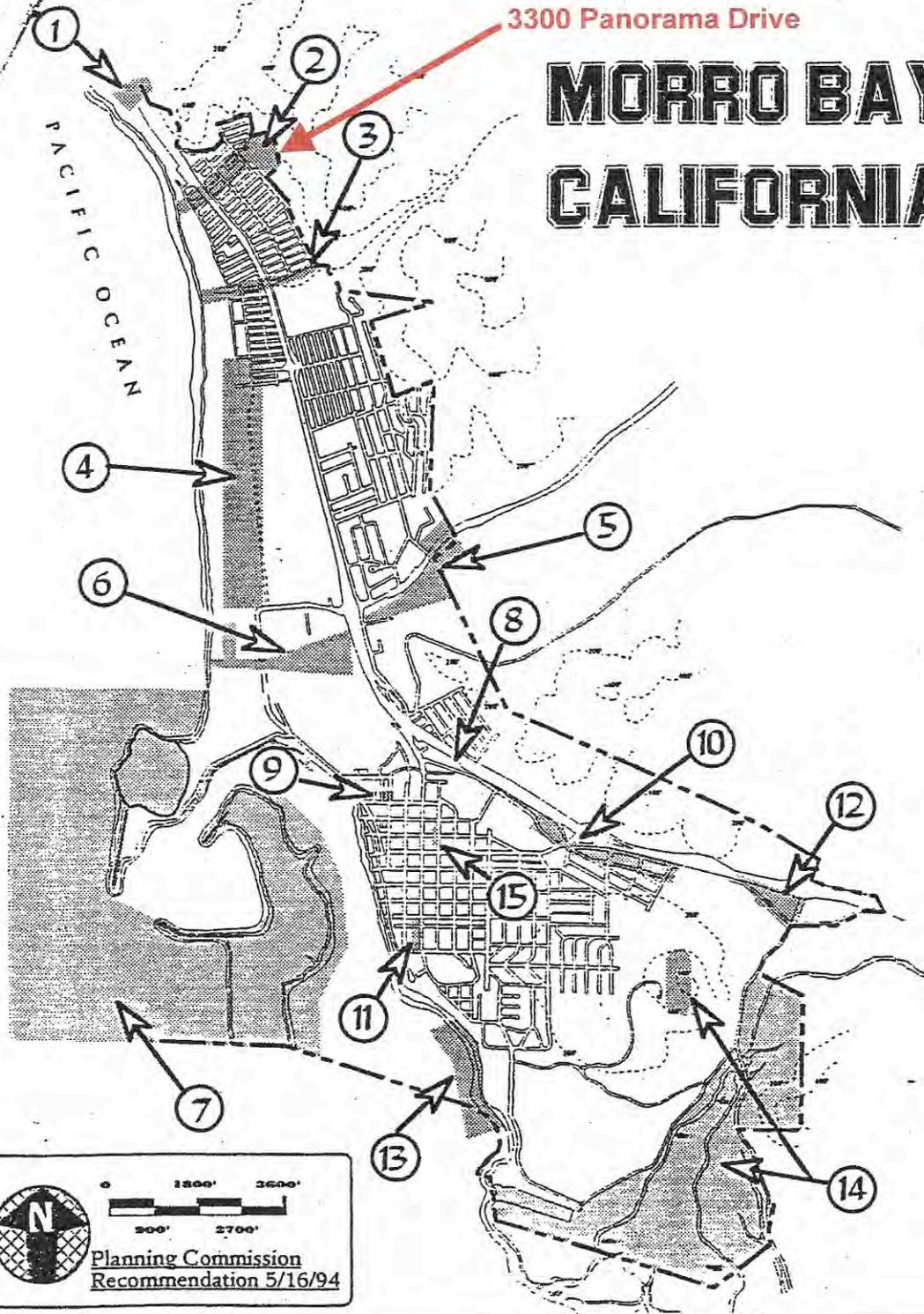
The City proposed to add aquaculture as an additional use in the M-1 district. Existing M-1 zoned areas are the old Navy jet fuel storage site (proposed to be changed from M-1 to R-1), adjacent to the PG&E power plant, and adjacent to Morro Creek, where the City corporation yard and a cement plant are located. Excepting the old Navy jet fuel storage site, the other sites would be appropriate for aquaculture. Aquacultural uses would not have any adverse impacts to coastal resources, if properly conditioned. The City would require a use permit for this type of use; additionally, since the two M-1 areas (not including the old Navy jet fuel storage site, which is proposed to be changed to R-1) are in the Coastal Commission appeal zone, they would also need a regular coastal development permit from the City. The review occasioned by these discretionary permits would provide for the incorporation of conditions necessary to protect coastal resources. An aquacultural facility would not emit excessive air, audio, water, or land pollutants. Based on the foregoing, the proposed addition of aquaculture to the M-1 district is consistent with the LUP.

- b. **M-2 District:** The City is proposing to add aquaculture, fish processing, and uses allowed in the M-1 zone if coastal related, such as boat construction, marine supply and repair, RV service and other coastal related manufacturing uses to the Coastal Dependent Industrial (M-2) zone district.

The M-2 district implements the LUP Coastal Dependent Industrial Land Use designation, which the LUP characterizes as the land use that *"specifically relates to those industrial land uses which are given priority by the Coastal Act of 1976 for location adjacent to the coastline."*

MORRO BAY CALIFORNIA

3300 Panorama Drive



 
Planning Commission
Recommendation 5/16/94

EXHIBIT 3
MRB LCPA 3-95

AREA 2



Current Zoning : ESH
Proposed Zoning : R -1 (PD/ESH)

Current GP&LCP : Industrial (General -Light)
Proposed GP&LCP : Low/Medium Density
Current Zoning : M -1 (PD)
Proposed Zoning : R -1 (PD)

Current GP&LCP : High Density
Proposed GP&LCP : Medium Density
Current Zoning : R -4 (SP)
Proposed Zoning : R -1 (S.1/SP)

**Navy
Jet Fuel
Storage**

Current Zoning : R-1 (PD)
Proposed Zoning : R -1 (S.2A)

Current Zoning : ESH
Proposed Zoning : R -1 (S.2A/ESH)

Current Zoning : ESH
Proposed Zoning : OA -1 (PD/ESH)

Current Zoning : ESH
Proposed Zoning : R -4 (SP/ESH)

Current Zoning : ESH
Proposed Zoning : MCR/R -4 (SP/ESH)

Current Zoning : ESH
Proposed Zoning : R -1 (S.1/ESH)

EXHIBIT 3, P.3
NRB LCPA 3-95

PACIFIC OCEAN

HIGHWAY 1

MAIN ST

ZANZABAR ST

YERBA BUENA ST

WHITE ST

WHIBEY WAY

VASHON ST

LAHIT ST

**Exhibit 3 - 1997 Resolution No. 08-97, Certification LCP
Amendment No. 3-95 by City of Morro Bay City Council**

RESOLUTIONS

1997

NO.	TITLE	ADOPTED
08-97	Acknowledging Receipt of the California Coastal Commission's Certification of Morro Bay Local Coastal Program Amendment 3-95	01-13-97
09-97	Authorizing a Transfer of Funds from The Skate Park Trust Fund to the General Fund Youth Services Part-Time Pay Account	01-27-97
10-97	Approving the 1996/97 Annual Water Progress Report and Adopting a Water Allocation Program for Fiscal Year 1997/98	01-27-97
11-97	Amending the Operating and Capital Improvement Budgets and Making Supplemental Appropriations for Fiscal Year 1996/97	02-10-97
12-97	Approving Execution of a Landlord Estoppel Agreement and Conditional Lease Assignment for Lease Site 78-81/78W-81W	02-10-97
13-97	Approving a Cooperative Agreement With the San Luis Obispo Council of Governments for a Bikeway Planning Study Grant and Approving and Making Budgetary Appropriations	02-10-97

RESOLUTION NO. 08-97

**RESOLUTION ACKNOWLEDGING RECEIPT OF THE
CALIFORNIA COASTAL COMMISSION'S CERTIFICATION OF
MORRO BAY LOCAL COASTAL PROGRAM AMENDMENT 3-95**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the City Council of the City of Morro Bay conducted public hearings on August 28, September 13 and September 25, 1995 and approved amendments to the City's Local Coastal Program; and

WHEREAS, the City submitted the amendments to the Coastal Commission for consideration on November 15, 1995 and said submittal was deemed on file on December 28, 1995; and

WHEREAS, on December 12, 1996 the California Coastal Commission certified the amendments to the City of Morro Bay Local Coastal Program Land Use Plan (LCP) and to the Implementation Plan (Zoning Ordinance text and maps) with modifications as set forth in the attached Exhibit incorporated by reference herein; and

WHEREAS, pursuant to the California Code of Regulations, Title 14, Section 13544 the City Council acknowledges receipt of the Coastal Commission's resolutions of certification, including acceptance of the modifications.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Morro Bay hereby accepts the Coastal Commission's modifications as set forth in the attached Exhibit and directs staff to complete the necessary actions to submit this Resolution to the Coastal Commission.

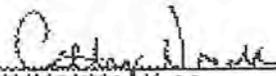
PASSED AND ADOPTED by the City Council of the City of Morro Bay, California, at a regular meeting held on the 13th day of January, 1997, by the following vote:

AYES: Anderson, Elliott, Peiren, Peters, Novak

NOES: None

ABSENT: None

ABSTAIN: None



CATHY NOVAK, Mayor

ATTEST:



BRIDGETT BAUER, City Clerk

Exhibit 4 - Land Use Map

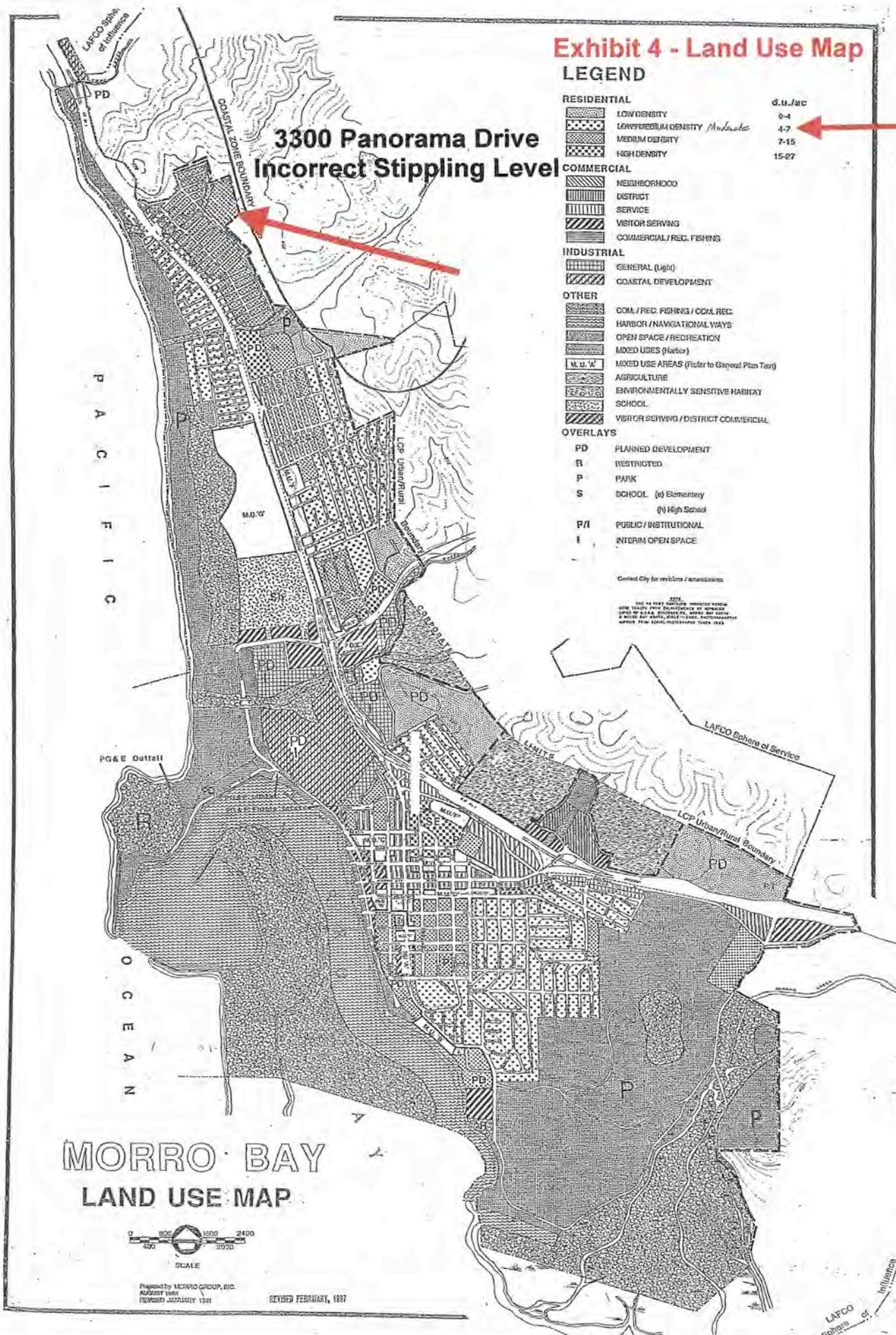
LEGEND

- | | | |
|--------------------|--|---------|
| RESIDENTIAL | | d.u./ac |
| | LOW DENSITY | 0-4 |
| | LOW/MEDIUM DENSITY <i>Medium</i> | 4-7 |
| | MEDIUM DENSITY | 7-15 |
| | HIGH DENSITY | 15-27 |
| COMMERCIAL | | |
| | NEIGHBORHOOD | |
| | DISTRICT | |
| | SERVICE | |
| | VISITOR SERVING | |
| | COMMERCIAL/REC. FISHING | |
| INDUSTRIAL | | |
| | GENERAL (Light) | |
| | COASTAL DEVELOPMENT | |
| OTHER | | |
| | COM./REC. FISHING / COM. REC. | |
| | HARBOR / NAVIGATIONAL WAYS | |
| | OPEN SPACE / RECREATION | |
| | MIXED USES (Harbor) | |
| | MIXED USE AREAS (Refer to General Plan Text) | |
| | AGRICULTURE | |
| | ENVIRONMENTALLY SENSITIVE HABITAT | |
| | SCHOOL | |
| | VISITOR SERVING / DISTRICT COMMERCIAL | |
| OVERLAYS | | |
| PD | PLANNED DEVELOPMENT | |
| R | RESTRICTED | |
| P | PARK | |
| S | SCHOOL (e) Elementary
(h) High School | |
| P/I | PUBLIC / INSTITUTIONAL | |
| I | INTERIM OPEN SPACE | |

Control City for symbols / annotations

THIS IS THE BEST AVAILABLE COPY OF THE ORIGINAL MAP. THE ORIGINAL MAP WAS PREPARED BY THE CITY OF MORRO BAY AND IS THE PROPERTY OF THE CITY OF MORRO BAY. ANY REPRODUCTION OF THIS MAP WITHOUT THE WRITTEN PERMISSION OF THE CITY OF MORRO BAY IS PROHIBITED.

**3300 Panorama Drive
Incorrect Stippling Level**



MORRO BAY LAND USE MAP



Prepared by MORRO GROUP, INC.
AUGUST 1985
REVISION: JANUARY 1991

REVISED FEBRUARY, 1997

LAFCO
Sphere of
Influence

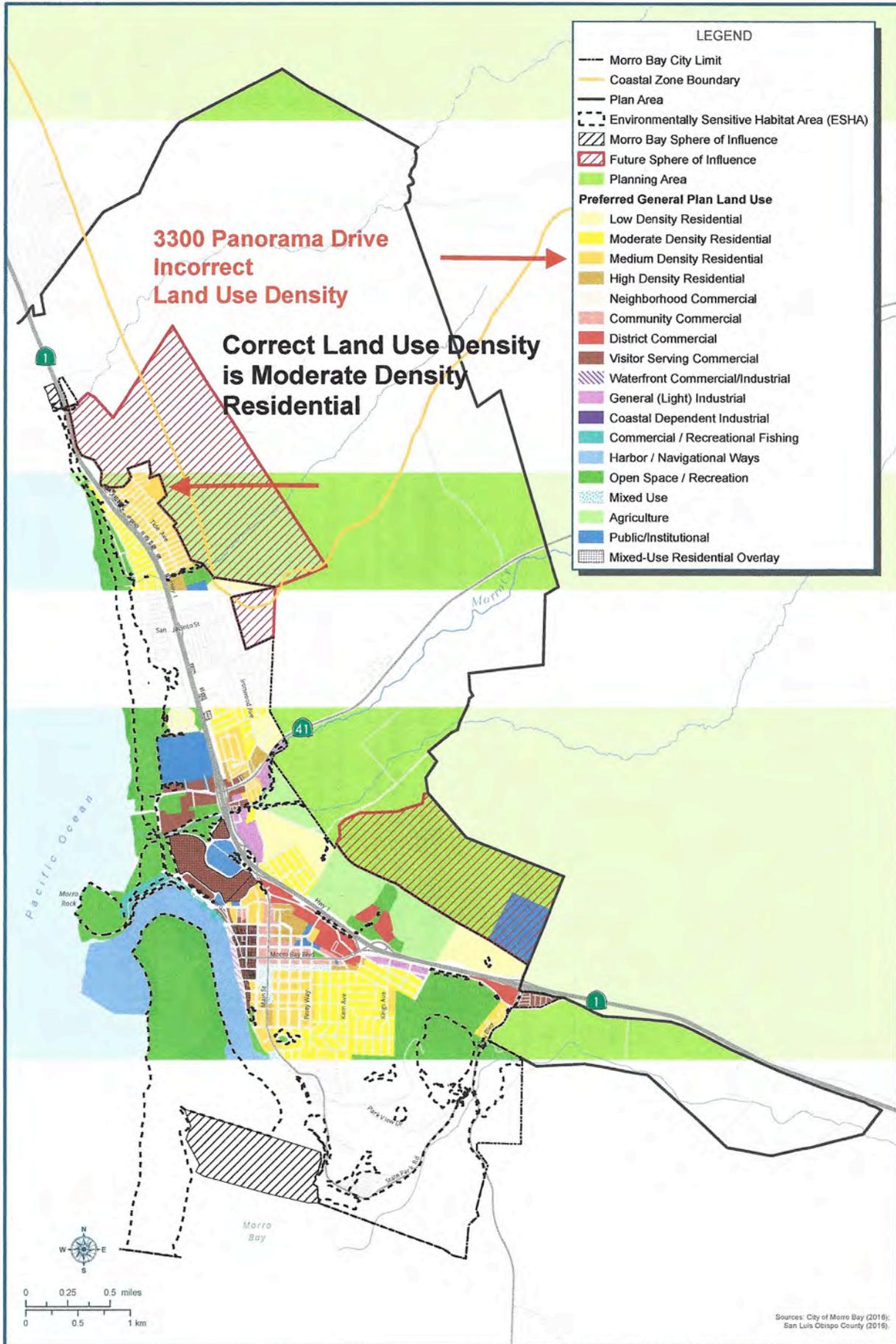


Exhibit 6 - Certified Housing Element 08/25/2020, Page 71

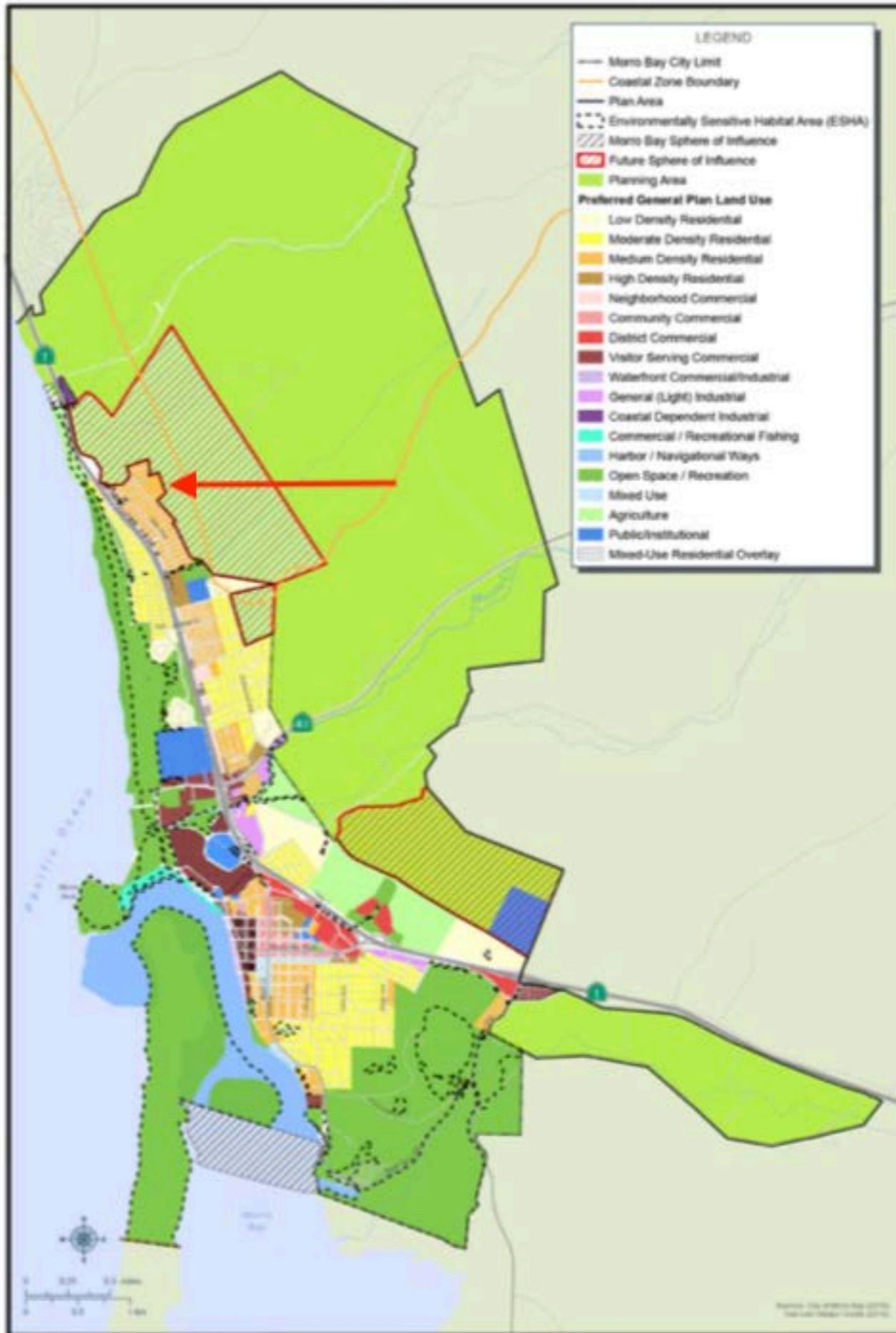
APN	Acres	Property Address	Use Status	Map ID #	Zoning	GP Designation	Maximum Allowed Density per acre	Realistic Unit Capacity	Income Category Affordable To	Water	Sewer	Internet	Electricity	Constraints	Notes
066-021-040	0.10	1232 Scott St.	Vacant	50	R-2	Low-Medium Density	15	1	Moderate	Yes	Yes	Yes	Yes	None	
066-182-018	0.15	Napa Ave.	Vacant	51	R-2	Medium Density	15	2	Moderate	Yes	Yes	Yes	Yes	None	
066-024-011	0.14	1178 Morro Ave.	Vacant	52	R-2	Low-Medium Density	15	2	Moderate	Yes	Yes	Yes	Yes	None	
066-186-015	0.14	457 Piney Way	Vacant	53	R-2	Medium Density	15	2	Moderate	Yes	Yes	Yes	Yes	None	
066-191-017	0.14	485 Piney Way	Vacant	54	R-2	Medium Density	15	2	Moderate	Yes	Yes	Yes	Yes	None	
068-311-008	0.15	Bayview Ave.	Vacant	55	R-2	Medium Density	15	2	Moderate	Yes	Yes	Yes	Yes	None	
065-038-001	10.06	3300 Panorama Dr	Non-Vacant	56	R-1/PD	Medium Density	7	45	Moderate	Yes	Yes	Yes	Yes	Slopes/ESHA	
Medium Density Subtotals	11.32							59							
065-149-001	9.96	3060 Main St	Vacant	57	R-3 (PD)	High Density	27	215	Extremely Low, Very Low or Low	Yes	Yes	Yes	Yes	ESHA	The site includes a designated ESHA area on the northern boundary along a creek. However, a proposed development could be designed to use that area as the required open space for the project which should result in very little density lost from this constraint. The same realistic number of units could be accommodated.
High Density Subtotals	9.96							145							
Grand Totals	97.64							406							

**GP Designation- "Medium Density" is Incorrect.
The correct GP Designation is "Low-Medium Density."**

3300 Panorama Drive

Incorrect color code, it should be yellow to indicate Moderate Density

Figure 2-4 Proposed Land Use Map



**3300 Panorama Drive
Incorrect color code, it should be
yellow to indicate Moderate Density**

Environmental Impact Analysis
Air Quality

Figure 4.2-1 Toxic Air Contaminants Sources in Morro Bay



From: [Rob Kitzman](#)
To: [Council](#); [Erica Crawford](#); [Dana Swanson](#)
Subject: Agenda Item B-1, Plan Morro Bay
Date: Monday, April 26, 2021 11:15:43 AM

April 26, 2021

Honorable Mayor and City Council,

I am an active member of the Morro Bay GAC, and you are all aware of the planning document the **Chamber of Commerce** has provided to all of you. Those of us in private business in the City of Morro Bay will be the ones to actually execute and pay for the majority of the items in Plan Morro Bay. We must work together and partner to move our city in a healthy, sustainable economic and social direction.

Unfortunately, after personally reading through the Plan Morro bay documents, it's clear the plan as written is flawed to the point that it must be altered or it will likely not produce the desired effect. I implore you to resolve the concerns we have raised regarding jobs-housing balance, circulation, the Harborwalk, land use on the Power Plant site and lower-cost accommodation policy. These issues cannot successfully be kicked down the road for private businesses (current and future) to shoulder the costs of implementation. Plan Morro Bay should prepare the path for businesses and builders to expand or create businesses and projects that will both provide jobs and housing to residents and pay sales tax, property tax, and TOT to the General Fund to meet the community's needs for decades to come.

Sincerely,

Rob Kitzman
Kitzman's Culligan
355 Quintana Place
Morro Bay, CA 93442
805.772.8164 Reception
805.772.2579 Direct Line
805.471.5799 Cell
www.kitzmanwater.com



From: [REDACTED]
To: [Council; Dana Swanson](#)
Subject: Agenda Item B-1, Plan Morro Bay
Date: Monday, April 26, 2021 10:09:03 PM

To: Mayor, City Council and Staff

As a business owner, property owner and resident I support the Chambers position on Plan Morro Bay.

Of particular concern is the lack of workforce housing. To see what that means long term we can look at today's situation.

If we business owners were told today that we could open our business at 100% capacity, it would be nearly impossible. The reason for this at the moment is that we have higher unemployment benefits vs employment wages. The unemployment wages were extremely necessary to keep the economy fluid during the COVID crisis. So as we try to transition to an open economy we have the problem of people not needing to immediately go back into the job market. The result is that we have a large number of jobs open at the moment. You can see the number of HELP WANTED signs. This is a short term issue because it will fix itself when unemployment supplemental wages are dialed back.

The monster lurking in the background is that at a full economy we, as Morro Bay businesses, could eventually find ourselves not able to provide a level of service to our locals and visitors because we will not be able to fill the positions available. That will be due to people not finding affordable housing in the area.

Please do not interpret this as "the boy who cried wolf". This is from someone who has been in business for 23 years on the Central Coast and formerly operated in a corporate environment where I had sites across the US that employed thousands of employees. The first thing looked at when we wanted to open a new business location was "what is our applicant feeder trough"? If we wanted highly educated employees with particular skill sets we looked at the Local University systems and the programs they offered. If we did not see a solid feeder mechanism, we moved on to other locations.

In our case now in Morro Bay, I look for hourly service level employees and some management people. Because of the lack of affordable housing, we do not have that "trough" of potential employees. If we kick that can down the road, the end result is that we will not be able to provide the level of service that makes Morro Bay a nice place to live and a nice place to visit. If we cannot provide that "experience" to everyone, we lose in many different ways.

Regards

Ken MacMillan

From: [Cathy Novak](#)
To: [Council](#)
Subject: Correspondence for item B-1
Date: Monday, April 26, 2021 11:47:44 AM
Attachments: [Embarcadero Master Leaseholder's comments to Plan Morro Bay 4-25-21.pdf](#)

Dear Mayor, Council & Staff,
Please accept the attached correspondence from the Embarcadero Master Leaseholders Association for item B-1, Plan Morro Bay.

Thanks,
Cathy

Cathy Novak Consulting
PO Box 296
Morro Bay, CA 93443
NovakConsulting@charter.net
Phone/Fax: (805) 772-9499
Cell: (805) 441-7581

Embarcadero Master Leaseholders

Comments on

Plan Morro Bay

Embarcadero Master Leaseholders Assn.

Plan Morro Bay Comments for City Council

General Comments:

1. The Embarcadero is an important engine of commerce for the City of Morro Bay. The waterfront properties on the Embarcadero are an asset owned by the City of Morro Bay and administered by the City Council via the Harbor Department.
2. The revenues from these Tideland Trust Properties fund the Harbor Department and amenities within the Tidelands area. There are important secondary effects such as sales taxes and Temporary Occupancy Taxes from other businesses in town that are directly related to the tourism draw of the Embarcadero.
3. The current draft of the GP/LCP was compiled with no input from any of the stakeholders on the Embarcadero.
4. Plan MB has too much specificity in some of these areas and should provide more broad policy statements. Specific details should be left to the Zoning Ordinance, Waterfront Master Plan, Sea Level Rise Adaptation Plan and etc. For example, CD-1.8 – lateral access closures and CD-1.10 wayfinding signage and Sea Level Rise on Lateral Access LU-7.8.
5. The policies and requirements of this GP/LCP are not subject to the issuance of variances or exceptions. The GP/LCP has to be amended to accommodate changes and that is limited to 4 times per year. Neither the Planning Commission nor staff have the authority create an exception to the stated LCP policies and authorize changes or grant an exception. Policies in the Zoning Ordinance or other implementing plans can provide exceptions or variances when projects meet the findings to do so but not the LCP.
6. Page 1-9 which applies rules of interpretation and states “that words ‘shall,’ ‘must,’ ‘will,’ ‘is to,’ and ‘are to’ are always mandatory and words ‘Should’ and ‘may’ are also mandatory, unless there is a compelling reason to do otherwise”. Since there is no description or guidance of what might be a compelling reason to do otherwise, then all the policies in this document are mandatory and the use of should and may simply doesn’t matter. We looked at 6 other LCP’s and did not see one of those that had this language in theirs.
7. Remember just because the City says we can be flexible doesn’t mean that the Coastal Commission will feel the same way. The Coastal Commission has sent projects back to cities because they did not conform to their GP or LCP forcing the projects to either comply with their GP/LCP or to amend their GP or LCP, adding additional substantial delays in processing and approvals.
8. If the Coastal Commission Staff is telling our staff that something is a non-starter with the Coastal Commission, this City Council needs to address the issue to the Commissioners. This is the City’s document and the Council ought to stand up and fight for what is right in this community and, in particular defend the City’s assets and the City’s ability to negotiate economically sound leases and development deals on the City’s tideland

properties. Look at other City LCP's and you don't see a lot of specific language directing major improvements or even specific design requirements such as in this LCP.

9. The Embarcadero is a unique waterfront asset. Most other communities don't have the like, so issues such as shoreline protection and sea level rise need to be dealt with differently than would be the case in those other communities. We live with it and know how to properly manage it better than CC staff. In exchange for the use of the tidelands assets, the waterfront provides funding for a working Harbor and bay experience that benefits the entire region and beyond.

Specific Issues with the current draft:

Shoreline protective devices PS 3.2

Shoreline Preservation PS 3.1

Existing Shoreline Protective devices PS 3.2

New Shoreline Protective Devices PS 3.3

(These issues are also addressed in LU-8.13)

1. There are several issues with these sections. The Embarcadero should be exempted from these sections. The Coastal Commission has adopted a retreat strategy for the overall California coastline that in general does not allow protective structures. Obviously, That is not an appropriate strategy for the Embarcadero.
2. The revetment was built 80 years ago. This document allows for repair and maintenance of protective devices (including revetments) only if the device had been legally constructed prior to January 1977. And that may make sense outside of the harbor and Embarcadero, but the harbor and Embarcadero (the revetment) was built much earlier and so would not even qualify for repair or maintenance under the language in these sections.
3. This plan (LU-8.3) requires that each lease site apply for a permit for protective devices, including revetments, every twenty years. If applied to the Embarcadero, that will limit the City's ability to enter into leases that exceed twenty years. Or if it is adopted, it will certainly cool off any investment capital if the investment is at risk every twenty years for a new discretionary permit. These shoreline policies should not be applied to the Embarcadero and the plan should plainly say that.
4. If this is another "non-starter" for the Coastal Commission, then we need this Council to push back on them.

Overnight Accommodations Policy LU-6.5 Implementation Action LU-13

1. This plan requires 25% affordable visitor accommodations once the citywide level of affordable visitor accommodations drops below some threshold that is not very well defined. Currently the level of affordable accommodations in Morro Bay is over 52% so this policy does not apply until that threshold is reached. Nevertheless this plan imposes

the 25% affordable visitor accommodations immediately on state-owned tidelands. It also requires Coastal Commission approval of 'a lower—cost rate'. These are the City's properties used to generate the income to fund the Harbor Dept. If this is a Coastal Commission requirement, it needs to be pushed back on to the point of taking our objection to the Commissioners themselves. This policy only devalues the City's own source of income and Morro Bay has vastly more affordable visitor serving accommodations (more than 52%) than any of the other beachside communities in SLO County or most other counties in CA.

Sea Level Rise PS-3.6 and PS-3.7

1. The Sea Level Rise Adaptation Strategy Report (SLRASR) that the City commissioned to inform on this issue seems to have been ignored in the Public Safety section. The plan describes the Embarcadero as being "fully" vulnerable and says that the entire Embarcadero will experience water level approaching roadway elevations". This "with 5 feet of sea level rise which could occur as early as 2100". Yet the SLRASR puts the likelihood of 5 feet of sea level rise by 2100 at ½ of 1% probability and recommends more of a wait and observe posture instead of any active measures. It also points out that the Embarcadero is 7 feet above high tide now and has at least that amount of freeboard. The most likely scenario (50% probability) is for a 2 foot rise by 2100. That's what should be planned for and that would require no preventative measures at all for at least 100 years, well outside the scope of this document.

Lateral Access LU-7.1

1. We want to be clear that the EML supports the lateral access program. About 80% of it is either already in or soon to be with the new projects in process. Most of the lateral access that has not yet been installed is the City's responsibility. (ie; Tidelands Park, street ends, the Aquarium building)
2. This plan changes it from 8' to 10' clear. So existing accessways will have to be rebuilt to meet this requirement
3. The Chamber of Commerce, in their letter to the Planning Commission, pointed out that no 'level of service' analysis has ever been done to establish the proper dimensions of the lateral accessways. This is probably a legal requirement to establish the nexus for the lateral accesses.
4. The trigger in this plan for implementation of expanded accessways is much less than the current requirement for the original installation. The lateral accesses are expensive and difficult projects to do and involve eel grass mitigation issues and many businesses have just finished installing them. The obligation to retrofit the existing lateral accesses should be upon redevelopment or very substantial renovation of at least 50%. Not 10% of floor area or an undefined change in intensity of use.

5. This plan also adds a limitation on signage, trash containers, benches and other encroachments in the lateral accessways. Those kinds of encroachments are allowed on city sidewalks where there is only 6 feet of walkway. Their inclusion would make the experience much more palatable and would still provide adequate pedestrian clearance. The LCP requires signage and trash cans in the lateral accessways so if they are to be accommodated the accessways will need to be even wider than 10'.

6. Sea Level Rise Impacts on Lateral Access...LU-7.8
 - a. These only affect City owned property.
 - b. They call out specific fixes to specific properties and don't allow for any flexibility.
 - c. For example, with 2 additional feet of sea level rise "lateral access from 451 Embarcadero to 725 Embarcadero will need to be replaced with floating accessways or raised for accessibility" and "451, 501, 699, 801, 897, 1001 and 1185 Embarcadero) are expected to be affected by sea level rise at the time two additional feet of sea level rise occurs". *That is not a true statement.* (see the Sea Level Rise section above) The document goes on to call out specific fixes for other specific properties and addresses the issues as required and not waivable. This whole LU-7.8 should be addressed in general terms. First, we don't know if such sea level rise will occur or when it will occur (except that there is only a 50% chance of 2 feet occurring by 2100). There may very well be other solutions that a canny developer may come up with instead and this plan does not allow that flexibility.
 - d. There are some of these addresses that are called out to adjust the elevation of their accessways at a 2 foot rise and some that are adjacent to those that are required to adjust at 5 feet. That just does not make sense and will lead to confusion and other unintended consequences.
 - e. These kinds of additional burdens reduce the value of these properties and force the City to deal with them as a part of lease negotiations whether they're needed or not within the time frames of the lease terms.
 - f. Section j encourages floating access over the fixed land based accessways. While the floating accessways should be an alternative, there are downsides to the floating accessways. ADA slopes on gangways cannot be maintained and there is a safety concern with access to docks floating on the water. They are subject to wave or wake caused movement and if someone falls in (because railings are not feasible in docking areas) who's got the liability when sued?
 - g. It's just not the purpose of this document to constrain particular properties. This is a policy document and should be addressing these issues in more general way. Specific requirements like these should be addressed in project level approvals or in master plans.

The Embarcadero Master Leaseholder's organization would like to express our appreciation of the hard work and time consuming efforts made by the Planning Commission, their staff and the many volunteers who have contributed to the development of Plan Morro Bay. While it has taken a lot of time and effort to bring the plan to this stage, it is a document that we will have to live with and which will affect the future of Morro Bay for years to come, it is important to get it right in all of its details. Making changes to this document in the future will be time consuming and difficult so spending a bit more now to get it right will serve the community well.

Embarcadero Master Leaseholders
Suggested Changes to
Plan Morro Bay

Suggested changes, deletions, and additions to the text of Plan Morro Bay:

POLICY PS-3.1: Shoreline Preservation as a City Goal. The Morro Bay shoreline is an irreplaceable resource and its preservation as a natural living shoreline is a matter of great public importance. Therefore, the intent of the Local Coastal Program is to ensure that shoreline protective devices and other shoreline altering development are only utilized in very rare situations and only when all coastal resource impacts are avoided, and where unavoidable are appropriately and proportionately mitigated, including consistent with Policies PS-3.2, PS-3.6, and PS-7. **This policy does not apply to the Embarcadero waterfront from Tidelands Park to Target Rock.**

POLICY PS-3.2: Existing Shoreline Protective Devices. Repair and maintenance of existing legally established shoreline protective devices (including restacking dislodged rock rip-rap in revetments within the approved revetment profile and texturing/contouring a vertical seawall per the approved surface treatment, but not including replacement, augmentation, addition, or expansion) shall only be allowed if the shoreline protective device is required to serve a coastal-dependent use or to protect existing structures (i.e., structures legally constructed prior to January 1, 1977, that have not been redeveloped since then) or public beaches in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years). If it is not so required, then the shoreline protective device shall be removed and the affected area restored. Any such allowable repair and maintenance projects shall include measures to address and mitigate for any coastal resource impacts the device is having, including with respect to public views and public recreational access. The City shall only be involved financially with public shoreline protective devices. **This policy does not apply to the Embarcadero waterfront from Tidelands Park to Target Rock.**

POLICY PS-3.3: New Shoreline Protective Devices. New shoreline protective device development (including replacement, augmentation, addition, and expansion associated with an existing device) shall only be allowed where required to serve a coastal-dependent use or to protect existing structures (i.e., structures legally constructed prior to January 1, 1977, that have not been redeveloped since then) and coastal-dependent development in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years). Such devices shall only be utilized if no other feasible, less environmentally damaging alternative, including removal or relocation away from such hazards, beach nourishment, nonstructural drainage and native landscape improvements, or other similar nonstructural options can be used to address erosion hazards. Such nonstructural options shall be used and prioritized wherever possible to protect coastal resources, including coastal habitats, public recreational uses, and public access to the coast. Where such nonstructural options are not feasible in whole or in part, soft structural

alternatives (sand bags, vegetation, etc.) shall be used and prioritized wherever possible before more significant shoreline protective devices are considered. Shoreline protective devices shall not be constructed to protect non-coastal-dependent development, development built on or after January 1, 1977 (including redeveloped structures), or where other measures/alternatives, including relocation, can adequately mitigate erosion hazards. All construction associated with shoreline protective devices and repair or maintenance or augmentation of existing protection devices shall be designed to eliminate or mitigate adverse impacts to coastal resources. The City shall only be involved financially with public shoreline protective devices. **This policy does not apply to the Embarcadero waterfront from Tidelands Park to Target Rock.**

POLICY PS-3.5: Avoid Coastal Hazards. Development shall be sited and designed to avoid impacts from coastal hazards over the life of the development. New development, including redevelopment, shall be prohibited from using or requiring shoreline protective devices at any point during the development's life. As a condition of approval for any such development/redevelopment, any existing shoreline protective devices shall be removed and the underlying area restored. (See also Policy PS3.3). **This policy does not apply to the Embarcadero waterfront from Tidelands Park to Target Rock.**

POLICY PS-3.6: Coastal Hazard Risks Acknowledged. During Development Review, determine if any structures meant for human habitation are to be constructed within the 100-year floodplain or in the Sea Level Rise Hazard Overlay Zone depicted in Figure PS-8. If necessary, evaluate each structure's safety from flood and sea level rise related hazards, and recommend remedial actions. As a condition of approval for all development that at some point during its lifetime may be subject to coastal hazards, the Applicant shall record a deed restriction against the properties involved in the application acknowledging that the 4D - Public Safety Plan Morro Bay March 2021 4-127 Greenprint development and development site may be subject to coastal hazards, acknowledging that shoreline protective devices are prohibited to protect such development **(except on the Embarcadero waterfront from Tidelands Park to Target Rock.)**, waiving any right that may exist to construct such devices, and agreeing to remove threatened development and restore affected areas if necessary in the future subject to the requirement to prepare a removal and restoration plan, all of which shall also be added as conditions of any approval. Specifically, development shall be removed and the affected area restored to a natural condition if: (a) the City declares the development unsafe for occupancy and/or use; (b) the development requires shoreline protective devices; (c) the development encroaches onto public trust land (including as the public trust migrates); (d) access and utilities are no longer available to serve the development; or (e) required by subsequent adaptation planning through Shoreline Management Plans(see Policy PS-3.4). Approval of coastal permits shall not constitute a waiver of any public rights that may exist on the affected property. A coastal permit permittee shall not use any permit approval as evidence of a waiver of any public rights that may exist on the affected

property now or in the future. The City will work with property and business owners whose assets are exposed to flooding from sea level rise to adapt to the anticipated hazards in the 50-year time horizon. If an asset cannot be sufficiently protected from coastal flooding, establish a timeline for relocation. Ensure that the timeline includes the following activities: • Securing land for the relocated asset, either an infill site or a suitable undeveloped location. • Permitting and environmental review activities. • Deconstruction and reconstruction.

POLICY PS-3.7: Coastal Hazards Report. Development proposed in potential coastal hazard areas **except on the Embarcadero waterfront from Tidelands Park to Target Rock**, including those that are mapped as hazardous in Figures PS-7 and PS-8, shall be evaluated for potential coastal hazards at the site based on all readily available information and the best available science, including the Coastal Commission's adopted Sea Level Rise Policy Guidance. If the initial evaluation determines that the proposed development may be subject to coastal hazards over its lifetime, a sitespecific coastal hazards report prepared by a qualified geologist/engineer is required to ensure that such development can be built in a manner 4D - Public Safety 4-128 Plan Morro Bay March 2021 Greenprint consistent with applicable Local Coastal Program coastal hazards policies

(We question whether or not the following belongs in this part of Plan Morro Bay. It should not apply to the Embarcadero in any case and it looks like it ought to be a part of the Public Safety section.)

Policy LU-8.3: Shoreline Protective Device Standards. New shoreline protective devices shall be sited and designed to avoid coastal resource impacts to the maximum extent feasible through: eliminating or mitigating all adverse impacts on local shoreline sand supply (including sand and beach area that are lost through the shoreline protective device's physical encroachment on a beach, fixing of the back beach, and prevention of new beach formation in areas where the bluff/shoreline would have otherwise naturally migrated, and the loss of sand-generating bluff/shoreline materials that would have entered the sand supply system absent the device); protecting and enhancing public recreational access; protecting and enhancing public views; minimizing alteration of, and being visually subordinate to, the natural character of the shoreline; avoiding impacts to archeological resources; and protecting other coastal resources as much as possible. **Shoreline protective devices shall be required to mitigate impacts to shoreline sand supply, public access and recreation, and any other relevant coastal resource impacts in 20-year increments, starting with the building permit completion certification date. Permittees shall apply for a coastal permit amendment prior to expiration of each 20-year mitigation period,** proposing mitigation for coastal resource impacts associated with retention of the shoreline protective device beyond the preceding 20-year mitigation period, and such application shall include consideration of alternative feasible mitigation measures in which the permittee can

modify the shoreline protective device to lessen its impacts on coastal resources. Shoreline protective devices shall only be authorized until the time when the qualifying development that is protected by such a device is no longer present, constitutes redevelopment, and/or no longer requires armoring, at which time the shoreline protective device shall be removed and the site restored. **This policy does not apply to the Embarcadero waterfront from Tidelands Park to Target Rock.**

~~POLICY LU-6.5: Accommodations on State Tidelands. Hotels and motels developed on the State-owned tidelands shall provide lower cost accommodations and publicly accessible facilities and/or amenities~~

~~IMPLEMENTATION ACTION LU-13 New upscale hotel and motel projects that are developed on state-owned tidelands and do not have lower cost rooms proposed shall provide 25 percent of units at a lower cost rate approved by the Coastal Commission.~~

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

a. **Easements.** For new developments on properties adjacent to the mean high-tide line, easements or offers of dedication for open and unobstructed public accessways along the shoreline between the mean high-tide line and the first line of vegetation shall be required, except as provided herein.

b. **Lateral Public Access.** Open and unobstructed lateral public access along the waterfront revetment (or shoreline, pursuant to subsection (a.) of this section if no revetment exists) shall be provided in all new development or additions on properties adjacent to the bayfront consistent with the provisions herein, and with public safety needs and the need to protect public rights, rights of private property held by leaseholders, and natural resource areas from overuse. Provision for continuous lateral access, pursuant to this section, along the bayfront portion of a parcel shall be required for any development or improvement which results in:

c. **Change in use.** A change in land use designation, ~~a change in intensity of use,~~ or a change of use requiring CDP/CUP approval.

d. **Additional floor area or improvements.** An increase of ~~10~~ 50 percent or more of internal floor area of an existing structure or an additional improvement of ~~10~~ 50 percent or less where an improvement to the structure has previously been undertaken.

e. **Increase in height.** Any increase in height by more than 10 percent of an existing structure.

f. ~~**Significant nonattached structures.** Any significant nonattached structure such as garages, fences, shoreline protective works, or docks.~~

POLICY LU-7.3: Unobstructed Lateral Access. Furniture, windscreens, gates, fences, or other items shall not be placed in the area of pedestrian flow of a lateral accessway. ~~Existing items of this sort that encroach on the minimum of 6 feet clear for pedestrian flow~~ shall be ~~moved or~~ removed during future lease renewals or applications for improvements.

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

a. The bayside lateral access of ~~at least eight~~ ~~some~~ Embarcadero lease sites ~~between the 400 block and 1100 block of Embarcadero (lease site addresses are 451, 501, 699, 725, 801, 897, 1001, and 1185 Embarcadero)~~ are ~~expected to~~ ~~may~~ be affected by sea level rise at the time ~~two~~ ~~five~~ additional feet of sea level rise occurs. The City shall evaluate whether any of the existing bayside lateral access in the ~~two~~ ~~five~~ foot inundation zone can be defended in that part of the Embarcadero. During lease renegotiations, raising of the bayside lateral access or installing floating access may be required in this area if the existing bayside access cannot be defended.

b. All lease sites affected by ~~two~~ ~~five~~ feet of additional sea level rise will need to be monitored for additional sea level rise impacts to lateral accessways ~~through~~ thereafter due to lease site vulnerability. ~~Significant attention should be paid to lease sites at 699 Embarcadero and 725 Embarcadero.~~

c. ~~Due to sea level rise impacts at the time of five additional feet of sea level rise, 495 and 1205 Embarcadero will require floating or raised bayside lateral access.~~

d. ~~Due to anticipated sea level rise impacts at the time of two additional feet of sea level rise, bayside lateral access from 451 Embarcadero to 501 Embarcadero will need to be replaced with floating accessways or raised for accessibility.~~

~~e. At the time of two additional feet of sea level rise, bayside access from 601 Embarcadero to 699 Embarcadero will need to be raised for continuous access.~~

~~f. At the time of two additional feet of sea level rise, most bayside access in the 800 block of Embarcadero will need to be raised or floating for accessibility.~~

~~g. At the time of two additional feet of sea level rise, bayside access from 1185 Embarcadero to 1205 Embarcadero will require floating or raised access to accommodate sea level rise.~~

h. At the time of ~~two~~ **five** additional feet of sea level rise, all lease sites affected by sea level rise will need to be monitored for continual water inundation thereafter due to the vulnerability of those sites.

~~i. At the time of five additional feet of sea level rise, bayside lateral access at Giovanni's at 1001 Front Street will need to be raised.~~

j. When feasible, lease sites should be encouraged to implement floating bayside lateral accessways to improve design resiliency to sea level rise. Monitoring the need for improvements to the boat launch ramp will be done as part of this action

Excerpted pages from
Sea Level Rise Adaptation Report



3. STUDY APPROACH

The following sections define SLR projections, adaptation strategies, trade-offs and secondary impacts of adaptation, and adaptation cost assessments.

3.1. SEA LEVEL RISE PROJECTIONS

The nearest, long-term sea level record in proximity to the study area is the Port San Luis tide gage (Station 9412110) operated by the National Oceanic and Atmospheric Administration (NOAA). The gage is located on the Harford Pier, which has been collecting data since 1948. These data are applicable to the open-ocean coastline in central California and are summarized in Table 3-1. Elevations in this study are relative to the NAVD88 vertical datum.

TABLE 3-1. WATER LEVELS IN PORT SAN LUIS (1983-2001 TIDAL EPOCH)

Description	Datum	Elevation (ft, NAVD88)
Highest Observed Water Level (1/18/1973)	Maximum	7.57
Highest Astronomical Tide	HAT	7.02
Mean Higher-High Water	MHHW	5.26
Mean High Water	MHW	4.54
Mean Sea Level	MSL	2.72
Mean Low Water	MLW	0.96
North American Vertical Datum of 1988	NAVD88	0.00
Mean Lower-Low Water	MLLW	-0.08
Lowest Astronomical Tide	LAT	-2.07
Lowest Observed Water Level (01/07/1951)	Minimum	-2.48

(Source: NOAA 2016)

SLR projections used in the Community Baseline Assessment (CBA) used projections from “Sea-Level Rise for the Coasts of California, Oregon, and Washington” (NRC 2012). The study used the high range for each of the horizon years as a conservative measure. These SLR projections are shown in Table 3-2.

TABLE 3-2. SEA LEVEL RISE PROJECTIONS

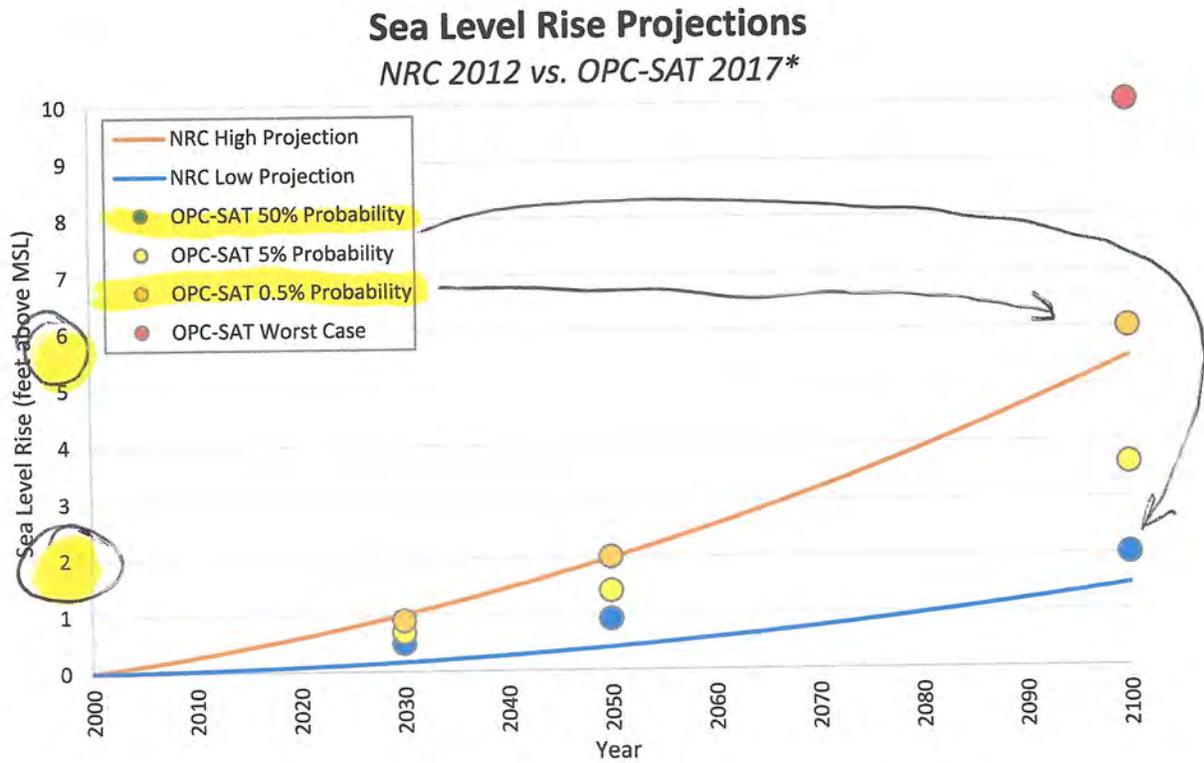
Year	Projected Sea Level Rise (ft)	Projection Uncertainty (ft, +/-)	Low Range (ft)	High Range (ft)
2030	0.5	0.2	0.2	1.0
2050	0.9	0.3	0.4	2.0
2100	3.1	0.8	1.5	5.5

(Source: National Research Council 2012).

A new scientific study titled “Rising Seas in California – An Update on Sea-Level Rise Science” (OPC-SAT 2017) for the State of California suggests the potential for higher SLR projections than NRC 2012 by the year 2100 and beyond timescales. These new SLR projections were given probabilities of occurrence by years 2030, 2050, and 2100. The OPC-SAT (2017) and NRC (2012) SLR projections are compared in



Figure 3-1. It is important to note that OPC-SAT (2017) probabilities do not include the more recent extreme ice loss scenario from the DeConto and Pollard (2016) study. The OPC-SAT (2017) report adds the H++ scenario to address this recent study’s findings. However, since OPC-SAT (2017) probabilities do not consider the ice loss science of DeConto and Pollard (2016), probabilities are potentially underestimated, though the degree by which the probabilities may be underestimated is currently unknown.



*OPC-SAT (2017) projections assume emission scenario RCP 4.5. Worst Case scenario (Red Circle) developed by DeConto & Pollard (2016).

FIGURE 3-1. SEA LEVEL RISE PROJECTIONS – A COMPARISON OF BEST AVAILABLE SCIENCE

3.2. COASTAL FLOODING AND EROSION MODELLING

Current and future coastal flooding and erosion modelling was performed and mapped in support of the General Plan/LCP Update. The primary coastal hazards that occur in Morro Bay are flooding (as a result of extreme coastal wave runoff and river discharge events), inundation (as a result of daily tides), and bluff and dune erosion. These hazard zones are described below:

- **Flood Hazard Zone** – Flood events are typically short in duration (i.e., hours) and occur episodically in association with extreme waves and precipitation events (e.g., 100-year return period events). The flood hazard zone shows the limits of extreme water levels associated with a 100-year return event and NRC (2012) High SLR Projections for years 2050 and 2100. The Bruun Rule was used to evolve the shoreline to a future equilibrium position prior to conducting the wave modelling. Thus, the flood hazard zone considers SLR-driven shoreline evolution.



5.3. EMBARCADERO WATERFRONT ALTERNATIVES ANALYSIS

5.3.1. EMBARCADERO WATERFRONT ADAPTATION ALTERNATIVES ANALYSIS

Adaptation options for the Embarcadero waterfront study area are mostly focused on accommodation since the waterfront and supporting facilities have significant elevation. However, extreme SLR estimates (i.e., 10 ft) would result in a host of vulnerabilities. A vertical retreat option is presented to adapt to such a scenario. These options are presented in this section.

5.3.1.1. ACCOMMODATE – UTILITY IMPROVEMENTS

Two existing piers along the Embarcadero waterfront study area are fixed in-place with a platform elevation of approximately 14 ft, NAVD88. By year 2100, SLR is not predicted to inundate the fixed piers. However, underdeck utilities along the Embarcadero piers may be vulnerable to daily wetting and drying because of SLR. Wetting and drying of utilities can cause the design lives to reduce dramatically and will result in more rapid failures. The local community relies heavily on these coastal utilities, including recreational and commercial boaters.

In this adaptation option, vulnerable utilities would be improved to become more resilient to SLR. Utilities will require either reconfiguration, removal, and/or protection. Protection would involve waterproofing exposed wires and connections. Reconfiguration would involve relocating underdeck utilities to on-deck.

The significant pros of this alternative include:

- Low-cost adaptation measure that would maintain regular public and commercial function of the Embarcadero waterfront.
- Measures could be implemented slowly on an as-needed basis.

The significant cons of this alternative include:

- Required attentive monitoring to prevent issues (e.g., spills, outages).

5.3.1.2. ACCOMMODATE – FLOATING DOCK IMPROVEMENTS

Generally, floating dock guide piles reach a maximum elevation of approximately 11 ft NAVD88 in the study area. Guide pile issues could arise if extreme water levels cause floating docks to sit higher on the pile than designed. The floating dock could overtop the pile or it could exert a greater force (i.e., side-loading) on the pile during high current and wave scenarios. Timber guide piles typically have a lifespan of 25 years and concrete piles of 50 years. Under current SLR projections, it is highly likely the piles will need replacement before any functional issues begin. Therefore, come the end of a pile's lifespan, the replacement pile must be made to extend higher than the Embarcadero elevation, and be driven deep into the subsurface to ensure stability under high water level, current, and wave scenarios.

Should guide piles be tall enough to accommodate SLR, the gangway could encounter issues during high water level conditions. As the floating dock rises, the gangway will flatten out and will occupy a larger area of the dock. It is important that the dock space be managed to allow for the gangway to extend fully. In extreme SLR scenarios, and just before the Embarcadero is flooded, the gangway may rise high enough to result in an inverse slope (i.e., gangway slopes landward as opposed to seaward). Gangways are not typically designed to accommodate inverse slopes, or even level slopes. Modifications, such as replacing the gangway or creating a land-based ramp up, may be necessary to accommodate high SLR conditions.



The significant pros of floating dock improvements include:

- Adaptation measures would likely be implemented toward the end of a structures design life. Thus, no retrofitting costs would be incurred.
- Measures could be implemented slowly on an as-needed basis.

The significant cons of this alternative include:

- Attention is required during the approval of new facilities or lease renewals to ensure blanket standards are applied to leaseholds.

5.3.1.3. ACCOMMODATE – STORM DRAIN IMPROVEMENTS

A total of three storm drains exist along the Embarcadero Waterfront study area. Storm drain invert elevations are estimated at approximately 9 ft NAVD88. When water levels rise above outlet elevations, stormwater can back-up in pipes and may cause flooding of upland areas (sometimes referred to as nuisance flooding). Raising storm drain outlet elevations above projected SLR would allow the Embarcadero stormwater system to function during these conditions. Alternatively, the existing storm drain outlets could remain in place and be improved by the installation of rubber duckbill (or similar) check valves. Rubber duckbill check valves allow only one-directional flow, which would prevent the intrusion of seawater into storm drains when water elevations are above the outlet.

However, storm drain systems are only functional if sufficient head (i.e., pressure difference) exists between land-based flooding areas and the ocean. Should SLR result in water levels that are frequently above the storm drain invert elevation, backflow and upland flooding could occur. Under such circumstances, all or portions of the storm drain system within the Embarcadero study area would need to be raised. This would raise the low points of the storm drain system and restore invert elevations.

The significant pros of this alternative include:

- It is a lower-cost adaptation measure that would maintain function of the storm drain system and reduce nuisance flooding within the Embarcadero waterfront.
- Measures could be implemented on an as-needed basis.

The significant cons of this alternative include:

- Required attentive monitoring to prevent issues.

5.3.1.4. VERTICAL RETREAT – RAISE WATERFRONT

To adapt to the most extreme SLR estimates (i.e., 10 ft) a vertical raise of the waterfront land, piers, and supporting facilities would be needed. In this scenario, the roadways, parking, piers, and structures would be raised 5 ft to accommodate SLR. The vertical retreat of this area would not be an insignificant effort and could be implemented relatively quickly as part of a re-visioning/redevelopment project, or slowly as leases expire and parcels are improved.

The significant pros of this alternative include:

- Maintenance of regular public and commercial function of the Embarcadero waterfront under a very high SLR scenario for year 2100.



- Redevelopment of this land can be an opportunity for creative ideas for this area.

The significant cons of this alternative include:

- Implementing this strategy would be a large undertaking and logistically challenging (various leaseholds, funding, environmental impacts, etc.).
- Commercial and recreation along the Embarcadero waterfront would be significantly impacted during construction.



April 26, 2021

Morro Bay City Council
695 Harbor Street
Morro Bay, CA 93442

Re: Plan Morro Bay Adoption

Honorable Mayor John Heading and City Council Members:

As a local business owner, community member and professional planner, I would request that you give great weight and consideration to the comments made by the Morro Bay Chamber of Commerce on Plan Morro Bay. The community has spent considerable time and effort on planning for a prosperous and sustainable community over that last 10 years, and has produced a number of important documents including the Economic Vision Plan and the Downtown Waterfront Strategic Plan. These documents are the result of significant community participation and input. In many ways the proposed Plan Morro Bay document defeats many of the important economic outcomes from those documents, including greater diversity in our lodging stock, expansion of the lodging inventory so that it appeals to more economic segments in the State (including lodging with higher service level, higher amenities and higher price points), and not over-burdening businesses with unrealistic and un-necessary development regulations.

We have also become keenly aware of the negative economic and environmental affects of building communities without adequate local housing; it is no surprise that, according to a survey by the Economic Vitality Corporation, most businesses in the County, including those in Morro Bay, believe that inadequate housing and high employee turnover caused by excessive commuting is the greatest threat to continued business success. The Plan Morro Bay document, if implemented, will make Morro Bay's housing issue significantly worse by increasing local jobs by 16,000, while only increasing the number of housing by 881 units. The resulting increase in "Vehicle Miles Travelled" (VMT) per employee will be many, many times the maximums that are consider acceptable by the local Air Pollution Control District and by SLOCOG. I doubt that the community expects or hopes to have 3,000,000 square feet of commercial development built in the community over the next 20 years, and we should not plan on that happening.

Plan Morro Bay must establish a realistic development program for the next 20 years that can be executed by the City and by the private sector. The Morro Bay Chamber's comments set for the minimum necessary to do that.

Stephen J, Peck, AICP

April 25, 2021

Honorable Mayor and City Council Members,

This week the Planning Commission unanimously agreed to forward a favorable recommendation for the certification and adoption of Plan Morro Bay: General Plan/ Local Coastal Plan and the accompanying Final EIR. I had the honor and privilege of serving on the General Plan Advisory Committee before being appointed to the Planning commission. Seeing this project come to fruition is extremely gratifying.

The people I have served with are an extraordinary group of individuals (including the late great Dr. Robert Tefft): thoughtful citizens with a variety of backgrounds who brought diverse insights, expertise and personal experience to the process. Our staff and various consulting groups spent hundreds of hours researching and preparing documents unique to Morro Bay, to provide direction for our future. We all waded through that material--and so did many other members of this community. Every meeting we held as advisory boards, from GPAC, to Planning Commission to City Council, included input from the general public. And of course, all the members of our advisory boards and council are our neighbors. There were multiple community workshops and focus groups as well, where prodigious notes were taken. This is truly a product by and for Morro Bay's citizens.

Morro Bay Community Development staff and our consultants went to great lengths to respond to input, comments, recommendations and questions from citizens, advisory committee members as well as Coastal Commission staff, with whom they lobbied for our interests and unique needs. As we all know, small towns developing a plan for their future must answer not only to their residents, but to state guidelines and codes, regional considerations for land use, public safety, environmental issues, economic concerns and a myriad of statutory requirements, as well as, of course, the great and powerful Oz known as the California Coastal Commission.

Our staff, consultants and commissioners treated the input of the people of Morro Bay with care and respect, providing answers to questions, listening to concerns and making adjustments where possible. Highest of praise to our staff, who rose to the challenges of serving many masters, dealing with legal, technological and conflicting policy issues with patience and grace--all while continuing to deal with the many other projects under

their purview (and in this last year, during a global pandemic). The GP/LCP is a culmination, but also a beginning--a guide for land use and development in our City for the next 20 years, with critical implementation items for every goal and policy. With all of the voices who contributed, this plan will likely not completely satisfy everyone. But as a living and "general" document, I believe it will be a great vehicle to carry us toward a future that will help us fulfill our Community Vision. And the boards and commissions that serve the community will continue to evaluate individual projects that come before them with respect, consideration and with the GP/LCP visions and goals to sustain and enhance our community.

I am excited to see Plan Morro Bay head to it's final review with the City Council and urge it's adoption and certification.

Sincerely,

Susan Stewart

Current Chairperson, Morro Bay Planning Commission

Former Chairperson, General Plan Advisory Committee

From: [Stan Trapp](#)
To: [Council](#)
Cc: [REDACTED]
Subject: Local Coastal Plan and General Plan
Date: Tuesday, April 27, 2021 10:08:01 AM

Council Members:

Thank you for the hours the Council has spent reviewing the Plans. It is a tough job. I urge you to consider the proposals and opinions of the Embarcadero Master Leaseholders forwarded to you, as well as the position taken by the Chamber of Commerce. The Embarcadero Leases generate a significant portion of the city's revenue and their success is directly tied into well being of Morro Bay. It is very important that your perspective should be one of championing their success and not hampering their ability to fund and maintain their businesses. As an example: The 8' walkway has proven adequate and friendly to our visitors for decades, changing that width to 10' at whatever expense it may require, is only a position without any merit. Another example is the warning shot about rising sea level that *MIGHT* occur in the next 80 years. Yes, we are going through a climate warming phase, but the level of warming is only speculation.

Please listen to the EML and the Chamber take the position of protecting our businesses and keeping the Embarcadero healthy.

Stan Trapp
Morro Bay Marina

Dana Swanson

From: betty winholtz [REDACTED]
Sent: Tuesday, April 27, 2021 1:33 AM
To: John Headding; Robert Davis; Jeffrey Heller; Dawn Addis; Laurel Barton
Cc: Dana Swanson; Scot Graham; Scott Collins
Subject: agenda item b-1

Dear City Council:

These are my comments for the record concerning the **FEIR** being considered Tuesday, April 26, 2021 at the City Council public hearing. Having not heard otherwise upon inquiry, I assume you will consider the environmental document before Plan Morro Bay: the General Plan and Local Coastal Plan document.

Sincerely,
Betty Winholtz

My first choice is **Alternative** #1 because it has the least environmental impacts.(page ES-3)

Overall, the word "**shall**" has been removed. There are no hard lines. What is the City standing for?

Page ES-4 states that **Air Pollution** is an unavoidable class I impact. Yet the reason air pollution is increasing is because of the proposed Spheres of Influence (SOI) which increase vehicle miles traveled. This statement is a case for no new SOIs. Also, I don't see where the City is offering to go to an all electric fleet of vehicles.

Page ES-4 states there are no impacts to **Agricultural Resources**. How does this align with the acres taken out of ag use for the sewer plant or the Panorama lots, which the city wants to annex or at least bring into the City's SOI? If SOIs are considered under air pollution, then shouldn't SOIs be included for ag?

Page ES-11 states, "**Biological Resources-3**. New development facilitated by the General Plan and LCP Update may remove trees, encroach on rookeries and breeding sites, impede movement of terrestrial and aquatic wildlife, and otherwise interfere with the movement of wildlife. Impacts to wildlife corridors, rookeries, and nest sites would be less than significant with incorporation of mitigation."

In my mind, this kind of impact is not mitigated to less than significant with documenting and specifying "avoidance and minimization measures, including compensatory mitigation." Where is the word "shall"? There needs to be absolute limits; some lines are not to be crossed. I would like to know if this is mostly about SOI, or other areas inside the current City limits?

Page ES-12 is about **Cultural Resources-1**. The current LCP Chapter VI states in Policy 4.01, "Where necessary significant archeological and historical resources shall be preserved to the greatest extent possible both on public and privately held lands." Replacing "greatest extent possible" with "maximum extent feasible" weakens protection. Nor does the new wording identify both "public and privately held lands" as being treated the same. The new statement needs to be as strong as the current one. It appears as though "historical" was removed and then reinstated.

Page ES-14 is about **Transportation-1**, Pedestrian Facility Improvements. Why would the City spend money to do this on "**Morro Bay Boulevard**: Provide a landscaped buffer at least two feet wide between the sidewalk and travel lanes." In some places it would interrupt table on sidewalks in front of restaurants, in other places there are already planters that the City has expended funds on. Even if the City had all the money in the world, this would not be a priority. The recommendation I would expend City money on is: "**Main Street south of Radcliffe Drive**: Provide continuous sidewalks to provide acceptable pedestrian operations". Except, I would extend sidewalks north as well as south; there is not a real sidewalk going north to Highway 41.

Page ES-15 is about **Aesthetics-2**. There is a word here that requires clarification. AE-2 states, "Compliance with existing standards and General Plan and LCP Update goals and policies would ensure that redevelopment or new development complements the existing visual character and quality of Morro Bay." What is meant by "existing": "existing" in the current GP/LCP or "existing" in the Plan Morro Bay? With the increase in height limits in Plan Morro Bay this statement is not true; there will be visual character and quality changes. The height limits and setback should not be changed if the character of the City and its neighborhoods are to be retained.

Page ES-16 is about **Air Quality-3**. What "industrial uses" in particular are being suggested as close to "sensitive receptors": the sewer plant next to Casa de Flores; the power plant site below residents; other?

Page ES-17, **Biological Resources-2** uses the term "existing regulations" as is Aesthetics-2. Please clarify "existing."

Page ES-21. **Hazards and Hazardous Materials-5** addresses vehicular escape routes: "Proposed policies and mapped evacuation routes in the General Plan and LCP Update would ensure effective emergency response following a natural or human-caused disaster." The language here is not believable: "ensure effective emergency response."

Page ES-24. **Noise-3** addresses "incrementally increase traffic and associated noise levels along roadways in Morro Bay." Unfortunately, this has and is happening in Morro Bay due to a continually increase in tourists. It is not being addressed currently, nor are there proposed measures to address it in the new document. This should be listed as needing mitigation measures.

Page ES-25. **Noise-4** addresses what residents may call visitor/vacation rental noise, "new operational noise sources associated with residential commercial, Industrial, and mixed-use land uses" which are not being addressed by "continued regulation of on-site noise." The new document does not address how this increasing noise will be mitigated other than through regulation which is not enforced. This should be listed as needing mitigation measures.

Page ES-25. **Population and Housing-2**. addresses "displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. Impacts would

be less than significant." This is currently happening and will increase as the City does not address vacation rentals supplanting rental housing, the dominant housing for local employees. Mitigation measures need to be applied. Two possibilities could be to significantly reduce the number of vacation rentals in residential zones, and active solicitation by the City for build smaller, affordable housing units.

Page ES-26. **Public Services and Recreation Cumulative** is not less than significant if the City succeeds in annexing all the SOIs it wants. The new distances that police and fire will have to travel along with the new acreage to service, as well as new sewer, water, and streets will be a huge impact and should be addressed and mitigated. This includes **Utilities-1** and **Utilities-2** (page ES-27) which cover water supply and wastewater.

Page ES-29 **Energy Cumulative.** With the new sewer plant built 3.5 miles away with 2 new lift stations, 4 pipelines going up hill, how is the City's energy use not going up, and in need of mitigation?



AGENDA NO: B-1

MEETING DATE: April 27, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
PUBLIC REVIEW PRIOR TO THE MEETING**

From: [Steven Allen](#)
To: [Council](#)
Subject: Letter In Support of TBID Transition
Date: Tuesday, April 27, 2021 1:36:16 PM

Honorable Mayor Headding and Morro Bay City Council,

I own and operate the San Marcos Inn, Masterpiece Hotel and La Serena Inn, all in Morro Bay. I have been the current Morro Bay Tourism Business Improvement District Advisory Board (“TBID”) Chair since 2020.

I am writing this letter in public support of the proposed TBID transition. This past year has been exceptionally hard for all of us, but especially tourism related business operators. I believe transitioning TBID to being an independent entity would not only free up much needed City resources, but also allow the TBID Board to better focus on its true purpose – to provide the responsible marketing necessary to increase tourism in Morro Bay. It is my opinion that if approved, the new board should be comprised of about 7 members; 1 of which should be a City representative, 1 of which should be a community member, and the remaining positions should be made up of representative hospitality and vacation rental stakeholders.

Thank you for your consideration of this matter and we look forward to continue to working in harmony with the City.

Sincerely,
Steven Allen
Allen Property Group, Inc.
steven@alleninc.com
Main 831 688 5100