



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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

**Regular Meeting -Tuesday, August 15, 2023  
Veteran's Memorial Building – 6:00 P.M.  
209 Surf Street, Morro Bay, CA**

Chairperson – William Roschen

Vice-Chairperson Mike Rodriguez  
Commissioner Asia King

Commissioner Joseph Ingraffia  
Commissioner Eric Meyer

## **Public Participation:**

*Remote public participation is allowed in the following ways:*

- *Community members may attend the meeting in person at the Morro Bay Veterans Hall*
- *Members of the public may watch the meeting and speak during the general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the "raise hand" feature to indicate your desire to provide public comment.*

*Please click the link below to join the webinar:*

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzdwTHlRTk9xaTlmVVNWRWFUQT09>

*Password: 135692*

- *Or Telephone Attendee: 1 (408) 638-0968 or 1 (669) 900 6833 or 1 (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press \* 9 to "Raise Hand" for Public Comment*
- *Alternatively, members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Planning Commission at [planningcommission@morrobayca.gov](mailto:planningcommission@morrobayca.gov) prior to the meeting. Agenda correspondence received at [planningcommission@morrobayca.gov](mailto:planningcommission@morrobayca.gov) by 10 a.m. on the meeting day will be posted on the City website.*

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE/PLEDGE OF ALLEGEANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS

## **PUBLIC COMMENT**

Members of the audience wishing to address the Planning Commission on City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Planning Commission at this time.

PRESENTATIONS

A. CONSENT CALENDAR

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

B. PUBLIC HEARINGS

- B-1** **Case No.:** *Plan Morro Bay: Zoning Code Amendment / Objective Design Standards (Continued from the May 16, 2023, June 6, 2023, and July 18, 2023, hearing)*  
**Site Location:** Citywide  
**Applicant/Project Sponsor:** City of Morro Bay  
**Proposed Project:** The Zoning Code was adopted by the City Council on November 22, 2022, via Ordinance 654. Objective Design Standards (ODS) have been developed as implementation of the 2020-2028 Housing Element goals and policies. The ODS are proposed to be added as Chapter 17.31 to the 2022 Zoning Code. The consultant work to complete the Housing Element implementation policies was funded from the award to the City of Morro Bay of grant funding from CA Department of Housing and Community Development. The Objective Design Standards was created in response to recent housing bills, to provide for a streamlined approval process for eligible residential projects (2 or more units) subject to certain conditions consistent with the objective zoning and design standards. Upon favorable recommendation, the Objective Design Standards will be forwarded to City Council for amendment to the 2022 Zoning Code.  
**CEQA Determination:** Environmental Impact Report (SCH #2021111026)  
**Staff Recommendation:** Forward a favorable recommendation for approval of the updated Objective Design Standards (ODS) as Chapter 17.31 of the 2022 Zoning Code to City Council with finding that no further environmental review is required pursuant to State CEQA Guidelines Section 15162.  
**Staff Contact:** Scot Graham, Community Development Director, (805) 772-6291 [sgraham@morrobayca.gov](mailto:sgraham@morrobayca.gov)

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on September 5, 2023, at 6:00 p.m.

**PLANNING COMMISSION MEETING PROCEDURES**

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

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00

P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

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

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

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

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

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

## **APPEALS**

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

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

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



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

Agenda No: A-1  
 Meeting Date 8-15-2023

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
<b>Hearing or Action Ready Projects:</b>											
1	City of Morro Bay		City-wide			<b>Objective Design Standards draft (Zoning Code/ Implementation Plan amendment) to be added as Zoning Amendment Chapter 17.31</b>	Objective Design Standards drafted as a result of 2020-2028 Housing Element Implementation grant funding. The Objective Design Standards are proposed to be added as an amendment to the Zoning Code (Chapter 17.31). Continued from 5/16/23 PC meeting. Hearing held on 6-6-23 with a continuance to 7-18-23. PC continued to August 15, 2023.				nh
2	Patel	1050	Morro Ave	11/17/2022	CUP22-10/ CDP22-039	<b>Remodel existing hotel and add second floor with kitchen and hotel dining area, plus other guest amenities. Increase from 16 rooms to 27 rooms.</b>	Under Review. Comments provided Dec 12, 2022, requires a resubmittal. Applicant is addressing parking issued included in the PW comment letter. Project resubmitted on February 8, 2023, Planning ready to deem complete, needs resubmittal to address storm water requirements, comment letter sent 3/8/23. Public works provided additional correction comments on March 27, 2023. Planning deemed completed on April 9, 2023, will be reviewed and processed under existing zoning code due to the delay of the certification of the 2022 zoning code. Project under review by PW, will be scheduled for PC hearing following resolution of PW open items. Applicant is working with PW on peak flood control requirements. Scheduled for PC hearing on September 5, 2023	BLDG. - COND Approved CO			nh
3	Khanna	2900	Alder	6/7/2023	MAJ23-002	<b>Major modification to existing permit to reduce size of project into 5 single story hotel rooms</b>	Comments sent on 7/9/23, requires resubmittal. Project was resubmitted on July 19, 2023, under review.. Project deemed complete and on the schedule for PC hearing on September 19, 2023				nh
4	Agular	351	Panay	11/2/2022	CDP22-036	<b>Demo existing one story 849sf SFR to build a two story 1,926sf SFR with a 226sf garage and a 280sf roof deck.</b>	Under Review, Incomplete letter sent on 12/15/22. Resubmittal 2/16/23, under review, incomplete letter sent 3/2/23, Resubmit 3/30/23, Incomplete Comment Letter sent 4/12/23, Resubmitted 5/22/23, Incomplete letter sent 6/21. Resubmitted 7/13. Completeness letter sent 8/1. Noticing period began 8/3. Administrative decision will occur 8/15.	BLDG. - Approved 3/2/23 CO			gc/st
5	Palmer	515	Bernardo	3/9/2023	CDP23-004	<b>Remodel and addition to existing 2,172 sf SFR and an interior studio ADU</b>	Incomplete letter sent March 28, 2023. Resubmittal 5/17. Incomplete letter sent 5/30, Resubmitted on 6/22. Incomplete letter sent 7/10. Resubmitted 7/25. Completeness letter sent 8/1. Noticing period began 8/3. Administrative decision will occur 8/15.	BLDG. - Disapproved 3/15/23			gc/st
6	Ferrin	2772	Indigo Circle	4/20/2023	CDP23-008/CUP23-08	<b>A new single story 2,491sf SFR with an attached 559sf garage, and a 192sf studio on a vacant lot located in the Cloisters subdivision.</b>	Incomplete letter sent 5/15. Resubmittal 7/24. Completeness letter sent 8/7. Tentative PC hearing 9/19.				gc/st
7	City of Morro Bay		City-wide			<b>Plan Morro Bay: Zoning Code / Implementation Plan (IP) Amendments</b>	The City Council adopted a new Zoning Code/ Implementation Plan (IP) on November 22, 2022 (Ordinance 654). A series of Zoning Code/IP Amendments is proposed for adoption as a result of the City's LCP amendment application currently pending with the Coastal Commission. This includes additional chapters to be added to the IP per Coastal Act requirements and miscellaneous clean-up amendments. Anticipated PC hearing 9/5/2023.				cj/sj
<b>30 -Day Review, Incomplete or Additional Submittal Review Projects:</b>											
8	Wells Fargo Bank	340	Jamaica	8/1/2023	CDP23-014	<b>Admin CDP for the demolition of an existing commercial structure.</b>	Under review				st
9	Brice	2555	Hemlock	7/24/2023	CDP23-013	<b>Admin CDP for a new 491 sf ADU and 292sf addition to an existing 2314sf residence.</b>	Under review				st/ao
10	Pennachio	2810	Juniper	7/21/2023	CDP23-012	<b>DIGEPLAN: Admin CDP for new 2 story 1,398 SFR w/ 812sf attached two car garage</b>	Under review				nh/ao
11	Champi	460	Errol	7/19/2023	TUP23-02	<b>Temporary Use Permit for fencing and outdoor storage to assist with storm cleanup</b>	Received submittal, under review.				nh
12	Redican	725	Embarcadero	7/12/2023	MIN23-002	<b>Minor Modification/Revision to CUP for change to unloading parking space.</b>	Under review.				cj
13	Duffy	2865	Ironwood Ave	6/29/2023	PKG23-04	<b>Parking Exception</b>					
14	Gumm	735	Napa	6/15/2023	CDP23-010	<b>Convert three retail spaces into 3 residential units</b>	Planning Review completed - need PW comments. Comments provided to applicant on 7/16/23, Requires a resubmittal.				nh
15	Iwanicha	640	Elena	6/8/2023	CDP23-011	<b>Remodel and addition to existing 2 bedroom/1 bath home</b>	Planning disapproved the project on 7/27/23, requires response to comments and a resubmittal.				nh
16	Morro Rock LLC	1260	Main	5/23/2023	CDP23-009	<b>Convert existing building into 5 new hotel rooms associates with the Masterpiece Hotel</b>	Under review, requires new zoning code - on hold until new zoning code is certified by CCC				nh
17	Boges	640	Kings	3/30/2023	CDP23-006	<b>New detached 908sf ADU with attached to a 720sf garage below.</b>	Incomplete Letter sent 4/20	BLDG. - Disapproved CO			gc/st
18	Newman	961	Balboa	3/27/2023	CDP 23-005	<b>Admin CDP for a new 2058 sf house with an attached 409 sf garage and 185 sf storage space with a 450 sf ADU .</b>	Under review. Incomplete Letter sent 4/20.	BLDG. - Approved 4/10/23 CO			st

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19	Gillen	495	Embarcadero	3/7/2023	CUP23-04	Conceptual Review (no application) of potential redevelopment of city lease site at 495 Embarcadero as a mixed use development of hotel, restaurant, and retail uses.	Under review. Project needs Consent of Landowner. Applicant requested to put application on hold.	BLDG. - COND Approved CO			cj
20	McDonald	300	Sicity St	1/31/2023	CDP23-002	New 2155 s.f. SFR w/ attached 284 s.f. garage and 409 s.f. decking on a vacant lot .	Incomplete letter sent 3/13/2023	BLDG. - Approved 2/10/23 CO			gc/st
21	Salbi	450	Marina	12/19/2022	CDP22-043 / PKG23-05	Admin CDP for two story single family home with garage and Accessory Dwelling Unit	Incomplete letter sent January 13th, resub on 2/7/23, under review, incomplete letter sent 3/2/23, resubmit 3/27/23, incomplete letter sent 4/10/23, Incomplete letter sent 4/12/23. Submitted for parking exception 7/24. CDP resubmittal under review.	BLDG. - Approved 3/2/23 CO			gc/st
22	Gonzalez	590	Radcliff	10/25/2022	CDP22-034	Admin CDP for a new 1,956 two story SFR with a 522sf attached garage and 640sf second story deck.	Under review. Planning disapproved and incomplete letter sent on 11/22.	BLDG. - Approved 10/27/22 CO			gc/st
23	MSA Architects	2417	Greenwood Ave.	8/24/2022	CDP22-030	Admin CDP to develop a new 562 detached ADU	Incomplete letter sent on 9/12/22, resubmittal on 10/26, under review, minor edits request on 11/17, withdrawn.	BLDG. - Approved 8/25/22 CO			gc /st
24	Shepler	2181	Sunset Ave	8/24/2022	CDP22-029	CDP Application for a new third dwelling and one ADU on a property with two existing homes	Comment letter sent on 9-5-22. Resubmittal received 10/24/22, planning requires minor changes and sent letter November 10, 2022. Requires resubmittal.	BLDG. - Approved 8/25/22 CO			nh
25	Kersten	1358	Prescott	7/27/2022	CDP22-024	Admin CDP for partial conversion of an existing (522sf) attached garage into a single story 276sf ADU.	Incomplete letter sent on 08/09/22	BLDG. - Approved 8/9/22 CO			gc/st
26	California Coastal Investments, LLC	801	Embarcadero	6/28/2022	CUP22-09	Concept/Precise Plan CUP for mixed-use redevelopment of the Libertine Brewing Co. building to convert existing second floor to 7 hotel units and first floor as mix of restaurant, coffee shop, outdoor dining, provision of new public access improvements including extension of Harborwalk	Under review. Incomplete letter sent 7/27/22. Resubmitted 1/27. Corrections letter sent 3/17/23. Resubmittal received and corrections requested. Met with applicant 7/5/23 to discuss outstanding items. Resubmitted 8/1/23.	BLDG. - Disapproved 2/10/23 CO			cj
27	McDonald	471	Panay	6/1/2022	CDP22-019	Admin CDP for the new construction of a two story residence	Incomplete Letter Sent 6/14	BLDG. - Approved 6/14/22 CO			gc/st
28	Vanderbyl	531	Yerba Buena	4/20/22	CDP22-015	Admin CDP for shed conversion into 468 sf ADU	Correction Letter sent 5/12/22. Resubmittal received 7/21/22 - review comments sent on August 6, 2022, requires resubmittal. Resubmittal received and planning disapproved based on fire/life/safety issues on 10/24/22. Resubmittal required.	BLDG. - COND Approved 5/11/22 CO			nh
29	Hartman	320	Orcas St	4/14/22	CUP22-07/ CDP22-010	New SFR with attached garage to replace home destroyed in fire	Correction letter sent 5/1/22. Resubmittal received March 28, 2023. Planning comments sent on April 10, 2023, project requires resubmittal with changes. Planning Comments sent - requires a resubmittal. Resubmittal received and under review. Planning comments sent 5/17/23, requires a resubmittal. Project designed for new zoning code, so needs to wait for the code certification, or redesign to the existing code. Comments provided 7/10/23, project on hold pending decision by applicant.	BLDG. - Approved 3/30/23 CO			nh
30	Morro 94 LLC	3300	Panorama	1/18/2022	CUP 22-05/CDP22-003/TTM222-02	Submittal of combined concept and precise plan review for 61 unit subdivision. Project revised to 48 total housing units.	Received and under review. Notify Me account set up to provide information and publically available documents on the project. Subdivision Review committee meeting scheduled. Project comment letter sent 2/18/22, requires resubmittal and environmental review. Planning consultant team is preparing to hold a neighborhood meeting April 20, 2022 at Del Mar Elementary School at 6pm. City working with selected environmental consultant on contract and owner reimbursement agreements. TTM resubmittal received October 10, 2022, under review. Tentative Tract Map disapproved on November 2, 2022. REquires resubmittal with the CUP/CDP plans in order to be processed together. Environmental review is under contract and work has commenced. Anticipate process to take 6-9 months to complete. Resubmittal information received, planning and public works comments sent - will require a resubmittal before scheduling for PC conceptual review hearing.	BLDG. - Approved 2/14/22 CO			nh
31	Morro Bay LLC (Keller)	1108	Front Steet	11/8/21	MAJ21-007	Major Modification permit for Expansion and extensive remodel of second floor short term rental unit.	Planning comments sent 11/23/21, requires resubmittal. Applicant may put this application on hold until the adoption of the new zoning code (i.e. includes street setbacks closer to the actual placement of the building) (needs the IP sections to be final via CCC approval)	BLDG. - Approved 11/17/21 CO			nh
32	Shorey	545	Atascadero Rd	3/30/21	CUP21-04/CDP21-013	Proposed 16 units of new townhomes on sloped vacant parcel	Project was reviewed and comments provided in 2021. Applicant requested to keep the project open and has been working with public works and caltrans on utility requirements and frontage improvements. Project resubmitted for review on April 19, 2023 - under review by all departments. Planning deemed project complete on 5-23-23. Requires environmental study before scheduling for PC hearing.				nh
33	Vistra	1290	Embarcadero	12/28/20	CDP20-026 & CUP20-14	Battery Energy Storage System (BESS) - New proposed project to construct 600MW BESS on old tank farm north of existing Morro Bay Power Plant. BESS to be constructed as 3 separate buildings, 30 feet in height plus 10 feet of screening for rooftop equipment.	Under initial review. Project deemed incomplete and incomplete letter sent 1-21-2021. Applicant resubmittal received 2-17-2021 and under review currently. Project deemed complete for processing on 2/23/2021. Project plans and documents being evaluated. Environmental review process in progress. NOP released and two scoping meetings held on 6/21/22 and 6/29/22. Environmental review and analysis still in process.	BLDG. - Approved 3/11/21 CO			cj
34		1290	Embarcadero		Master Plan	Morro Bay Power Plant Master Plan	The Master Plan for the Power Plant property was initiated in 2022 as a result of General Plan/LCP Policy LU-5.4 which requires a master plan be developed as a result of the planning permit application for the Battery Energy Storage System Project. Master Plan community workshop was held 9/14/22. Survey on the Master Plan done and tabulations still in process. The survey was done to seek additional community feedback on development of the Master Plan. The survey focused on the community's land use preferences, circulation improvements, and design amenities for the overall property.				cj
<b>Projects Appealed to Planning Commission or PC Continued projects - none</b>											
<b>Projects Appealed or Forwarded to City Council - none</b>											
<b>Environmental Review - none</b>											

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
<b>Final Map Under Review Projects:</b>											
35	Huber	2783	Coral Ave	8/30/22	TTM22-03	5 unit residential subdivision	Planning approved, forwarded to PW.	BLDG. - Approved 4/14/22 CO			nh
<b>Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing - none</b>											
<b>Grants:</b>											
36	City of Morro Bay		City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administration. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting. Notice of Funding Availability for 2023 Program Year released fall 2022. Council draft recommendations considered 12/22 and final funding recommendations to be on 3-28-2023 to forward to County Board of Supervisors for inclusion in their Annual Action Plan 4/18/23. cj	No review performed.	N/R		cj
37	City of Morro Bay		City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.				cj
<b>Projects in Building Plan Check:</b>											
38	Castillo	1055	Allesandro St.	6/3/2021	B21-0097	250 sf addition to rear of existing SFR, addition creates two bedrooms and one full bath.	Planning disapproved 7/2/21. Resubmittal received 7/25/22. Resubmittal disapproved 8/01/22. Planning disapproved 3/1/23	Bldg. - Disapproved 3/27/23			st
39	Castillo	1055	Allesandro St.	7/25/2022	B22-0158	Jr. Accessory Dwelling Unit (JADU) - Existing bedroom in primary dwelling will be converted to JADU.	Planning disapproved 8/1/22. Reviewed resubmittal and disapproved 3/21/23	Bldg. - Disapproved 3/27/23			gc
40	Crizer	469	Arcadia	7/26/2021	B22-0159	Re-roofing of an existing atrium and interior remodel to an existing SFR change in scope of work.	Planning disapproved 8/2/22, resubmittal 6/20, Under review.	BLDG. - Disapproved 6/27/23			gc
41	Conway	305	Arbutus	1/4/2023	B22-0269	DIGEPLAN - 390 sf addition, expanding lower level family room and 2nd level primary bedroom & bath, the remodel includes kitchen and relocating two bathrooms to accommodate the installation of new elevator. The addition creates a 2nd level 378 sf rear deck.	Planning disapproved 1/26/23. St Waiting on resubmittal	Bldg. - Approved 6/12/23			st
42	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.	Planning disapproved 11-6-20	Bldg. - Approved 11/09/20			sg
43	Carter	2035	Bayview Ave.	8/5/21	B21-0135	New SFR, 1980 sf living, with 483 sf attached garage, 96 sf covered deck, 267 sf covered rear patio and 32 sf covered front porch.	Disapproved 8-26-21. am	Bldg. Disapproved 9/21/21			cj
44	Perry	3202	Beachcomber Dr	2/9/23	B22-0264	Demo existing, new construction of 2567 sf home with a 2424 sf subterranean garage on lower level and 963 sf roof deck. Home to be located on newly configured parcel (requires final TM)	Planning disapproved 2/19/23. nh	Bldg. - Approved 6/20/23			nh
45	Perry	3230	Beachcomber Dr	2/9/23	B22-0265	New SFR on new parcel. Home is 1816 sf with a 471 sf garage and a roof deck.	Planning disapproved 2/19/23. nh	Bldg. - Approved 6/20/23			nh
46	Segovia	2824	Birch Ave.	3/21/22	B22-0057	Cover patio, conversion to sunroom.	Disapproved 4/1/22	Bldg. - Approved 3/24/22			gc
47	Dillard	1256	Bolton	3/30/22	B22-0072	Convert Unfinished Underfloor Space in 986 sf of conditioned livable space	Disapproved 4/7/22. Resubmittal approved 7/29/22.	Ready to issue			am
48	Engvall	370	Bonita	5/22/23	B23-0110	Addition to existing SFR for a detached 554 sf ADU.	Planning approved 5/23/23	Bldg. - Disapproved 6/20/23			
49	Berner	2750	Dogwood Ave.	12/6/22	B22-0260	Add 235 sq of conditioned space, including a new bathroom, additions to bedroom and utility room, 297 sf, roof deck, spiral stair, ground floor deck (136 sf), less than 30" above existing adjacent grade.	Planning approved 2/28/23. st	Ready to issue			st

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50	Redican	725	Embarcadero	3/14/22	B22-0049	The project consists of a 608 SF interior remodel of the existing arcade retail space into an extension of the commercial kitchen prep area. All work is exclusive to the interior of the lower level with no impacts to the site, exterior elevation or occupant circulation of the existing building.	Disapproved 3-17-22. Resubmittal received 6-23-22 and conditionally approved 8/25/22	Ready to issue			cj
51	TLC Family Enterprises	833	Embarcadero	3/16/22	B22-0052	Addendum #1 to B20-0220 - Removal of parapet wall which requires removing steel post below and show railing on upper level. Revert back to cantilevered floor joists for hotel access walkway upstairs.	Disapproved 3-21-22	Bldg. - Approved 7/13/22			cj
52	Guldenbrein	481	Estero Ave	1/5/23	B23-0003	New fencing & retaining walls, exterior electrical grading & catch basin installation w/pump in front yard. (see plans)	Disapproved 1/19/23	Bldg. - Disapproved 1/18/23			st
53	Dores	150	Gilbert St	7/20/23	B23-0167	DIGEPLAN - 110 sf addition to primary bedroom, remodel existing primary bathroom and closet, remodel kitchen, new 111 sf open air roof, replace 200 amp electrical panel with new.	Under Review	Bldg. - Plancheck			ao
54	Wilkie	476-A	Hill St.	3/26/20	B20-0057	ATTACHED ADU - Convert existing attached garage to 344 sf Accessory Dwelling Unit.	Correction letter sent 4/30/20.	Bldg. - Approved 4/8/20			nh
55	Duffy	2865	Ironwood Ave	4/24/23	B23-0087	Addendum #1 to permit B22-0201 - 1. Lower floor existing 2x4 exterior walls were shown in new plan as 2x6, but were not shown as being "demo'd". 2. Additional SF has been built inside garage space. 3. Structural beams and corresponding footing in slab removed.	Disapproved 4/27/23	Bldg. - Disapproved 5/1/23			st
56		2990	Ironwood Ave	3/2/23	B22-0285	DIGEPLAN - New three story SFR - 3799 sf living, 926 sf attached garage, with 2nd and 3rd floor decks totaling 210 sf, 562 sf covered patios and 535 sf under floor storage area.	Disapproved 3/9/23	BLDG. - Disapproved 3/27/23			GC
57	Johnston	2781	Juniper Ave.	6/2/21	B21-0094	New 463 sf 2nd story deck at rear of existing SFR, also replace five existing windows with three new sliding glass doors.	planning disapproved 6/3/21. Planning approved resubmittal 7-20-21.	Ready to issue			sg
58	Cook	2941	Juniper	10/26/22	B22-0243	Demo unpermitted studio at lowest level of existing SFR and convert that space with additional underfloor space to create new workout area, bathroom, theatre, storage, and stairs to access upper levels adding approx. 906 sf to SFR.	Planning approved 10/31/22	Ready to issue			SG
59	Tarver	671	Kern Ave	12/22/22	B22-0271	DIGEPLAN: New 255 SF attached Accessroy Dwelling Unit (ADU)	Planning resubmittal approved 4/5/23	Ready to issue			gc
60	Cia	2551	Koa Ave.	2/23/22	B22-0038	New 3 bed 2.5 bath SFR w/attached 2-car garage.	Planning Approved resubmittal 6/28	Ready to issue			gc
61	Daniels	964	Las Tunas St.	8/3/21	B21-0133	Remodel the laundry room & add a bedroom, bathroom & hallway to the back of existing home in phase I. Phase 2, build a detached garage	Planning approved 5-12-22	Bldg. - Approved 5/16/21			sg
62	Kevorkian	2615	Laurel Ave.	1/10/23	B23-0005	Addendum #1 to B22-0183, Change the deck configuration to reduce square foot to below existing square foot.	Planning disapproved and sent incomplete comment letter on 1/27/23.	Bldg. - Approved 1/17/23			gc
63	Elliott	2620	Laurel Ave.	4/14/22	B22-0082	New SFR 2.5 story with attached garage.	Planning disapproved 4/16/22. Resubmittal disapproved 6/25/22. Planning approved 7/21/22	Ready to issue			nh
64	Novell/Johnson	273	Main	2/23/23	B23-0038	DIGEPLAN - 73 sf stairway addition to existing home to create interior connection between the upper and lower floors.	Planning disapproved 3/6/23. Waiting on resubmittal. Cj	BLDG. - Disapproved 3/2/23			cj
65	Peter	890	Main St.	2/13/19	B19-0026	ADA and parking lot improvements. ADA stall to be relocated closer to street and make van accessible.	Approved on 3/1/19 - sg	Bldg. - Approved 2/27/19	Disapproved on 4/15/19		sg
66	Sonic	1840	Main St.	10/17/17	B-	Sonic Drive-in Restaurant, 1395 sf building, 1020 sf covered patio, 2646 sf covered parking	Corrections sent 12-8-17. Resubmitted 3-2-18. Application incomplete and corrections sent 4-5-18. Resubmittal received and unaddressed corrections sent back 7-19-18. Project required to underground utilities. Utility plan and coordination with public utilities in process. cj. Requested permit extension. Awaiting resubmittal. Requested Permit Extension. Planning permit extension requested and granted to allow new permit expiration of April 2021. Emailed applicant 3-19-2021 advising them of permit expiration date and extension opportunities. No recent activity. Planning permit expires 4/18/2023.	BLDG - Disapproved by California Code Check (contract building inspection services (see memo) on 7-23-18. PB	Disapproved by jb on 11-21-17.	1-2-18 - Emailed BLDG (code ck) comments to architect. PB	cj
67	CenCal Enterprise, INC	2030	Main St.	9/21/22	B22-0232	The scope of work has changed. Applicant is now proposing to convert an existing space into an office space, and staff is awaiting the withdrawal of MIN22-005 to proceed with the Building Permit review process.	Planning approved 1/11/23	Bldg. - Disapproved 11/15/22			gc

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
68	Timothy and Allyson Cleath Family Trust	2790	Main St	11/8/22	B22-0248	Addendum to B22-0106, Modification to drain collection for parking lot. Sheets C-3 and C-4 revised. No change in flow to the bioswale per attached statement from civil engineer.	Approved 11-10-22. nh	Bldg - Approved 11/8/22			nh
69	Hauser	311	Mindoro St	1/3/23	B23-0001	Remove existing second floor cantilevered deck (615 sf), replace with (187 sf) deck.	Planning approved 2/3/23	Ready to issue			sg
70	Jennings	1195 A	Monterey	5/4/23	B23-0112	Build an attached 908 sf ADU on the west side of a SFR.	Planning approved 6/1/23	Bldg. - Disapproved 6/26/23			
71	Peterson	390	Morro Bay Blvd.	4/6/23	B23-0070	Addendum #1 to permit B22-0171 - Omit lower level windows in (E) openings from eastern elevation, add upper level windows in (E) openings. Add new window on northern elevation in (E) opening where ATM was formerly located.	Planning approved 4/6/23	Ready to issue			nh
72	Orrom Properties	507	Morro Bay Blvd.	4/17/23	B23-0080	Install separation wall between this until and 828 Napa Ave, add accessible entry door and restroom.	Planning - Disapproved 4/20/23	Bldg. Approved 6/20/23			nh
73	JP Morgan Chase Bank	595	Morro Bay Blvd.	3/31/22	B22-0060	Installation of one solar carport, 99' 3 1/16" X 16' 7 3/8", with 15 modules, wall mounted PV equipment and four carport mounted lights, located in the existing Chase Bank parking lot.	disapproved 4/7/22	Bldg. - Disapproved 5/17/22			am
74	Mollaghaffari & Hawes	427	Oahu St.	5/5/22	B22-0087	New 2nd floor single family residence, 1048 sf living, with a 258 sf 2nd story deck, and 255 sf single car garage. (The garage and an ADU make up the 1st floor level, see permit B22-0088 for attached ADU).	Planning disapproved 5-12-22. Planning approved 1/20/23	Ready to issue			nh
75	Mollaghaffari & Hawes	427-A	Oahu St.	5/5/22	B22-0088	Attached ADU - 702 sf Accessory Dwelling Unit.	Planning disapproved 5-12-22/ Planning approved 1/20/23	Ready to issue			nh
76	Dowty	580	Olive	3/7/23	B23-0049	Removal of an existing 461 sf detached garage and construction of a new 1051 sf ADU.	Planning disapproved 4/4/23. Resubmitted 6/8. Planning approved 6/13	BLDG. - Apporved 6/12/23			st
77	Currey	154	Orcas St.	3/23/22	B22-0062	Remodel & additions to kitchen, entry, & masterbedroom.	Disapproved 4/11/22 Resubmitted 11/22. Planning approved 12/8	Bldg. - Approved 12/1/22			gc
78	Currey	154-A	Orcas St	3/23/22	B22-0063	171 sf addition as an ADU	Disapproved 4-11-22	Bldg. - Approved 12/1/22			sg
79		965	Pelican	2/27/23	B23-0044	Addition to existing bathroom for a shower, 42 sf. Also reconfiguring existing bathroom.	Planning disapproved 3/2/23	BLDG. - Approved 3/2/23			st
80	Appel	400-A	Pico St	8/18/21	B21-0149	Convert existing garage to an ADU without changing the footprint of the garage.	Approved 8/25/21	Bldg. Disapproved 9/10/21			am
81	Lee	684	Piney Way	9/10/20	B20-0168	Demo existing detached 416 sf work shed with bathroom & reconstruct new 416 sf garage/shop with electrical, keeping existing bathroom on existing slab/foundation.	Planning disapproved 9/15/20. Requires a Admin CDP and Parking Exception prior to review and approval of the building permit. Planning disapproved resubmittal 2/24/21.	Bldg. - Disapproved 3/1/21			nh
82	Giannini	750	Radcliff Ave.	7/22/19	B19-0156	Remove three existing panel antennas, three radio and replace with three radio intergrated antennas and assoicated cabling. Install equipment expansions to the top of existing cabinets (approx 1'2') with associated electrical wiring.	Approved 9/26/19.	Ready to issue			cj
83	Nagy	646	Sequoia Ct.	4/20/22	B22-0085	New 2-story SFR, 3513 sf living, 1220 attached basement level garage, and 1156 sf covered patio.	Planning disapproved - project needs resubmittal to include conditions of approval and more detailed lanscape plan. Planning approved July 5, 2022.	Ready to issue			nh

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
84	Hanton	425	Shasta Ave	1/17/23	B23-0004	DIGEPLAN - Enclose the current breezeway to create a new 90 sf entry, a 350 sf addition creating a primary suite and bathroom, also create a valuted space in the existing garage by removing roof and replace with new composition roof.	Planning disapproved 2/16/23	Bldg. Disapproved 2/14/23			gc
85	Parker	580	Shasta Ave	8/31/20	B20-0159	Add new detached garage	Planning under review. Planning disapproved 9/8/20. Need resubmittal	Bldg. - Disapproved 9/14/20			nh
86		242	Surf St	2/23/23	B22-0282	DIGEPLAN - Demo existing 340 sf detached non-conforming garage and construct new 232 sf conforming garage with new 380 sf Accessory Dwelling Unit (ADU) atop and along side of new garage.	Planning disapprove 3/17/23. Planning approved 4/20/23	BLDG. - Approved 6/12/23			NH
87	Regan	429	Tulare Ave.	5/27/22	B22-0106	531 sf second floor addition that includes a study and bathroom, stairwell and a 200 sf second story deck.	Planning Approved 6/7	Ready to issue			gc
88	Morro Bay Ventures	201	Verdon Ct.	1/4/23	B22-0273	DIGEPLAN - New single story, single-family residence, 2,361 sf living, with 483 sf covered porch and a 450 sf attached garage.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Approved 7/20/23			nh
89	Morro Bay Ventures	202	Verdon Ct.	1/4/23	B22-0277	DIGEPLAN - New single story, single-family residence, 2,361 sf living, with 483 sf covered porch and a 450 sf attached garage.	Planning disapproved 2/2/23. Planning approved 7.26.23	Bldg. - Approved 7/20/23			nh
90	Morro Bay Ventures	205	Verdon Ct.	1/4/23	B22-0274	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage. See permit B22-0279 for attached ADU.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Conditionally Approved 7/20/23			nh
91	Morro Bay Ventures	205-A	Verdon Ct.	1/4/23	B22-0279	DIGEPLAN - New 517 sf attached Accessory Dwelling Unit (ADU). See permit B22-0274 for new SFR.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Conditionally Approved 7/20/23			nh
92	Morro Bay Ventures	206	Verdon Ct.	1/4/23	B22-0276	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Approved 7/20/23			nh
93	Morro Bay Ventures	210	Verdon Ct.	1/4/23	B22-0275	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage. See permit B22-0280 for attached ADU.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Conditionally Approved 7/20/23			nh
94	Morro Bay Ventures	210-A	Verdon Ct.	1/4/23	B22-0280	DIGEPLAN - New 517 sf attached Accessory Dwelling Unit (ADU) - See permit B22-0275 for new SFR.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Conditionally Approved 7/20/23			nh
<b>Planning Projects &amp; Permits with Final Action:</b>											
95	Shaw	520	Mimosa	12/20/2022	MUP22-07	Small two story addition to existing residential duplex unit	Review complete, project deemed complete and scheduled for public notice period followed by Administrative decision. Public notice period will be complete on July 27, 2023, with an administrative decision on the permit following. Permit issued 7-28-23, no appeal filed.				nh
96	Luhr	1140	Allesandro Ave	1/20/2022	CUP22-06 / CDP22-004/ TTM22-04	Live/work mixed use, new construction of 5 residential units and 2 commercial units	Comment letter provided 2/13/22. Project deemed complete - processing will continue once Vesting Tentative Map submittal is complete. Vesting map submittal received May 12, 2022. Planning sent comment letter on 5/28/22, requires resubmittal. Resubmittal received with tentative tract map submittal on August 9, 2022, under review. PW disapproved the VTM, comment sent to applicant on 9-17-22, requires a resubmittal of the VTM. Applicant working with Public Works on some design issues in the public right of way. Once resolved, resubmittal required with any changes. VTTM approved by PW, planning will deem project complete and schedule for PC hearing. Scheduled for PC hearing on August 1, 2023. PC approved project with added conditions and recommendations. Permit issued 8/1/23.	BLDG. - Approved 2/14/22 CO			nh
97	Nance	595	Morro Bay	2/7/2023	CDP23-003	Admin CDP for installation of one solar carport located in the existing Chase Bank parking lot.	Under review, incomplete letter sent 2/28/23, resubmittal on 4/17. Incomplete letter sent 5/11, resubmit on 6/21. Incomplete letter sent 7/10, resubmittal 7/17. Noticing period began 7/20. Administrative decision will occur 8/1. Project approved 8/1. CC Appeals period over 8/15.	BLDG. - 2/16/23 CO			gc/st

#	Applicant/ Property Owner		Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Staff Directory:										
Scot Graham - sg	Chad Ouimet - co		Cindy Jacinth - cj	Pam Newman - pn	Nancy Hubbard - nh	Susana Toner - st	Alex Ortega - ao			



AGENDA NO: B-1

MEETING DATE: August 15, 2023

## Staff Report

**TO:** Planning Commissioners

**DATE:** August 15, 2023

**FROM:** Scot Graham, Community Development Director  
Nancy Hubbard, Contract Planner

**SUBJECT:** Objective Design Standards – Proposed Zoning Code Amendment - New standards for inclusion as Zoning Code Chapter 17.31. **Hearing Continued from May 16, 2023, June 6, 2023, and July 18, 2023.**

### **RECOMMENDATION:**

Forward a favorable recommendation for approval of the updated Objective Design Standards (ODS) as Chapter 17.31 of the 2022 Zoning Code to City Council with finding that no further environmental review is required pursuant to State CEQA Guidelines Section 15162.

### **DISCUSSION:**

The Planning Commission (PC) held public hearings on May 16, 2023, June 6, 2023, and July 18, 2023 to review and propose modifications to the draft ODS implementation policy. Each public hearing included a presentation, questions and answers about the proposed ordinance, public comment and a lengthy discussion by the Planning Commissioners. At the July 18, 2023, hearing, the Planning Commission proposed several revisions to the ODS ordinance, and all changes agreed upon by a majority of the commission have been incorporated into the updated version of the ODS. An updated clean version of the ODS document, together with a cover memo that includes a chart showing the requested revisions/changes and identifying how the edits were incorporated into the document, is included as Attachment C. A track change version of the ODS document is provided as Attachment D to the Staff report. The updated version of the ODS will be forwarded to City Council and once approved, will become a part of the pending new zoning code.

### **CONCLUSION:**

The ODS is in final form and includes the updates and changes recommended by and agreed upon by a majority of the Planning Commission. Upon a majority vote, this ODS ordinance will be forwarded to City Council for review and approval for inclusion as an amendment to the 2022 Zoning Code. Coastal Commission has confirmed the ODS will not be part of the Coastal Implementation Plan and therefore, will go into effect 30 days after the City Council adoption of the Ordinance update.

Prepared By: \_\_\_NH\_\_\_

Department Review: \_\_\_\_\_

**ATTACHMENTS:**

- A. Resolution 09-23 forwarding recommendation for approval to City Council
- B. Unedited March 2023 draft Objective Design Standards
- C. RRM cover memo with list of changes requested together with the updated draft Objective Design Standards revised to reflect the PC suggestions.
- D. Track Change version of the ODS
- E. Link to May 16, 2023, Planning Commission agenda and staff report (pages 121 – 123)  
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6171>
- F. Link to June 6, 2023, Planning Commission agenda and staff report (pages 37-58)  
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6188>
- G. Link to July 18, 2023, Planning Commission agenda and staff report (pages 11-30)  
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6242>

RESOLUTION NO. PC 09-23

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE MORRO BAY CITY COUNCIL FOR ADOPTION OF OBJECTIVE DESIGN STANDARDS FOR INCLUSION AS SECTION 17.31 OF THE MORRO BAY MUNICIPAL CODE AND AMENDMENT TO THE 2022 ZONING CODE WITH A FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO STATE CEQA GUIDELINES SECTION 15162

**WHEREAS**, California Government Code Section 65300 requires the City adopt a comprehensive, long-term general plan for the physical development of the City; and

**WHEREAS**, Government Code Section 65860 requires that the city's zoning regulations be consistent with the General Plan and that in the event that zoning regulations become inconsistent with the general plan by reason of amendment to the General Plan, the zoning shall be amended so that it is consistent with the General Plan as amended; and

**WHEREAS**, in May 2021 the City adopted a comprehensive update to its General Plan and Local Coastal Program Coastal Land Use Plan (LCP) known as Plan Morro Bay; and

**WHEREAS**, on November 22, 2022 the City Council adopted Ordinance 654 which repealed and replaced Title 17 of the Morro Bay Municipal Code in its entirety and adopted the 2022 Zoning Code / Coastal Implementation Plan (IP) (also referred to herein as "Project"); and

**WHEREAS**, amendments to the Morro Bay Municipal Code (MBMC), including its zoning regulations, are necessary to provide consistency with the 2021 General Plan/LCP Update; and

**WHEREAS**, the city determined that the General Plan /LCP Update, including the Plan Morro Bay's Zoning Code/ Coastal Implementation Plan (IP) Update was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq. and that an Environmental Impact Report (EIR) should be prepared to evaluate the potential environmental effects of the Project; and

**WHEREAS**, on May 26, 2021, the City Council adopted Resolution 20-21, certifying the EIR for the General Plan Update (State Clearinghouse Number SCH#2021111026), adopting Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and

**WHEREAS**, amendments to the MBMC are necessary in order to provide consistency between the General Plan/LCP and MBMC;

**WHEREAS**, duly noticed public hearings for the Public Draft of the Objective Design Standards Zoning Amendment was held by Planning Commission on May 16, 2023 and continued to June 6, 2023 and July 18, 2023; and

**WHEREAS**, the Planning Commission of the City of Morro Bay (the “City”) held a third continued public hearing on August 15, 2023 conducted in a hybrid format with both an in-person meeting at the Morro Bay Veterans Memorial Building, 209 Surf Street, Morro Bay, CA 93442 as well as through virtual public participation provided telephonically through Zoom, for the purpose of considering a favorable recommendation to the Morro Bay City Council for adoption of the Objective Design Standards as a Zoning Code Amendment to be included as Title 17.31 of the Morro Bay Municipal Code and included as an amendment to the 2022 Zoning Code (“Project”); and

**WHEREAS**, notice of the public hearing was provided at the time and in the manner required by law; and

**WHEREAS**, the Planning Commission has duly considered all evidence, including the written and oral staff report, presentation, public testimony on the Project, and whether the Project should be adopted; and

**WHEREAS**, the written staff report regarding the Project are found to be true and accurate in all respects and is incorporated herein by this reference;

**WHEREAS**, the Planning Commission has completed review of the Project and related materials.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Morro Bay recommends that the City Council approve the inclusion of the Objective Design Standards, updated to include the Planning Commission recommended changes, as Section 17.31 of the Morro Bay Municipal Code and Amendment to the 2022 Zoning Code based upon the following findings:

Section 1: California Environmental Quality Act

Finding: No further environmental review is required pursuant to State CEQA Guidelines Section 15162.

Evidence: The proposed Objective Design Standards to be added as amendment to the 2022 Zoning Code implements the General Plan/LCP, which was considered through the General Plan /LCP Update Environmental Impact Report (EIR) (SCH No. 2021111026). That document provides a programmatic review of the potential impacts associated with implementation of the overall General Plan/LCP. The EIR is comprised of a Draft EIR (Draft EIR) and Final EIR (Final EIR). The Final EIR was released for public review on October 19, 2020, and certified by the City Council on May 25, 2021.

The proposed Objective Design Standards as a Zoning Code amendment are consistent with the analysis presented in the EIR and, pursuant to State CEQA Guidelines Section 15162, no subsequent analysis is required.

Therefore, there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR, and no further environmental review is required.

Section 2: Municipal Code (Zoning Code Update) Amendment

Finding: The proposed municipal code amendment is consistent with the General Plan goals, policies, and implementation programs and are necessary in order to provide consistency with the 2021 General Plan.

**ACTION.** The Planning Commission does hereby forward a favorable recommendation to the City Council to adopt the Objective Design Standards, with the Planning Commission recommended changes, as new Section 17.31 of the Morro Bay Municipal Code and include as an amendment to the 2022 Zoning Code for the Plan Morro Bay Update Project.

**PASSED AND ADOPTED** by the Morro Bay Planning Commission at a regular meeting thereof held on this 15<sup>th</sup> day of August 2023 on the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Bill Roschen, Chairperson

ATTEST:

\_\_\_\_\_  
Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted on this 15<sup>th</sup> day of August 2023.

## Chapter 17.31: Residential and Mixed-Use Objective Design Standards

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17.31.010	Introduction
17.31.020	Site Design
17.31.030	Building Design
17.31.040	Additional Mixed-Use Standards
17.31.050	Parking Structures
17.31.060	Utilitarian Elements

### 17.31.010 Introduction

- A. **Purpose.** The purpose of these design standards is to provide the public, building and design professionals, and decision-makers with objective criteria for eligible residential and mixed-use development in Morro Bay. The intent is to provide clear design direction and an expedited planning process for residential projects that enhance an area’s unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high-quality living environment.
- B. **Applicability.** The provisions of this chapter apply to:
1. **Senate Bill 35 projects (California Government Code §65913.4).** In addition to criteria established by the California Government Code, the project must be a multi-unit housing development containing at least two or more new residential units, or a mixed-use project where at least two-thirds of the square footage is dedicated to residential use. SB 35 projects are subject to a ministerial, streamlined approval process.
  2. **Senate Bill 330 projects (California Government Code §65589.5 and §65920).** In addition to criteria established by the California Government Code, the project may be residential only, mixed use where at least two-thirds of the square footage is dedicated to residential use, or transitional, supportive, emergency, or farmworker housing. SB 330 projects are entitled to a preliminary application process prior to filing a complete application.
  3. **Assembly Bill 2011 projects (California Government Code §65400 and §65585).** In addition to criteria established by the California Government Code, the project must be located within a zone where office, retail, or parking is principally permitted use. AB 2011 projects are subject to a ministerial, streamlined approval process.
  4. **Assembly Bill 2162 projects (California Government Code §65583 and §65650).** In addition to criteria established by the California Government Code, the project must be a supportive housing development located in a zone where multi-unit or mixed use is permitted.
  5. **Senate Bill 6 projects (California Government Code §65913.4 and §65852.24).** In addition to criteria established by the California Government Code, the project must be located within a zone where office, retail, or parking is a principally permitted use; and no part of the project is designated for hotel, motel, or other transient lodging use.

Exhibit B  
CITY OF MORRO BAY  
OBJECTIVE DESIGN STANDARDS  
PUBLIC REVIEW DRAFT – MARCH 2023

6. All proposed new by-right multi-unit residential and mixed-use projects of 10 residential units or fewer.
  7. All other residential or mixed-use projects are made eligible by State law, and which are required to meet objective standards.
- C. **Compliance with Existing Standards.** In addition to meeting objective standards in this chapter, eligible residential projects shall comply with existing objective standards as established in the Morro Bay Municipal Code, other adopted City plans, and the California Building Code (CBC).
- D. **Conflicting Standards.** If there is any conflict between these objective design standards and existing City requirements, the less restrictive objective design standard applicable to the project shall apply.
- E. **Exceptions, Waivers, or Modifications.** Residential and mixed use projects seeking exceptions, waivers, or modifications to any development standards set forth in the Morro Bay Municipal Code or the design standards set forth in this chapter, excluding modifications such as concessions, incentives, parking reductions, or waivers of development standards pursuant to State Density Bonus Law, shall not be eligible for streamlined, ministerial processing per SB 35. The City’s non-streamlined, discretionary review process shall be required for any project that seeks exceptions, waivers, variances, or other modifications to objective standards.
- F. **No Design Review.** Eligible housing development projects complying with the objective standards in this chapter shall not be subject to the provisions of Chapter 17.38, Design Review.

**17.31.020 Site Design**

- A. **Purpose.** Site planning refers to the arrangement of - and relationships between - buildings, parking areas, common and private open space, landscaping, and pedestrian connections. The site planning topics in this section include site layout and building placement, vehicular surface parking and access, pedestrian circulation and access, landscaping, and common and private open space.
- B. **Building Placement and Orientation.** Building placement and orientation shall comply with the provisions of Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed-Use Districts. In addition, if buildings on the same block establish a contiguous street wall along at least 50 percent of the primary street frontage, new buildings shall be located to maintain the contiguous street wall.
- C. **Vehicular Parking and Access.** Off-street vehicular parking and access shall comply with the provisions of Chapter 17.27, Parking and Loading. For properties in Commercial and Mixed-Use Districts, projects shall also comply with Section 17.08.040, Supplemental Regulations. In addition, projects shall comply with the following:
1. **Primary Access.** Side street or alley access shall serve as the primary vehicular access to off-street parking areas, if available. If not available, the primary street shall serve vehicular access. See Section 17.27.100, Driveways and Drive Approaches, for detailed standards related to driveway location, site layout, limits to driveway width and design.

Exhibit B  
CITY OF MORRO BAY  
OBJECTIVE DESIGN STANDARDS  
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2. **Number of Access Points.**

- a. For interior lots with less than 100 linear feet of street frontage, a maximum of one vehicle access point from the street is permitted. For interior lots with 100 linear feet or more of street frontage, a maximum of two vehicular access points from the street is permitted.
- b. For corner lots, one vehicular access point is permitted where both street frontages are less than 100 linear feet. Two vehicular access points are permitted for lots where at least one street frontage is 100 linear feet or more.
- c. The above standards assume that an access point can be a two-way connection (both ingress and egress) or a one-way connection (either ingress or egress).

**FIGURE 17.31.020(C)(2): VEHICULAR ACCESS POINTS**

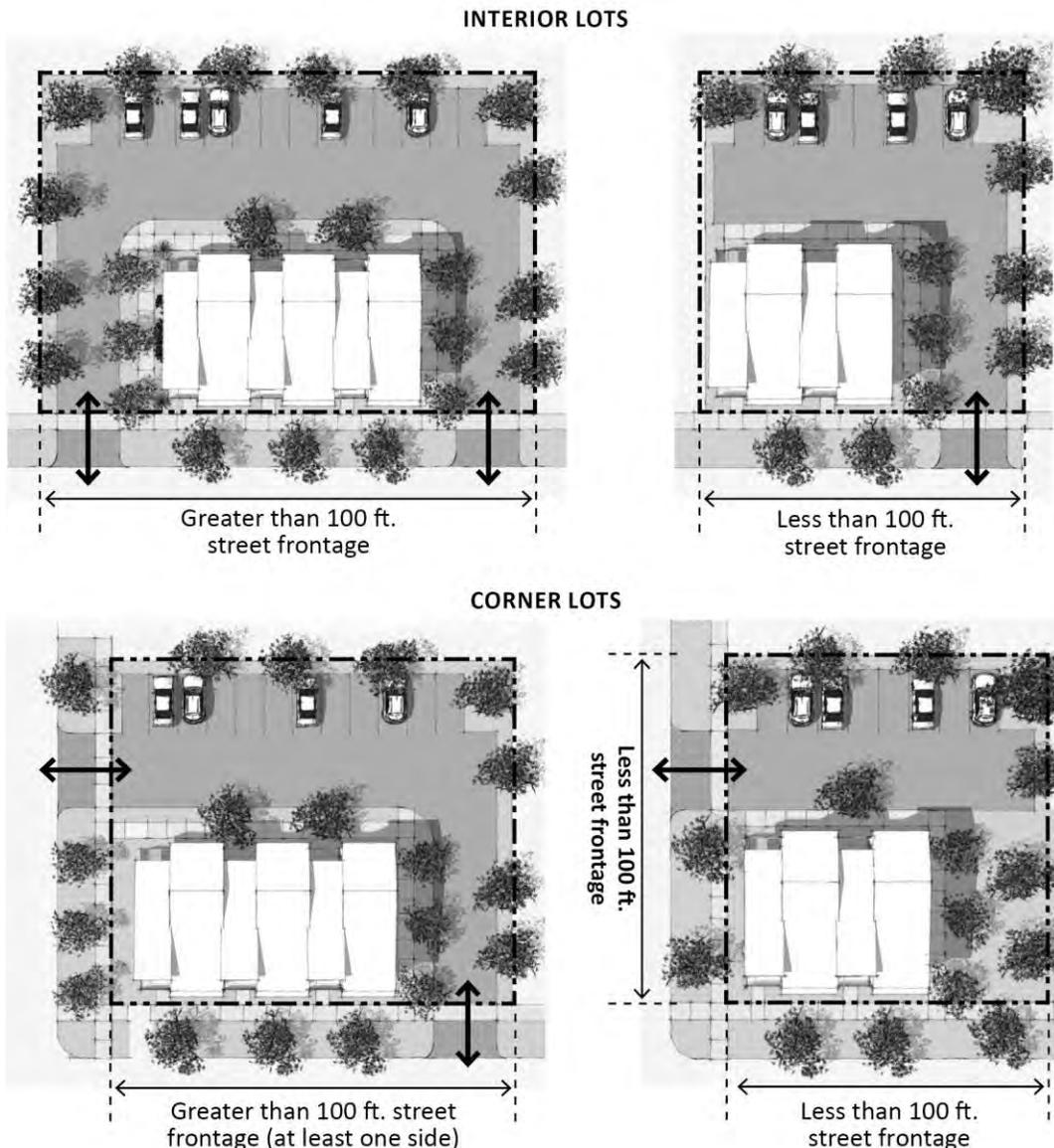


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3. **Loading and Service Areas.** The provision, layout and design of loading and service areas shall comply with Section 17.27.090, Loading, as well as the following standards:
    - a. All required loading and service areas shall be located adjacent to a façade other than the primary building frontage.
    - b. Loading and service areas shall not be located adjacent to residential dwelling units or common open space areas. Loading areas shall be screened from public view by building walls and/or uniformly solid fencing or walls, not less than six feet in height, or evergreen trees at least 10 feet in height.
  4. **Avoid Vehicle Light Intrusion into Ground-Floor Units.** Vehicle parking areas shall be located, oriented, and/or screened so that no vehicle lights enter into ground-floor residential spaces, including private open space.
- D. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided according to the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts). See Section 17.27.110, Parking Area Design and Development Standards, for requirements involving pedestrian access to vehicle parking areas. The following additional standard also apply:
1. **Enhanced Paving for Building Entrances.** Primary building entryways shall provide decorative and accent paving that contrast in color and texture from any adjacent pedestrian walkway surfaces.
- E. **Common and Private Open Space.** Common and private open spaces shall be provided according to the base zoning district regulations in Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed Use Districts. Section 17.23.100, Open Space, contains objective standards regarding minimum dimensions, usability, and accessibility for both private and common open space. In addition, the following standards apply:
1. **Common Open Space.** Common open space shall be provided according to Section 17.23.100, Open Space, and shall comply with the following:
    - a. **Amenity Types.** Where required by the base zoning district, projects shall provide at least one common open space through the following amenities: play areas, common courtyards, patios, gathering spaces, multi-use paths and trails, athletic/recreational facilities, dog runs and enclosures; pools and spas; and community gardens. An applicant may provide common open space through an amenity not on this list if it is readily accessible by all residents for recreation and social purposes.
    - b. **Visibility.** Common open space shall be located and arranged to allow visibility into the space from pedestrian walkways within the development. Fencing or barriers shall be designed with opaque, nontransparent materials for a maximum of 80 percent of the surface area, to allow some visual transparency between the common open space and pedestrian walkways.
  2. **Private Open Space.** Private open space shall be provided according to Section 17.23.100, Open Space, and shall be screened with one of the following options:
    - a. **Screening with Structural Elements.** A private open space may be screened by a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls.

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- b. *Screening with Landscaping and Structural Elements.* A private open space may be screened by a landscape buffer or dense evergreen shrubs/vines of minimum 5 feet width and 4 feet height, and a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls. If a ground-level private open space is visible from a public right-of-way or common open space, a landscape buffer is required.

F. **Landscaping.** Landscaping shall be utilized for all outdoor areas that are not specifically used for parking, driveways, walkways, or open space. Refer to Chapter 17.25, Landscaping, for regulations applicable to all new development. In addition, projects within the Coastal Resource Protection (CRP) Overlay District shall comply with relevant regulations in Chapter 17.14, Coastal Resource Protection Overlay District. For landscaping requirements in vehicular parking areas, refer to Section 17.27.110, Parking Area Design and Development Standards. In addition, the following standards apply:

1. **Pedestrian Walkways.** Pedestrian walkways shall be flanked on both sides with landscaping, and may include a mix of turf, groundcover, or shrubs. Both sides of walkways shall provide trees spaced to shade at least 25 percent of the overall walkway length at maturity.
2. **Number of Plants.** A minimum of one 15-gallon tree or equivalent box size and 10 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
3. **Plant Selection.** Projects shall comply with water efficient planting standards of Section 17.25.050, General Requirements. Plants shall be selected from plants that are native to California, or plants included on the City’s Street Tree List. In addition, tree and plant species that attract and provide habitat for local fauna (e.g., birds and pollinators such as bees and butterflies) are encouraged. Artificial or synthetic plants, except for turf, are prohibited.
4. **Privacy.** Landscaping shall be provided as a buffer between adjacent individual units. Landscaping shall obscure direct sight lines, and may be used in combination with walls, fencing, and/or trellises to screen views. Plant selection and landscape screening container size shall be selected to achieve at least 50 percent of this height within three years of installation.

**FIGURE 17.31.020(F)(1): PEDESTRIAN WALKWAYS**



Trees spaced to shade at least 25% of the overall walkway length at maturity

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**17.31.030 Building Design**

- A. **Purpose.** Building design incorporating variations in form, massing and façade articulation provides human scale and visual interest to a building and contributes to Morro Bay’s eclectic character and architectural diversity. Topics in this section include building massing, scale and form, façade articulation, roof forms, building and unit entryways, fenestration, parking structure design, and building materials and colors.
- B. **Building Form, Massing, and Façade Articulation.** Building form, massing and façade articulation facilitate the distinction of individual units, or groups of units, through varied heights, projections, setbacks, and recesses. Materials and colors emphasize changes and hierarchy in building form.
1. **Building Form and Vertical Hierarchy.** Buildings shall be designed to differentiate between a defined base; a middle or body; and a top, cornice, or parapet cap. Buildings two stories or less shall include a defined base and a top, cornice, or parapet cap. This effect shall be achieved through incorporating at least two of the following design elements for all buildings:
    - a. Color, texture, or material changes.
    - b. Variations, projections, or reveals in the wall plane.
    - c. Variations in fenestration size or pattern.
    - d. Decorative architectural details such as cornices and columns.

**FIGURE 17.31.030(B)(1): BUILDING FORM AND VERTICAL HIERARCHY**

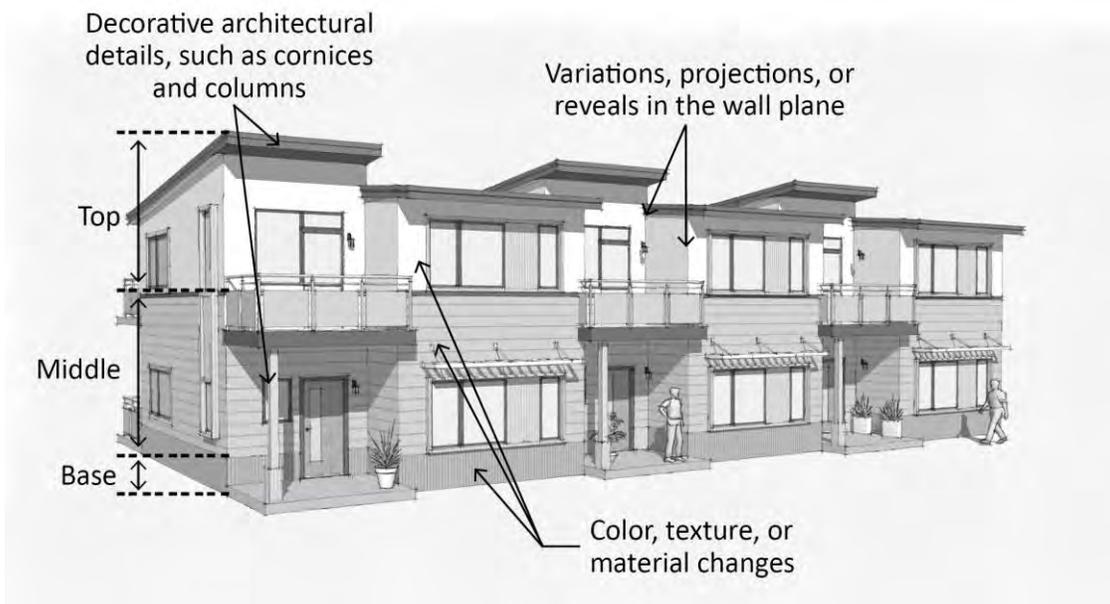


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2. **Wall Plane Variation.** See Section 17.07.040, Supplemental Regulations, for building façade articulation in residential zoning districts. For mixed use projects, see Section 17.31.030 in this chapter.
3. **Four-sided Architecture.** Buildings shall be designed and articulated with common details, articulation, materials, and elements on all sides.
4. **Corner Architectural Features.** Buildings shall incorporate architectural features at corners such as towers, primary entries, enhanced materials, or roof projections to create a sense of hierarchy.
5. **Corner Facade Articulation.** Buildings located on the corner of two streets, and greater than one story, shall include one or more of the following features on both of the intersecting façades, located within 25 feet of the corner of the building:
  - a. An entry to ground-floor use or a primary building entrance.
  - b. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade.
  - c. The area encompassed within 25 feet of the corner of the building shall have a change in height of at least 5 feet.

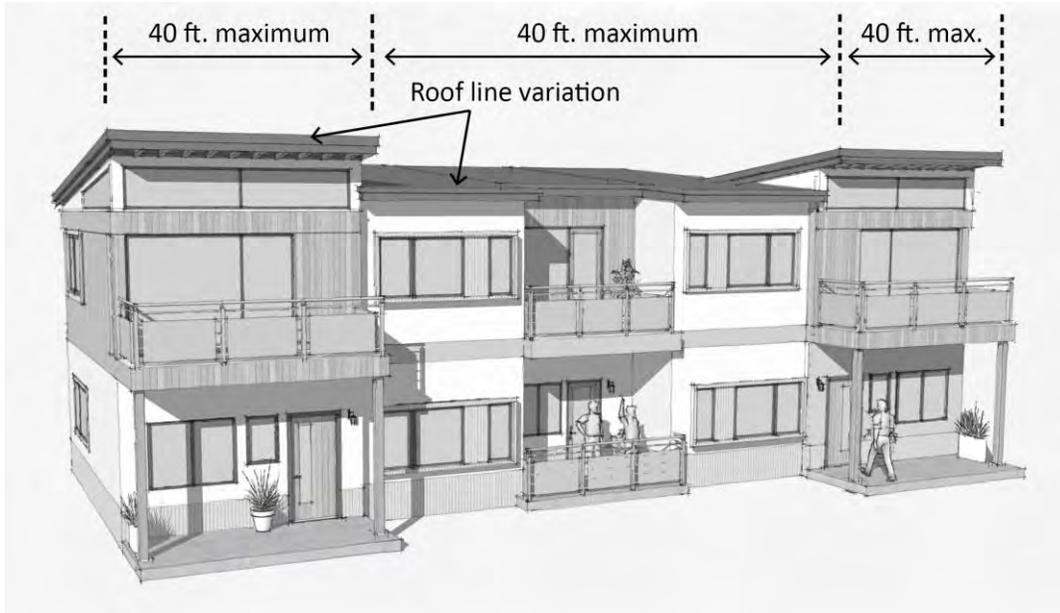
**FIGURE 17.31.030(B)(5): CORNER FACADE ARTICULATION**



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6. **Roof Line Variation.** Roof lines shall not extend more than a length of 40 feet without at least one prominent change as described below:
- a. Provide variation in roof form, such as hip, gable, shed, and flat with parapet.
  - b. Provide variation of roof height of at least 18 inches (as measured from the highest point of each roof line).

**FIGURE 17.31.030(B)(6): ROOF LINE VARIATION**

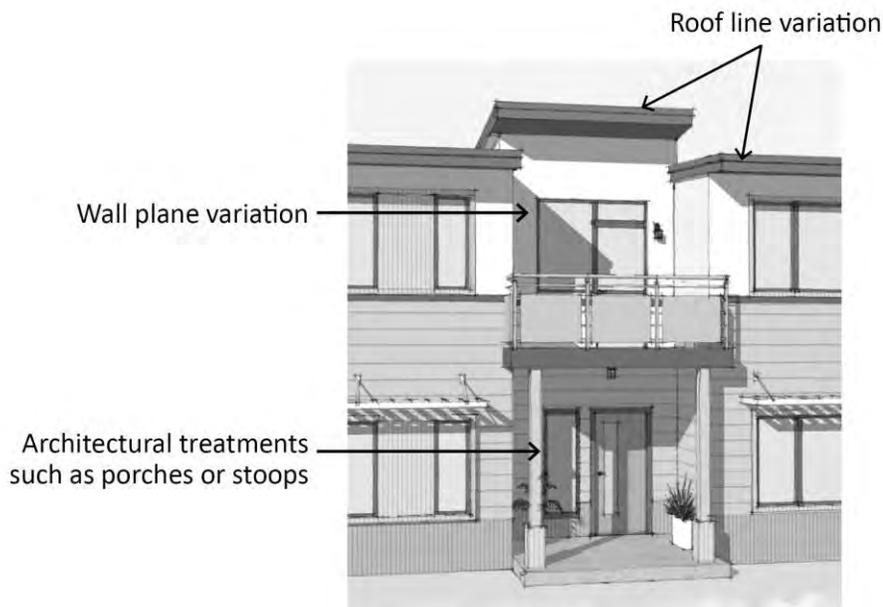


7. **Flat Roofs and Parapets.** Parapets shall be provided around the perimeter of a flat roof and shall be a minimum of six inches taller than all rooftop equipment.
- a. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.
  - b. Parapets shall be capped with precast treatment, continuous banding, or projecting cornices, dentils, or similar edge treatment.
- C. **Building and Unit Entrances.** Entrance orientation and design shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts). The following additional standards also apply:
1. **Primary Residential Building Entrances.**
    - a. **Street-Facing Entry.** Residential buildings located adjacent to the primary street shall have a ground-level common entry facing the primary street unless units are accessed by individual entries.

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- b. *Building Entry Architectural Treatments.* Common building entries shall be differentiated from the main façade through at least two of the following:
- i. Roof above the entry incorporating a change in roof line of at least 18 inches.
  - ii. Entry incorporating a variation of wall plane (recessed or projected) a minimum of 2 feet from the adjacent wall planes.
  - iii. Entry incorporating architectural treatments that vary from those on the general facade (e.g., window and/or door trim with substantial depth and detail, decorative siding, porches, stoops).

**FIGURE 17.31.030(C)(1)(B): BUILDING ENTRY ARCHITECTURAL TREATMENTS**



2. *Individual Unit Entrances.*

- a. *Upper-Floor Unit Entry.* Exterior entries to individual units on upper floors are permitted; however, in order to avoid a “motel-style” appearance, no exterior access corridor located above the ground floor may provide access to five or more upper-floor units.
- b. *Non Street-Adjacent Buildings.* Buildings not located adjacent to a street shall have unit front entryways oriented to face common open space areas such as landscaped courtyards, plazas, or paseos.

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**D. Windows.**

1. **Privacy.** Windows facing adjacent buildings shall be offset to avoid direct sight lines into and from neighboring properties. This requirement is waived if opposing windows are adjacent to commercial uses. In addition, windows opposite an adjacent building shall be further screened through one or more of the following:
  - a. Utilize non-transparent or obscured glazing, such as frosted/patterned glass. Reflective glazing is not permitted.
  - b. Provide permanent architectural screens or affixed louvers at windows.
2. **Window Treatment.** All windows shall either be recessed at least 2 inches from the plane of the surrounding exterior wall or shall have trim at least 1/2 inch in depth and 3.5 inches in width. See Section 17.07.040, Supplemental Regulations (Residential Districts).
  - a. *Windows Facing a Public Street.* Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
  - b. *Window Shutters.* Functional and decorative shutters shall be one-half-width of the associated window glazing (for paired shutters), or matching width for a single shutter

**E. Materials and Colors.** Exterior building materials and colors shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts).

1. **Wall Material.** The primary exterior siding material for buildings shall be stone, brick, stucco, concrete block, painted wood clapboard, fiber cement clapboard, or painted metal clapboard.
2. **Window Material.** Window materials, color, and style shall be consistent on all elevations, unless used at an entry way or as an accent feature.
3. **Material Transition.** Changes in material shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.
4. **Awnings.** Glossy finish vinyl awning material is not allowed.

**17.31.040 Additional Mixed Use Standards**

- A. **Façade Articulation.** Building façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 5-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest. Building entrances, front porches, upper-story setbacks, and projections such as stoops, bays, overhangs, fireplaces, upper-story decks and trellises count towards this requirement.
- B. **Ground Floor Transparency.** Refer to Section 17.080.040, Supplemental Regulations, for standards related to exterior walls containing non-residential uses.
- C. **Street-Facing Setbacks.** Where a front setback or street-facing side setback is provided for a mixed use building, it shall be designed for pedestrian orientation with hard surface and amenities. The setback area on each lot shall contain at least two amenities per 50 linear feet such

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as benches, drinking fountains, shade structure, or other design element (e.g. art or sculpture, planters, and kiosks).

D. **Entrances.**

1. **Residential Street-Adjacent Entry.** Mixed use buildings located adjacent to the primary street shall incorporate at least one residential building entrance that directly fronts the public sidewalk or right-of-way and complies with the requirements of Subsection 17.31.030(C)(1).
2. **Commercial Storefronts.** Commercial entrances adjacent to the sidewalk shall be recessed from the façade by a minimum of 2 feet from the rest of the building, creating an alcove.

**17.31.050 Parking Structures.**

- A. **Wall Plane Variation.** Façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 3-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest.
- B. **Materials and Colors.** The parking structure shall utilize the same colors and materials as the primary buildings.
- C. **Articulation.** The exterior of the parking structure shall apply at least one of the following as articulation:
  1. Applied materials such as brick, stone, and/or siding which extend at least two inches from the face of the structure to the face of the applied materials. Painted concrete, smooth concrete, or stucco walls shall not be considered sufficient articulation.
  2. Decorative architectural features such as cut metal screens, awnings, trellises, louvers, and/or decorative security grills shall be used on openings facing a public street or open space.
- D. **Landscaping.** Vertical plantings shall be located between openings, entrances, and architectural accent features. At least one tree shall screen the building façade per 50 feet. Trees shall be selected from California native plants or from the City's Street Tree list. Trees shall be selected to grow to 40 feet in height at maturity, and shall grow to at least 15 feet in height within two years from time of installation.

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**17.31.060 Utilitarian Elements**

- A. **Bicycle Parking.** Bicycle parking shall comply with the provisions of Section 17.27.080, Bicycle Parking.
- B. **Refuse Storage and Collection Areas.** Trash, recycling, and green waste container enclosures are required for residential and mixed use developments. They shall be located within a service section of the primary building, incorporated into the exterior building design, or located within a detached enclosure designed and placed as follows:
  - 1. **Location.** The enclosure shall be located to the rear or side of the building and located outside of view from a public right-of-way.
  - 2. **Screening.** The enclosure shall include a solid wall a minimum of 6 feet in height and a roof structure that fully shields the top of the container, and be located on the site in an area where the screening height required is allowed.
  - 3. **Materials.** The enclosure shall use materials that are consistent with exterior colors and materials of the primary building.
- C. **Fences and Walls.** Fences and walls shall comply with the provisions of Section 17.23.060, Fences and Freestanding Walls. In addition, where fences and walls of different materials or finishes intersect, a column or pilaster shall be provided.
- D. **Lighting.** Lighting shall comply with the provisions of Section 17.23.080, Lighting and Illumination. Projects within the Coastal Resource Protection (CRP) Overlay Zone District shall comply with additional provisions of Section 17.14.090, Visual Resource Protection. Lighting in parking areas shall also comply with Section 17.27.110, Parking Area Design and Development Standards.
- E. **Screening of Mechanical Equipment.** Equipment and utilities shall comply with the provisions of Section 17.23.130, Screening.
- F. **Vents and Exhaust.** All wall-mounted elements shall be located at interior corners of building walls or behind building or screening elements that conceal them from public view. All flashing, sheet metal vents, exhaust fans/ventilators, and pipe stacks shall be painted to match the adjacent roof or wall material and/or color.

# MEMORANDUM

The Morro Bay Planning Commission held public hearings on May 18<sup>th</sup>, June 6<sup>th</sup>, and July 18<sup>th</sup> to consider the public review draft Objective Design Standards. The Objective Design Standards are one component of the City’s SB 2 and LEAP grants to implement Housing Element policy.

City staff and RRM received suggestions for revisions at three hearings as well as a request to provide a revised draft document. The Objective Design Standards document has been revised and published for the August 15<sup>th</sup> Planning Commission agenda item. This accompanying memo provides documentation of all direction for recommendations by a quorum of Planning Commissioners; as well as explanations of how each recommendation was addressed in the revised draft.

Topic, Location, and Suggested Revision	Addressed in August 15 <sup>th</sup> Revised Draft
<p><b>Introduction – Purpose (17.31.010.A, pg. 1)</b> Expand and revise to make language more robust; define what objective standards are, why they are necessary due to State action, and how they relate to other Morro Bay policy documents.</p>	<p>Language has been expanded to more explicitly address how objective design standards are necessary as a result of State housing laws.</p>
<p><b>Introduction – Eligible Projects (17.31.010.B, pg. 1 – 5)</b> Expand the description of each bill, with applicability and eligibility information to be more clear; which projects qualify for process under State legislation.</p>	<p>The description of each bill has been expanded to outline what types of projects are made eligible through State laws. Detailed applicability lists with location and affordability requirements have been incorporated consistent with the California Government Code.</p>
<p><b>Introduction – Eligible Projects (17.31.010.B.6, pg. 5)</b> Remove #6 applicability for all multi-unit residential and mixed use projects of 10 homes or fewer.</p>	<p>This language including applicability for residential projects of 10 homes or fewer has been removed. Commission has been advised that this streamlining provision is intended to implement Housing Element policies as well as 2023-2025 City Goals and Short Term Actions.</p>
<p><b>Procedures</b> Add section on procedures, including clarification that qualifying State-mandated projects go through streamlined processes. If allowed by the State, write provisions to allow for ministerial Planning Commission review of qualifying projects.</p>	<p>The City will be addressing procedures for streamlined, ministerial approvals; however, establishing new city administrative procedure is fully outside of the scope of RRM’s work. Planning Commission comments on procedure have been forwarded to the City Attorney and will be forwarded to the City Council, to ensure eligible projects adhere to the specific time limits, CEQA requirements, and application materials established by each State housing law.</p>

<p><b>Global – Document Graphics</b>                  Simplify graphics by removing specific architectural style elements and detail.</p>	<p>Graphics have been revised to remove some detail and articulation. However, since these graphics are intended to convey design standards, they contain more detail than other graphics found in the rest of the Zoning Code.</p>
<p><b>Vehicular Parking - Parking Location (17.31.020.C.3, pg. 7)</b>                  No parking should be allowed between the street and the building.</p>	<p>New provision added to prohibit location of parking between the street and the building.</p>
<p><b>Vehicular Parking – Parking Gates (17.31.020.C.3.a, pg. 7)</b>                  Add a section that addresses gated parking, and prohibit gates from being located at the access point between the street and the property line.</p>	<p>New provision added to address gated parking and limit location of gates.</p>
<p><b>Common Open Space – Location (17.31.020.E.1.b, pg. 9)</b>                  Require common open space on the southwest sides of buildings.</p>	<p>Different location options have been added, including locating common open space amenities on the south- and west-facing side(s) of a building.</p>
<p><b>Common Open Space – Roof Decks (17.31.020.E.1.b.iii, pg. 9)</b>                  Include a section on roof decks with a setback from the rear property line for second-story decks.</p>	<p>Roof decks have been included in the list of common open space amenity types, with the caveat that all points of the deck must be located at least 15 feet away from any property line.</p>
<p><b>Landscaping – Privacy (17.31.020.F.3, pg. 10)</b>                  Plant selection for landscape screening needs clarification.</p>	<p>Plant selection provision regarding container size and mature height has been removed. Applicants are directed to the City’s Street Tree List for appropriate plant selection.</p>
<p><b>Landscaping – Pedestrian Walkways (17.31.020.F.4, pg. 10)</b>                  Reduce requirement for pedestrian walkways to be flanked with trees on both sides and address shading requirement.</p>	<p>The requirement for trees and shrubs flanking pedestrian walkways has been reduced.</p>
<p><b>Building Design – Purpose (17.31.030, pg. 11)</b>                  Language regarding “human scale” and “visual interest” is very subjective.</p>	<p>Language has been removed.</p>
<p><b>Massing – Upper Floor Area Reduction (17.31.030.A.2, pg. 11-12)</b>                  Language should be added that reduces the massing of upper floors on Main Street and Morro Bay Boulevard. The Commission discussed a number of different options.</p>	<p>Language has been added under “Upper Floor Area Reduction”, with more specific requirements for Main Street and Morro Bay Boulevard.</p>
<p><b>Massing – Upper Floor Cantilever (17.31.030.A.2.b, pg. 12)</b>                  Include a provision that governs the second-story uncovered cantilevered outdoor space. Suggest that a 2-foot protrusion into front setbacks up to two feet as</p>	<p>A provision allowing for cantilevered upper floors has been added.</p>

long as they have a 12 feet clearance over the sidewalk.	
<b>Building Form – Roof Line Variation (17.31.030.A.4.a, pg. 12)</b> Recommendation to prohibit mansard roofs because they can be poorly designed and executed.	Language has been revised to prohibit mansard roofs.
<b>Building Form – Flat Roofs/Parapet Materials (17.31.030.A.4.b, pg. 13)</b> Language regarding materials needs to be more specific so that shoddy or low quality materials are not used. Add quotation marks around “precast”.	Quotation marks have been added around “precast”. Additional language prohibiting visible unfinished metal flashing was incorporated.
<b>Corner Architectural Features (17.31.030.A.5, pg. 13)</b> Language regarding “a sense of hierarchy” is very subjective.	Language has been removed.
<b>Building and Unit Entrances – Enhanced Paving for Building Entrances (17.31.030.B.1.d, pg. 13)</b> This requirement should provide a list of acceptable materials.	This standard was re-organized within the document. Lists of allowable and prohibited paving materials have been provided.
<b>Building and Unit Entrances – Porches (17.31.030.B.1.c and 17.31.030.B.2.c, pg. 13 and 14)</b> Add a minimum size for porches to ensure usability as a residential amenity.	New porch requirements have been added.
<b>Building and Unit Entrances – Stoops (17.31.030.B.2.d, pg. 14)</b> Stoops should be 4x4 and no higher than 5 feet above the bottom of the step to the top of the steps.	New stoop requirements have been added.
<b>Windows – Privacy (17.31.030.C.1, pg 14)</b> There should be additional qualifiers, such as distance from property line where the requirement may not apply.	This requirement has been revised to apply to residential buildings within 10 feet of a neighboring property line.
<b>Mixed Use Standards – Ground Floor Height (17.31.040, pg. 15)</b> For mixed use projects, limit the first floor plate height to 11 feet in height.	This revision has been incorporated. RRM has advised that a height limitation of 11 feet is prohibitive for market-rate and high-quality commercial/mixed-use development.
<b>Utilitarian Elements – Bicycle Parking (17.31.060.A, pg. 16)</b> Include charging requirements for electric bicycles.	Provision requiring wall outlets for long-term bicycle parking areas has been added.
<b>Utilitarian Elements – Refuse Storage Enclosures (17.31.060.B, pg. 16)</b> Refuse area should be lockable.	Requirement for locked enclosures has been added.

## Chapter 17.31: Residential and Mixed Use Objective Design Standards

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17.31.010	Introduction
17.31.020	Site Design Standards
17.31.030	Building Design Standards
17.31.040	Additional Mixed Use Standards
17.31.050	Parking Structures
17.31.060	Utilitarian Elements

### 17.31.010 Introduction

- A. **Purpose.** The purpose of these design standards is to provide the public, building and design professionals, and decision-makers with objective, clear, and measurable criteria for eligible residential and mixed use development in Morro Bay.
1. State housing laws have established eligibility for various types of residential and mixed use development, which must be evaluated on the basis of objective standards adopted by the city.
  2. The intent of such State legislation is to facilitate and expedite the construction of housing, contribute to the Regional Housing Needs Allocation, and address the local shortage of housing. The State finds that lack of homes has resulted in the following across California:
    - a. Workers, public safety employees, healthcare providers, educators moving to lower-cost homes farther away from the communities they serve;
    - b. Employers facing increasing difficulty in securing and retaining a workforce;
    - c. Increased pressure to develop farmlands, open space, and rural areas into lower-cost homes, with longer commute times, greenhouse gas emissions, and higher exposure to fire hazard;
    - d. Increased poverty and homelessness;
    - e. Lower income residents moving into crowded and unsafe homes; and
    - f. Families and individuals moving out of their communities and ultimately out of the State of California.
  3. The intent of this Chapter is to provide clear design direction and an expedited planning process for these eligible residential projects.
- B. **Eligible Projects.** The provisions of this chapter apply to projects made eligible by the following State housing laws:
1. ***Senate Bill 35 projects (California Government Code §65913.4).*** SB 35 establishes eligible residential development in cities where the number of residential units built is less than the Regional Housing Needs Allocation for the reporting period. Eligible

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projects are subject to a ministerial, streamlined approval process, consistent with objective standards, if the following conditions are met.

- a. The proposed project contains two or more residential units, and at least two-thirds of the square footage of the development is designated for residential use;
  - b. The proposed project is located on a site that satisfies the following:
    - i. The site is a legal parcel or parcels located in city boundaries;
    - ii. 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses (parcels that are only separated by a street or highway shall be considered to be adjoined);
    - iii. The site is zoned for residential use or residential mixed use development;
  - c. The proposed site is not located any of the following:
    - i. A coastal zone (defined in Division 20 and commencing with Section 30000 of the Public Resources Code);
    - ii. Prime farmland or farmland of statewide importance (as defined by the United States Department of Agriculture);
    - iii. Wetlands (as defined in the United States Fish and Wildlife Service Manual);
    - iv. Very high fire hazard severity zone (as defined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the California Government Code);
    - v. Hazardous waste sites (defined by the Department of Toxic Substances Control and pursuant to Section 65962.5);
    - vi. Delineated earthquake fault zone (defined by the State Geologist);
    - vii. Floodplains (defined by the Federal Emergency Management Agency);
    - viii. Floodways (defined by the Federal Emergency Management Agency);
    - ix. Lands identified for conservation in an adopted natural community conservation plan (pursuant to the Natural Community Conservation Planning Act);
    - x. Habitat for protection species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protect species, or species protected by the federal Endangered Species Act of 1973;
    - xi. Lands under conservation easement.
  - d. The proposed project is required to record land use deed restrictions for any units that are subsidized;
  - e. The proposed project would not require the demolition of housing and is not located on a site that is governed under the Mobilehome Residency Law;
2. ***Senate Bill 330 projects (California Government Code §65589.5 and §65920).*** SB 330 establishes eligible affordable residential development in cities where the number of

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residential units built is less than the Regional Housing Needs Allocation for the reporting period. Eligible residential development is subject to a preliminary application process pursuant to §65589.5 and §65920 and must be consistent with objective standards. Eligible projects must meet the following conditions.

3. ***Assembly Bill 2011 projects (California Government Code §65400, §65585, and §65912).*** AB 2011 establishes eligible 100 percent affordable residential and mixed use development along commercial corridors (where office, retail, or parking is the principal use), subject to specific affordability, labor, and environmental criteria. AB 2011 projects are subject to a ministerial, streamlined approval process, if the following conditions are met.
  - a. The proposed project meets the following affordability criteria:
    - i. 100 percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code.
    - ii. The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.
  - b. The proposed site satisfies the following:
    - i. The proposed project is located in a zoning district where office, retail, or parking are a principally permitted use;
    - ii. The proposed project is located on a legal parcel or parcels located in city boundaries;
    - iii. The proposed project is located on a site where 75 percent of the perimeter adjoins parcels that are developed with urban uses (parcels that are only separated by a street or highway shall be considered to be adjoined);
  - c. The proposed site is not located any of the following:
    - i. Prime farmland or farmland of statewide importance (as defined by the United States Department of Agriculture);
    - ii. Wetlands (as defined in the United States Fish and Wildlife Service Manual);
    - iii. Very high fire hazard severity zone (as defined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the California Government Code);
    - iv. Hazardous waste sites (defined by the Department of Toxic Substances Control and pursuant to Section 65962.5);
    - v. Delineated earthquake fault zone (defined by the State Geologist);
    - vi. Floodplains (defined by the Federal Emergency Management Agency);
    - vii. Floodways (defined by the Federal Emergency Management Agency);

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- viii. Lands identified for conservation in an adopted natural community conservation plan (pursuant to the Natural Community Conservation Planning Act);
  - ix. Habitat for protection species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protect species, or species protected by the federal Endangered Species Act of 1973;
  - x. Lands under conservation easement.
  - xi. A site where more than one-third of the square footage on the site is dedicated to industrial use;
- d. The proposed project would not require the demolition of housing and is not located on a site that is governed under the Mobilehome Residency Law;
  - e. If vacant, the proposed site does not contain tribal cultural resources (as defined by Section 21074 of the Public Resources Code) found pursuant to a consultation.
4. ***Assembly Bill 2162 projects (California Government Code §65583 and §65650).*** AB 2162 establishes eligible supportive housing by-right in zones where multi-unit and mixed use development is permitted. Eligible projects are subject to a ministerial, streamlined approval process, consistent with objective standards, if the following conditions are met.
- a. Units within the proposed development are subject to a recorded affordability deed restriction for 55 years.
  - b. 100 percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code.
  - c. At least 25 percent of the total units, or 12 units, whichever is greater, are restricted to residents in supportive housing who meet target criteria.
5. ***Senate Bill 6 projects (California Government Code §65913.4 and §65852.24).*** SB 6 establishes eligible residential development along commercial corridors (where office, retail, or parking is the principal use), subject to specific labor and environmental criteria, in cities where the number of residential units built is less than the Regional Housing Needs Allocation for the reporting period. Eligible projects are subject to a ministerial, streamlined approval process, consistent with objective standards, if the following conditions are met.
- a. The proposed project contains two or more residential units, and at least two-thirds of the square footage of the development is designated for residential use;
  - b. The proposed project is located on a site that satisfies the following:
    - i. The site is a legal parcel or parcels located in city boundaries;
    - ii. 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses (parcels that are only separated by a street or highway shall be considered to be adjoined);
    - iii. The site is zoned for residential use, residential mixed use development, office commercial use, or retail commercial use;

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- c. The proposed site is not located any of the following:
    - i. A coastal zone (defined in Division 20 and commencing with Section 30000 of the Public Resources Code);
    - ii. Prime farmland or farmland of statewide importance (as defined by the United States Department of Agriculture);
    - iii. Wetlands (as defined in the United States Fish and Wildlife Service Manual);
    - iv. Very high fire hazard severity zone (as defined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the California Government Code);
    - v. Hazardous waste sites (defined by the Department of Toxic Substances Control and pursuant to Section 65962.5);
    - vi. Delineated earthquake fault zone (defined by the State Geologist);
    - vii. Floodplains (defined by the Federal Emergency Management Agency);
    - viii. Floodways (defined by the Federal Emergency Management Agency);
    - ix. Lands identified for conservation in an adopted natural community conservation plan (pursuant to the Natural Community Conservation Planning Act);
    - x. Habitat for protection species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protect species, or species protected by the federal Endangered Species Act of 1973;
    - xi. Lands under conservation easement.
  - d. The proposed project is required to record land use deed restrictions for any units that are subsidized;
6. All other residential or mixed use projects made eligible by State law and which are required to meet objective standards.
- C. **Compliance with Other Standards.** In addition to meeting objective standards in this chapter, eligible residential projects shall comply with other objective standards as established in the Morro Bay Municipal Code, other adopted City plans, and the California Building Code (CBC).
- D. **Conflicting Standards.** If there is any conflict between the objective design standards of this Chapter and other City requirements, the less restrictive objective design standard applicable to the project shall apply. If there is any conflict between City requirements and State law, the State requirement shall apply.
- E. **Exceptions, Waivers, or Modifications.** The City's non-streamlined, discretionary review process shall be required for any project that seeks exceptions, waivers, variances or other modifications to the objective standards of this Chapter.

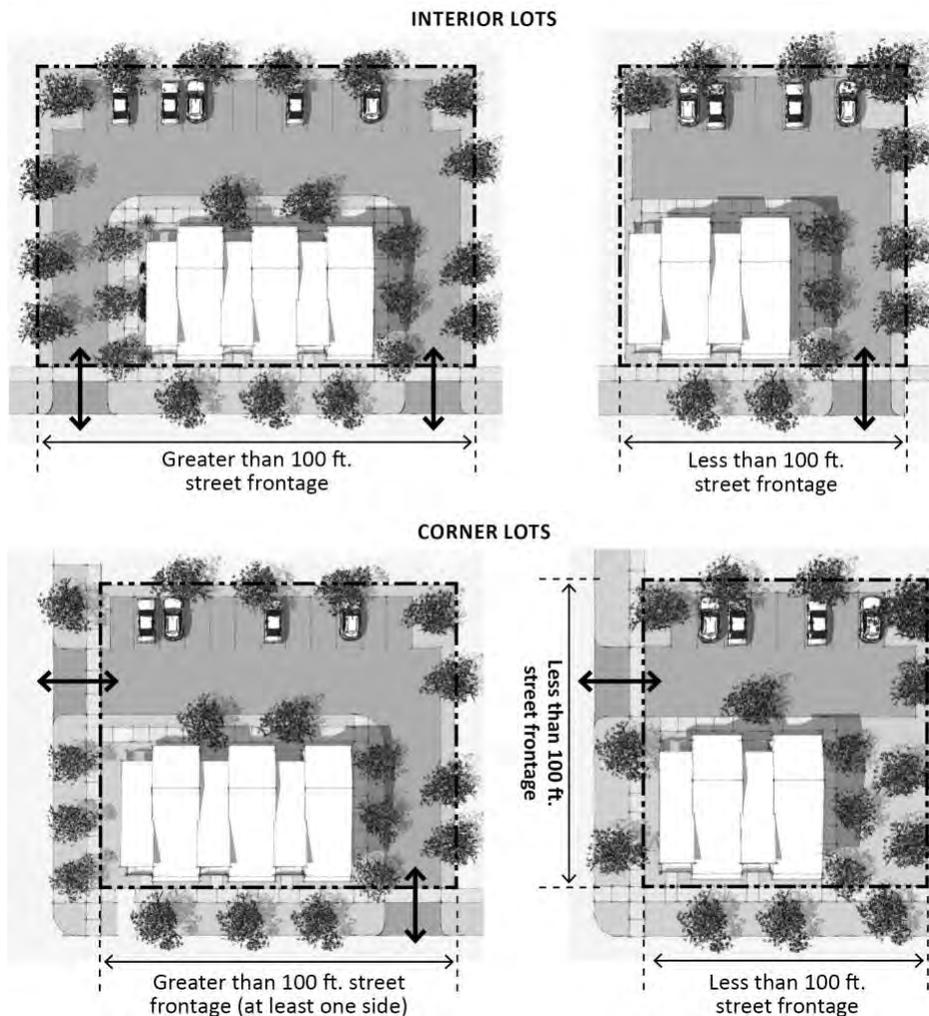
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**17.31.020 Site Design Standards**

- A. **Purpose.** Site planning refers to the arrangement of - and relationships between - buildings, parking areas, common and private open space, landscaping, and pedestrian connections. The site planning topics in this section include site layout and building placement, vehicular surface parking and access, pedestrian circulation and access, landscaping, and common and private open space.
- B. **Building Placement and Orientation.** Building placement and orientation shall comply with the provisions of Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed Use Districts. In addition, if buildings on the same block establish a contiguous street wall along at least 50 percent of the primary street frontage, new buildings shall be located to maintain the contiguous street wall.
- C. **Vehicular Parking and Access.** Off-street vehicular parking and access shall comply with the provisions of Chapter 17.27, Parking and Loading. For properties in Commercial and Mixed Use Districts, projects shall also comply with Section 17.08.040, Supplemental Regulations. In addition, projects shall comply with the following:
1. **Primary Access.** Side street or alley access shall serve as the primary vehicular access to off-street parking areas, if available. If not available, the primary street shall serve vehicular access. See Section 17.27.100, Driveways and Drive Approaches, for detailed standards related to driveway location, site layout, limits to driveway width and design.
  2. **Number of Access Points.**
    - a. For interior lots with less than 100 linear feet of street frontage, a maximum of one vehicle access point from the street is permitted. For interior lots with 100 linear feet or more of street frontage, a maximum of two vehicular access points from the street is permitted.
    - b. For corner lots, one vehicular access point is permitted where both street frontages are less than 100 linear feet. Two vehicular access points are permitted for lots where at least one street frontage is 100 linear feet or more.
    - c. The above standards assume that an access point can be a two-way connection (both ingress and egress) or a one-way connection (either ingress or egress).

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FIGURE 17.31.020(C)(2): VEHICULAR ACCESS POINTS



3. **Parking Location.** Parking areas shall not be located within any front or street side setback, or between any residential/mixed use structure and the primary street.
  - a. **Parking Area Gates.** Parking areas with gates to control access are allowed. Gates shall be located a minimum of 20 feet from the back of sidewalk, or edge of pavement where there is no sidewalk.
4. **Loading and Service Areas.** The provision, layout and design of loading and service areas shall comply with Section 17.27.090, Loading, as well as the following standards:
  - a. All required loading and service areas shall be located adjacent to a façade other than the primary building frontage.
  - b. Loading and service areas shall not be located adjacent to residential dwelling units or common open space areas. Loading areas shall be screened from public view by building walls and/or uniformly solid fencing or walls, not less than six feet in height, or evergreen trees at least 10 feet in height.

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5. ***Avoid Vehicle Light Intrusion into Ground-Floor Units.*** Vehicle parking areas shall be located, oriented, and/or screened to prevent visual intrusion of vehicle lights into interior residential spaces. Where parking areas are located within 15 feet of a residential unit, they shall be located within a garage, carport, or parking structure, or screened by a solid wall, fence, or landscaping a minimum of six feet in height.
- D. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided according to the following standards.
1. ***Internal Connections.*** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
  2. ***To Circulation Network.*** Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk, generally no more than 125 percent of the straight line distance.
  3. ***To Neighbors.*** Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.
  4. ***To Transit.*** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
  5. ***Pedestrian Walkway Design.***
    - a. Walkways shall be a minimum of five feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
    - b. Where a required walkway crosses parking areas or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.
    - c. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.
  6. ***Pedestrian Design in Parking Areas.*** See Section 17.27.110, Parking Area Design and Development Standards, for requirements involving pedestrian access to vehicle parking areas.
- E. **Common and Private Open Space.** Common and private open spaces shall be provided according to the base zoning district regulations in Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed Use Districts. Section 17.23.100, Open Space, contains objective standards regarding minimum dimensions, usability, and accessibility for both private and common open space. In addition, the following standards apply:
1. ***Common Open Space.*** Common open space shall be provided according to Section 17.23.100, Open Space, and shall comply with the following:
    - a. ***Amenity Types.*** Where required by the base zoning district, projects shall provide at least one common open space through the following amenities: play areas, common courtyards, patios, gathering spaces, multi-use paths and trails,

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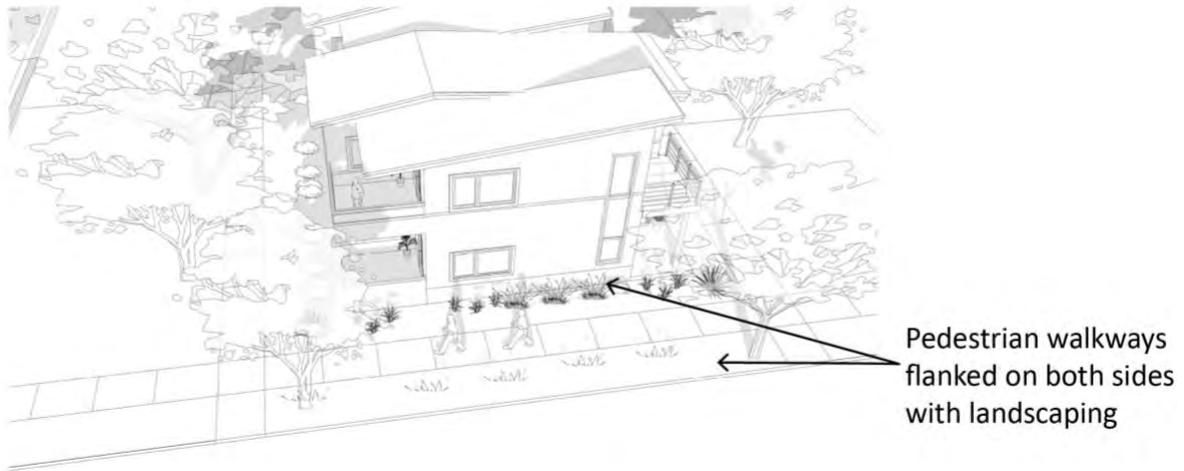
athletic/recreational facilities, dog runs and enclosures; pools and spas, rooftop decks, and community gardens. An applicant may provide common open space through an amenity not on this list if it is readily accessible by all residents for recreation and social purposes.

- b. *Location.* Common open space shall be located to fulfill at least one of the following:
    - i. South/West Facing. The common open space is located adjacent to the south- or west-facing side(s) of at least one building.
    - ii. Proximity to Multiple Homes. The common open space(s) is within 250 feet of the pedestrian entrances to at least 20 percent of the residential homes.
    - iii. Rooftop. The common open space is located on a building rooftop and is a minimum of 15 feet away from any property line.
  - c. *Visibility.* Common open space shall be located and arranged to allow visibility into the space from pedestrian walkways within the development. Fencing or barriers shall be designed with opaque, nontransparent materials for a maximum of 80 percent of the surface area, to allow some visual transparency between the common open space and pedestrian walkways.
2. **Private Open Space.** Private open space shall be provided according to Section 17.23.100, Open Space, and shall be screened with one of the following options:
- a. *Screening with Structural Elements.* A private open space may be screened by a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls.
  - b. *Screening with Landscaping and Structural Elements.* A private open space may be screened by a landscape buffer or dense evergreen shrubs/vines of minimum 5 feet width and minimum 4 feet height, and a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls. If a ground-level private open space is visible from a public right-of-way or common open space, a landscape buffer is required.
- F. **Landscaping.** Landscaping shall be utilized for all outdoor areas that are not specifically used for parking, driveways, walkways, or open space. Refer to Chapter 17.25, Landscaping, for regulations applicable to all new development. In addition, projects within the Coastal Resource Protection (CRP) Overlay District shall comply with relevant regulations in Chapter 17.14, Coastal Resource Protection Overlay District. For landscaping requirements in vehicular parking areas, refer to Section 17.27.110, Parking Area Design and Development Standards. In addition, the following standards apply:
1. **Number of Plants.** A minimum of one 15-gallon tree or equivalent box size and 10 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
  2. **Plant Selection.** Projects shall comply with water efficient planting standards of Section 17.25.050, General Requirements. Plants shall be selected from plants that are native to California, or plants included on the City's Street Tree List. Artificial or synthetic plants, except for turf, are prohibited. In addition, tree and plant species that attract and provide habitat for local fauna (e.g., birds and pollinators such as bees and butterflies) are encouraged.

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3. **Privacy.** Landscaping shall be provided as a buffer between adjacent individual units. Landscaping shall obscure direct sight lines, and may be used in combination with walls, fencing, and/or trellises to screen views.
4. **Pedestrian Walkways.** Pedestrian walkways shall be flanked on one side with landscaping, and may include a mix of turf, groundcover, or shrubs. Trees provided within 20 feet of pedestrian walkways shall be placed a maximum of 30 feet apart on center, in order to provide some shade.

**FIGURE 17.31.020(F)(4): PEDESTRIAN WALKWAYS**

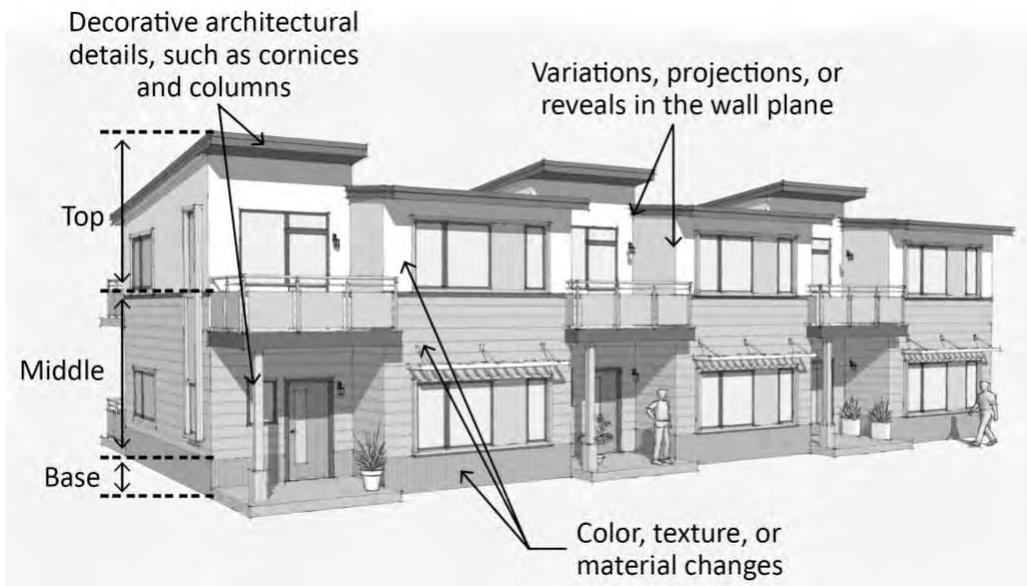


**17.31.030 Building Design Standards**

A. **Building Form, Massing, and Façade Articulation.** Building form, massing and façade articulation facilitate the distinction of individual units, or groups of units, through varied heights, projections, setbacks, and recesses. Materials and colors emphasize changes and hierarchy in building form.

1. **Building Form and Vertical Hierarchy.** Buildings shall be designed to differentiate between a defined base; a middle or body; and a top, cornice, or parapet cap. Buildings two stories or less shall include a defined base and a top, cornice, or parapet cap. This effect shall be achieved through incorporating at least two of the following design elements for all buildings:
  - a. Color, texture, or material changes.
  - b. Variations, projections, or reveals in the wall plane.
  - c. Variations in fenestration size or pattern.
  - d. Decorative architectural details such as cornices and columns.

**FIGURE 17.31.030(B)(1): BUILDING FORM AND VERTICAL HIERARCHY**



2. **Massing.**
  - a. *Upper Floor Area Reduction.*
    - i. Main Street and Morro Bay Boulevard. The floor area for upper floors shall be reduced through one of the following options:
      - (1) The second floor shall have a maximum floor area that is 90 percent of the ground floor area, and the third and higher floors shall have a maximum floor area that is 80 percent of the ground floor area.

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- (2) The second and higher floors shall provide that 50 percent of every elevation is set back a minimum of 3 feet in addition to the required setback area.
  - ii. All Other Locations. The third floor and floors above shall have a maximum floor area that is 80 percent of the ground floor area.
  - b. *Upper Floor Cantilever.* Upper floor uncovered decks shall be allowed to cantilever and protrude into the applicable setback or public-right-of-way, provided that there is a minimum of 12 feet of clearance and that the cantilever does not encroach more than 2 feet into the applicable setback or public right-of-way. Right-of-way encroachment shall obtain an Encroachment Permit in accordance with Title 12 of the Morro Bay Municipal Code.
3. **Façade Articulation.** All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth for every 25 horizontal feet of wall. If located on a building with two or more stories, the articulated elements must be greater than one story in height, and may be grouped rather than evenly spaced in 25-foot modules. Building entrances and front porches and projections into required yards such as stoops, bays, overhangs, fireplaces, and trellises may count towards meeting this requirement.
4. **Roofs.**
  - a. *Roof Line Variation.* Roof lines shall not extend more than a length of 40 feet without at least one prominent change as described below:
    - i. Provide variation in roof form, such as hip, gable, shed, and flat with parapet. Mansard roofs are prohibited.
    - ii. Provide variation of roof height of at least 18 inches (as measured from the highest point of each roof line).

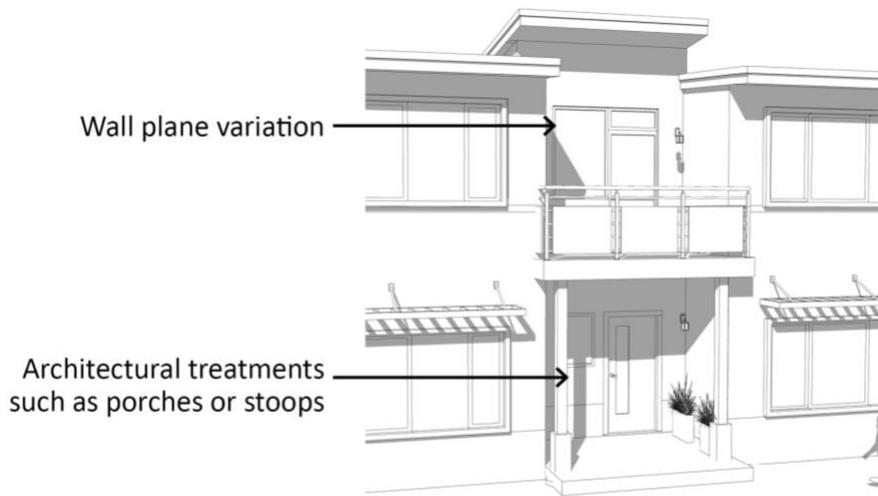
**FIGURE 17.31.030(A)(4): ROOF LINE VARIATION**



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- b. ***Flat Roofs and Parapets.*** Parapets shall be provided around the perimeter of a flat roof and shall be a minimum of six inches taller than all rooftop equipment.
  - i. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.
  - ii. Parapets shall be capped with “precast” treatment, continuous banding, or projecting cornices, dentils, or similar edge treatment. Visible unfinished metal flashing is prohibited.
- 5. ***Corner Architectural Features.*** Buildings located on the corner of two streets, and greater than one story, shall include one or more of the following features on both of the intersecting facades, located within 25 feet of the corner of the building:
  - a. An entry to ground-floor use or a primary building entrance.
  - b. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade.
  - c. The area encompassed within 25 feet of the corner of the building shall have a change in height of at least 2 feet.
- B. **Building and Unit Entrances.** Entrance orientation and design shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts). The following additional standards also apply:
  - 1. ***Primary Residential Building Entrances.***
    - a. ***Street-Facing Entry.*** Residential buildings located adjacent to the primary street shall have a ground-level common entry facing the primary street unless units are accessed by individual entries.
    - b. ***Building Entry Architectural Treatments.*** Common building entries shall be differentiated from the main façade through at least two of the following:
      - i. Roof above the entry incorporating a change in roof line of at least 18 inches in height.
      - ii. Entry incorporating a variation of wall plane (recessed or projected) a minimum of 2 feet from the adjacent wall planes.
      - iii. Entry incorporating architectural treatments that vary from those on the general facade (e.g., window and/or door trim with substantial depth and detail, decorative siding, decorative fascia, porches, stoops).
    - c. ***Porch Requirements.*** A porch serving more than one unit shall be a minimum of 6 feet by 8 feet in dimension.
    - d. ***Enhanced Paving for Building Entrances.*** Primary building entryways shall provide decorative and accent paving that contrast in color and texture from any adjacent pedestrian walkway surfaces. Allowed materials include stamped concrete, painted concrete, concrete pavers, brick, stone, flagstone, tile, and ceramic. Decomposed granite, pea gravel, and other types of crushed rock are prohibited.

**FIGURE 17.31.030(B)(1)(B): PRIMARY BUILDING ENTRY ARCHITECTURAL TREATMENTS**



2. **Individual Unit Entrances.**

- a. *Upper-Floor Unit Entry.* Exterior entries to individual units on upper floors are permitted; however, in order to avoid a “motel-style” appearance, no exterior access corridor located above the ground floor may provide access to five or more upper-floor units.
- b. *Non Street-Adjacent Buildings.* Buildings not located adjacent to a street shall have unit front entryways oriented to face common open space areas such as landscaped courtyards, plazas, or paseos.
- c. *Porch Requirements.* A porch serving an individual unit shall be a minimum of 5 feet by 8 feet in dimension.
- d. *Stoop Requirements.* A stoop serving an individual unit shall be a minimum of 4 feet by 4 feet in dimension. The stoop adjacent to the door shall be a maximum of 5 feet in height above the adjacent walkway, and stairs or ramps from the stoop lead directly to the public right-of-way, or a parallel to the public right-of-way.

C. **Windows.**

1. **Privacy.** Where a residential building is located within 10 feet of a neighboring property line, windows facing neighboring buildings shall be offset a minimum of 5 feet from closest edge to edge. Where this offset cannot be provided, the window design on the building facades facing each other shall avoid unfiltered/direct views into interiors and shall be designed with one or more of the following:
  - a. Utilize non-transparent or obscured glazing, such as frosted/patterned glass, glass block, or non-operable opaque windows. Reflective glazing is not permitted.
  - b. Provide permanent architectural screens or affixed louvers at windows.

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- c. Utilize clerestory windows with the bottom edge of the window a minimum height of 6 feet from the ground.
2. **Window Treatment.** All windows shall either be recessed at least 2 inches from the plane of the surrounding exterior wall or shall have trim at least 1/2 inch in depth and 2 inches in width.
  - a. *Windows Facing a Public Street.* Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
  - b. *Window Shutters.* Functional and decorative shutters shall be one-half-width of the associated window glazing (for paired shutters), or matching window width for a single shutter.
- D. **Materials and Colors.** Exterior building materials and colors shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts).
  1. **Wall Material.** The primary exterior siding material for buildings shall be stone, brick, stucco, concrete block, painted wood clapboard, fiber cement clapboard, or painted metal clapboard.
  2. **Window Material.** Window materials, color, and style shall be consistent on all elevations, unless used at an entry way or as an accent feature.
  3. **Material Transition.** Changes in material shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.
  4. **Awnings.** Glossy finish vinyl awning material is not allowed.

**17.31.040 Additional Mixed Use Standards**

- A. **Façade Articulation.** Building façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 5-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest. Building entrances, front porches, upper-story setbacks, and projections such as stoops, bays, overhangs, fireplaces, upper-story decks and trellises count towards this requirement.
- B. **Ground Floor Height.** The ground floor height of mixed use projects shall be a maximum of 11 feet, measured floor to ceiling.
- C. **Ground Floor Transparency.** Exterior walls of buildings or portions of buildings containing non-residential uses facing and within 20 feet of a front or street side lot line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening.
- D. **Street-Facing Setbacks.** Where a front setback or street-facing side setback is provided for a mixed use building, it shall be designed for pedestrian orientation with hard surface and amenities. The setback area on each lot shall contain at least two amenities per 50 linear feet such as benches, drinking fountains, shade structure, or other design element (e.g. art or sculpture, planters, and kiosks).
- E. **Entrances.**

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1. **Residential Street-Adjacent Entry.** Mixed use buildings located adjacent to the primary street shall incorporate at least one residential building entrance that directly fronts the public sidewalk or right-of-way and complies with the requirements of Subsection 17.31.030(B)(1).
2. **Commercial Storefronts.** Commercial entrances adjacent to the sidewalk shall be recessed from the façade by a minimum of 2 feet from the rest of the building, creating an alcove.

**17.31.050 Parking Structures.**

- A. **Wall Plane Variation.** Façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 3-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest.
- B. **Materials and Colors.** The parking structure shall utilize the same colors and materials as the primary buildings.
- C. **Articulation.** The exterior of the parking structure shall apply at least one of the following as articulation:
  1. Applied materials such as brick, stone, and/or siding which extend at least two inches from the face of the structure to the face of the applied materials. Painted concrete, smooth concrete, or stucco walls shall not be considered sufficient articulation.
  2. Decorative architectural features such as cut metal screens, awnings, trellises, louvers, and/or decorative security grills shall be used on openings facing a public street or open space.
- D. **Landscaping.** Vertical plantings shall be located between openings, entrances, and architectural accent features. At least one tree shall screen the building façade per 50 feet. Trees shall be selected from California native plants or from the City's Street Tree list. Trees shall be selected to grow to 40 feet in height at maturity, and shall grow to at least 15 feet in height within two years from time of installation.

**17.31.060 Utilitarian Elements**

- A. **Bicycle Parking.** Bicycle parking shall comply with the provisions of Section 17.27.080, Bicycle Parking. Additionally, long-term bicycle parking areas shall be required to provide one 110 voltage wall outlet per every 10 long-term bicycle parking spaces for residents with electric bicycles.
- B. **Refuse Storage and Collection Areas.** Trash, recycling, and green waste container enclosures are required for residential and mixed use developments. They shall be located within a service section of the primary building, incorporated into the exterior building design, or located within a detached and locked enclosure designed and placed as follows:
  1. **Location.** The enclosure shall be located to the rear or side of the building and located outside of view from a public right-of-way.
  2. **Screening.** The enclosure shall include a solid wall a minimum of 6 feet in height and a roof structure that fully shields the top of the container, and be located on the site in an area where the screening height required is allowed.

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3. **Materials.** The enclosure shall use materials that are consistent with exterior colors and materials of the primary building.
- C. **Fences and Walls.** Fences and walls shall comply with the provisions of Section 17.23.060, Fences and Freestanding Walls. In addition, where fences and walls of different materials or finishes intersect, a column or pilaster shall be provided.
- D. **Lighting.** Lighting shall comply with the provisions of Section 17.23.080, Lighting and Illumination. Projects within the Coastal Resource Protection (CRP) Overlay Zone District shall comply with additional provisions of Section 17.14.090, Visual Resource Protection. Lighting in parking areas shall also comply with Section 17.27.110, Parking Area Design and Development Standards.
- E. **Screening of Mechanical Equipment.** Equipment and utilities shall comply with the provisions of Section 17.23.130, Screening.
- F. **Vents and Exhaust.** All wall-mounted elements shall be located at interior corners of building walls or behind building or screening elements that conceal them from public view. All flashing, sheet metal vents, exhaust fans/ventilators, and pipe stacks shall be painted to match the adjacent roof or wall material and/or color.

## Chapter 17.31: Residential and Mixed Use Objective Design Standards

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17.31.010	Introduction
17.31.020	Site Design Standards
17.31.030	Building Design Standards
17.31.040	Additional Mixed Use Standards
17.31.050	Parking Structures
17.31.060	Utilitarian Elements

### 17.31.010 Introduction

- A. **Purpose.** The purpose of these design standards is to provide the public, building and design professionals, and decision-makers with objective, clear, and measurable criteria for eligible residential and mixed use development in Morro Bay. ~~The intent is to provide clear design direction and an expedited planning process for residential projects that enhance an area's unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high quality living environment.~~
1. ~~**Applicability.** State housing laws have established eligibility for various types of residential and mixed use development, which must be evaluated on the basis of objective standards adopted by the city.~~
  2. ~~The intent of such State legislation is to facilitate and expedite the construction of housing, contribute to the Regional Housing Needs Allocation, and address the local shortage of housing. The State finds that lack of homes has resulted in the following across California:~~
    - a. ~~Workers, public safety employees, healthcare providers, educators moving to lower-cost homes farther away from the communities they serve;~~
    - b. ~~Employers facing increasing difficulty in securing and retaining a workforce;~~
    - c. ~~Increased pressure to develop farmlands, open space, and rural areas into lower-cost homes, with longer commute times, greenhouse gas emissions, and higher exposure to fire hazard;~~
    - d. ~~Increased poverty and homelessness;~~
    - e. ~~Lower income residents moving into crowded and unsafe homes; and~~
    - f. ~~Families and individuals moving out of their communities and ultimately out of the State of California.~~
  3. ~~The intent of this Chapter is to provide clear design direction and an expedited planning process for these eligible residential projects.~~
- B. **Eligible Projects.** The provisions of this chapter apply to projects made eligible by the following State housing laws:

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1. **Senate Bill 35 projects (California Government Code §65913.4).** ~~In addition to criteria established by the California Government Code, the project must be a multi-unit housing development containing at least two or more new~~SB 35 establishes eligible residential development in cities where the number of residential units, ~~or a mixed-use project where at least two-thirds of the square footage is dedicated to residential use. SB 35 built is less than the Regional Housing Needs Allocation for the reporting period.~~ Eligible projects are subject to a ministerial, streamlined approval process, consistent with objective standards, if the following conditions are met.
- a. The proposed project contains two or more residential units, and at least two-thirds of the square footage of the development is designated for residential use;
  - b. The proposed project is located on a site that satisfies the following:
    - i. The site is a legal parcel or parcels located in city boundaries;
    - ii. 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses (parcels that are only separated by a street or highway shall be considered to be adjoined);
    - iii. The site is zoned for residential use or residential mixed use development;
  - c. The proposed site is not located any of the following:
    - i. A coastal zone (defined in Division 20 and commencing with Section 30000 of the Public Resources Code);
    - ii. Prime farmland or farmland of statewide importance (as defined by the United States Department of Agriculture);
    - iii. Wetlands (as defined in the United States Fish and Wildlife Service Manual);
    - iv. Very high fire hazard severity zone (as defined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the California Government Code);
    - v. Hazardous waste sites (defined by the Department of Toxic Substances Control and pursuant to Section 65962.5);
    - vi. Delineated earthquake fault zone (defined by the State Geologist);
    - vii. Floodplains (defined by the Federal Emergency Management Agency);
    - viii. Floodways (defined by the Federal Emergency Management Agency);
    - ix. Lands identified for conservation in an adopted natural community conservation plan (pursuant to the Natural Community Conservation Planning Act);
    - x. Habitat for protection species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protect species, or species protected by the federal Endangered Species Act of 1973;
    - xi. Lands under conservation easement.

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- d. The proposed project is required to record land use deed restrictions for any units that are subsidized;
  - a-e. The proposed project would not require the demolition of housing and is not located on a site that is governed under the Mobilehome Residency Law;
- 2. ***Senate Bill 330 projects (California Government Code §65589.5 and §65920).*** ~~In addition to criteria established by the California Government Code, the project may be SB 330 establishes eligible affordable residential only, mixed-use development in cities where at least two-thirds the number of the square footage is dedicated to residential use, or transitional, supportive, emergency, or farmworker housing. SB 330 projects are entitled units built is less than the Regional Housing Needs Allocation for the reporting period. Eligible residential development is subject to a preliminary application process prior to filing a complete application pursuant to §65589.5 and §65920 and must be consistent with objective standards. Eligible projects must meet the following conditions.~~
  - i. 100 percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code.
  - ii. The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.
- 3. ***Assembly Bill 2011 projects (California Government Code §65400 and §65585).*** ~~In addition to criteria established by the California Government Code, the project must be located within a zone, and §65912). AB 2011 establishes eligible 100 percent affordable residential and mixed use development along commercial corridors (where office, retail, or parking is a principally permitted use the principal use), subject to specific affordability, labor, and environmental criteria. AB 2011 projects are subject to a ministerial, streamlined approval process, if the following conditions are met.~~
  - a. The proposed project meets the following affordability criteria:
    - i. 100 percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code.
    - ii. The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.
  - b. The proposed site satisfies the following:
    - i. The proposed project is located in a zoning district where office, retail, or parking are a principally permitted use;
    - ii. The proposed project is located on a legal parcel or parcels located in city boundaries;
    - iii. The proposed project is located on a site where 75 percent of the perimeter adjoins parcels that are developed with urban uses (parcels that are only separated by a street or highway shall be considered to be adjoined);
  - c. The proposed site is not located any of the following:
    - i. Prime farmland or farmland of statewide importance (as defined by the United States Department of Agriculture);
    - ii. Wetlands (as defined in the United States Fish and Wildlife Service Manual);

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- iii. Very high fire hazard severity zone (as defined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the California Government Code);
  - iv. Hazardous waste sites (defined by the Department of Toxic Substances Control and pursuant to Section 65962.5);
  - v. Delineated earthquake fault zone (defined by the State Geologist);
  - vi. Floodplains (defined by the Federal Emergency Management Agency);
  - vii. Floodways (defined by the Federal Emergency Management Agency);
  - viii. Lands identified for conservation in an adopted natural community conservation plan (pursuant to the Natural Community Conservation Planning Act);
  - ix. Habitat for protection species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protect species, or species protected by the federal Endangered Species Act of 1973;
  - x. Lands under conservation easement.
  - xi. A site where more than one-third of the square footage on the site is dedicated to industrial use;
- d. The proposed project would not require the demolition of housing and is not located on a site that is governed under the Mobilehome Residency Law;
- e. If vacant, the proposed site does not contain tribal cultural resources (as defined by Section 21074 of the Public Resources Code) found pursuant to a consultation.
4. **Assembly Bill 2162 projects (California Government Code §65583 and §65650).** ~~In~~ addition to criteria established by the California Government Code, the project must be ~~a~~ AB 2162 establishes eligible supportive housing by-right in zones where multi-unit and mixed use development is permitted. Eligible projects are subject to a ministerial, streamlined approval process, consistent with objective standards, if the following conditions are met.
- a. Units within the proposed development are subject to a recorded affordability deed restriction for 55 years.
  - b. 100 percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code.
  - a-c. At least 25 percent of the total units, or 12 units, whichever is greater, are restricted to residents in supportive housing development located in a zone where multi-unit or mixed use is permitted. ~~who meet target criteria.~~
- 4-5. **Senate Bill 6 projects (California Government Code §65913.4 and §65852.24).** ~~In~~ addition to criteria established by the California Government Code, the project must be ~~located within a zone where office, retail, or parking is a principally permitted use; and no part of the project is designated for hotel, motel, or other transient lodging use.~~ SB 6 establishes eligible residential development along commercial corridors (where office, retail, or parking is the principal use), subject to specific labor and environmental

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criteria, in cities where the number of residential units built is less than the Regional Housing Needs Allocation for the reporting period. Eligible projects are subject to a ministerial, streamlined approval process, consistent with objective standards, if the following conditions are met.

- a. AllThe proposed new by right multi unit residential and mixed use projects of 10project contains two or more residential units or fewer, and at least two-thirds of the square footage of the development is designated for residential use;
- b. The proposed project is located on a site that satisfies the following:
  - i. The site is a legal parcel or parcels located in city boundaries;
  - ii. 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses (parcels that are only separated by a street or highway shall be considered to be adjoined);
  - iii. The site is zoned for residential use, residential mixed use development, office commercial use, or retail commercial use;
- c. The proposed site is not located any of the following:
  - i. A coastal zone (defined in Division 20 and commencing with Section 30000 of the Public Resources Code);
  - ii. Prime farmland or farmland of statewide importance (as defined by the United States Department of Agriculture);
  - iii. Wetlands (as defined in the United States Fish and Wildlife Service Manual);
  - iv. Very high fire hazard severity zone (as defined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the California Government Code);
  - v. Hazardous waste sites (defined by the Department of Toxic Substances Control and pursuant to Section 65962.5);
  - vi. Delineated earthquake fault zone (defined by the State Geologist);
  - vii. Floodplains (defined by the Federal Emergency Management Agency);
  - viii. Floodways (defined by the Federal Emergency Management Agency);
  - ix. Lands identified for conservation in an adopted natural community conservation plan (pursuant to the Natural Community Conservation Planning Act);
  - x. Habitat for protection species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protect species, or species protected by the federal Endangered Species Act of 1973;
  - xi. Lands under conservation easement.
- a-d. The proposed project is required to record land use deed restrictions for any units that are subsidized;

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~~5-6.~~ All other residential or mixed use projects made eligible by State law and which are required to meet objective standards.

- C. **Compliance with Other Standards.** In addition to meeting objective standards in this chapter, eligible residential projects shall comply with other objective standards as established in the Morro Bay Municipal Code, other adopted City plans, and the California Building Code (CBC).
- D. **Conflicting Standards.** If there is any conflict between ~~these~~the objective design standards of this Chapter and ~~existing~~other City requirements, the less restrictive objective design standard applicable to the project shall apply. If there is any conflict between City requirements and State law, the State requirement shall apply.
- E. ~~**Exceptions, Waivers, or Modifications.** Residential and mixed use projects seeking exceptions, waivers, or modifications to any development standards set forth in the Morro Bay Municipal Code or the design standards set forth in this chapter, excluding modifications such as concessions, incentives, parking reductions, or waivers of development standards pursuant to State Density Bonus Law, shall not be eligible for streamlined, ministerial processing per SB 35-Exceptions, Waivers, or Modifications.~~ The City's non-streamlined, discretionary review process shall be required for any project that seeks exceptions, waivers, variances or other modifications to the objective standards of this Chapter.
- F. ~~**No Design Review.** Eligible housing development projects complying with the objective standards in this chapter shall not be subject to the provisions of Chapter 17.38, Design Review.~~

### 17.31.020 Site Design Standards

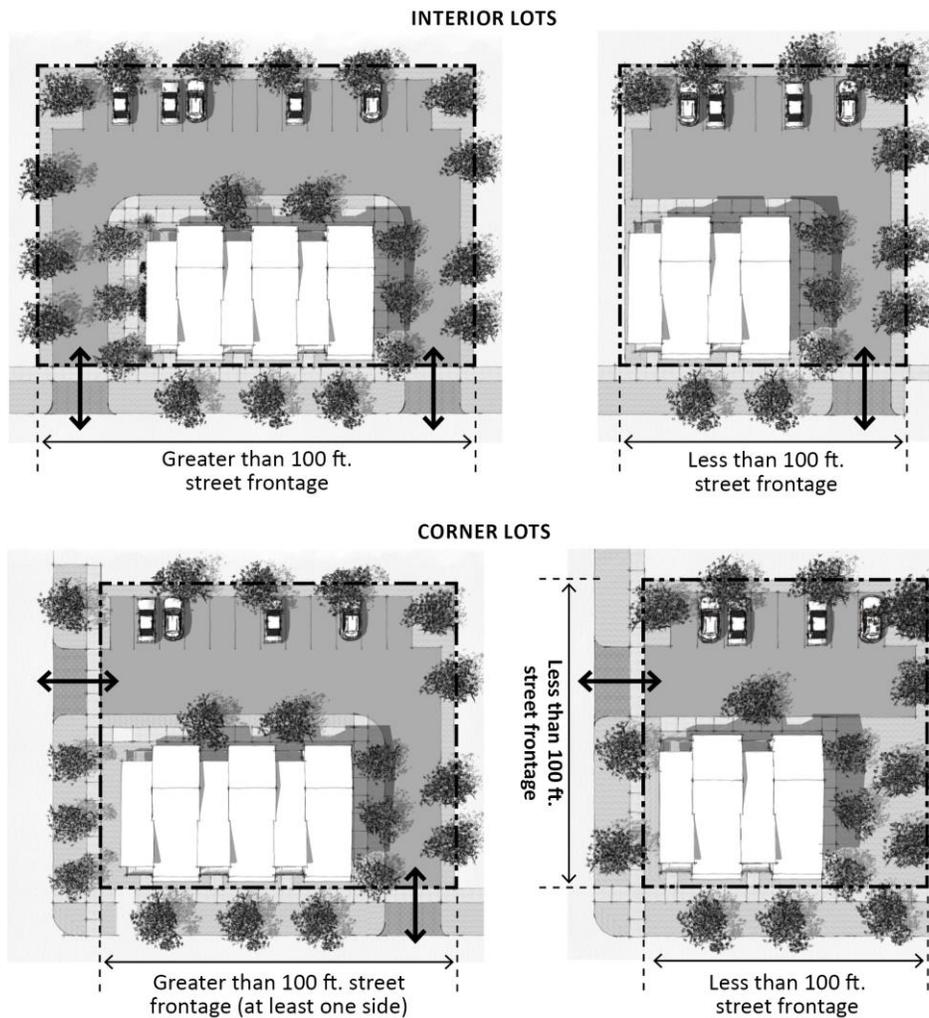
- A. **Purpose.** Site planning refers to the arrangement of - and relationships between - buildings, parking areas, common and private open space, landscaping, and pedestrian connections. The site planning topics in this section include site layout and building placement, vehicular surface parking and access, pedestrian circulation and access, landscaping, and common and private open space.
- B. **Building Placement and Orientation.** Building placement and orientation shall comply with the provisions of Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed Use Districts. In addition, if buildings on the same block establish a contiguous street wall along at least 50 percent of the primary street frontage, new buildings shall be located to maintain the contiguous street wall.
- C. **Vehicular Parking and Access.** Off-street vehicular parking and access shall comply with the provisions of Chapter 17.27, Parking and Loading. For properties in Commercial and Mixed Use Districts, projects shall also comply with Section 17.08.040, Supplemental Regulations. In addition, projects shall comply with the following:
  - 1. **Primary Access.** Side street or alley access shall serve as the primary vehicular access to off-street parking areas, if available. If not available, the primary street shall serve vehicular access. See Section 17.27.100, Driveways and Drive Approaches, for detailed standards related to driveway location, site layout, limits to driveway width and design.
  - 2. **Number of Access Points.**
    - a. For interior lots with less than 100 linear feet of street frontage, a maximum of one vehicle access point from the street is permitted. For interior lots with 100

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linear feet or more of street frontage, a maximum of two vehicular access points from the street is permitted.

- b. For corner lots, one vehicular access point is permitted where both street frontages are less than 100 linear feet. Two vehicular access points are permitted for lots where at least one street frontage is 100 linear feet or more.
- c. The above standards assume that an access point can be a two-way connection (both ingress and egress) or a one-way connection (either ingress or egress).

**FIGURE 17.31.020(C)(2): VEHICULAR ACCESS POINTS**



3. **Parking Location.** Parking areas shall not be located within any front or street side setback, or between any residential/mixed use structure and the primary street.

**d.a. Parking Area Gates.** Parking areas with gates to control access are allowed. Gates shall be located a minimum of 20 feet from the back of sidewalk, or edge of pavement where there is no sidewalk.

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~~3.4.~~ **Loading and Service Areas.** The provision, layout and design of loading and service areas shall comply with Section 17.27.090, Loading, as well as the following standards:

- a. All required loading and service areas shall be located adjacent to a façade other than the primary building frontage.
- b. Loading and service areas shall not be located adjacent to residential dwelling units or common open space areas. Loading areas shall be screened from public view by building walls and/or uniformly solid fencing or walls, not less than six feet in height, or evergreen trees at least 10 feet in height.

~~4.5.~~ **Avoid Vehicle Light Intrusion into Ground-Floor Units.** Vehicle parking areas shall be located, oriented, and/or screened ~~so that no vehicle lights enter into ground-floor residential spaces, including private open space, to prevent visual intrusion of vehicle lights into interior residential spaces. Where parking areas are located within 15 feet of a residential unit, they shall be located within a garage, carport, or parking structure, or screened by a solid wall, fence, or landscaping a minimum of six feet in height.~~

D. **Pedestrian Circulation and Access.** On-site pedestrian circulation and access shall be provided according to the ~~provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts).~~ following standards.

1. **Internal Connections.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
2. **To Circulation Network.** Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk, generally no more than 125 percent of the straight line distance.
3. **To Neighbors.** Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.
4. **To Transit.** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
5. **Pedestrian Walkway Design.**
  - a. Walkways shall be a minimum of five feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
  - b. Where a required walkway crosses parking areas or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.
  - c. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

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6. **Pedestrian Design in Parking Areas.** See Section 17.27.110, Parking Area Design and Development Standards, for requirements involving pedestrian access to vehicle parking areas. ~~The following additional standard also apply:~~

~~7. **Enhanced Paving for Building Entrances.** Primary building entryways shall provide decorative and accent paving that contrast in color and texture from any adjacent pedestrian walkway surfaces.~~

- E. **Common and Private Open Space.** Common and private open spaces shall be provided according to the base zoning district regulations in Chapter 17.07, Residential Districts, or Chapter 17.08, Commercial and Mixed Use Districts. Section 17.23.100, Open Space, contains objective standards regarding minimum dimensions, usability, and accessibility for both private and common open space. In addition, the following standards apply:

1. **Common Open Space.** Common open space shall be provided according to Section 17.23.100, Open Space, and shall comply with the following:

a. **Amenity Types.** Where required by the base zoning district, projects shall provide at least one common open space through the following amenities: play areas, common courtyards, patios, gathering spaces, multi-use paths and trails, athletic/recreational facilities, dog runs and enclosures; pools and spas; rooftop decks, and community gardens. An applicant may provide common open space through an amenity not on this list if it is readily accessible by all residents for recreation and social purposes.

b. Location. Common open space shall be located to fulfill at least one of the following:

i. South/West Facing. The common open space is located adjacent to the south- or west-facing side(s) of at least one building.

ii. Proximity to Multiple Homes. The common open space(s) is within 250 feet of the pedestrian entrances to at least 20 percent of the residential homes.

iii. Rooftop. The common open space is located on a building rooftop and is a minimum of 15 feet away from any property line.

~~b-c.~~ Visibility. Common open space shall be located and arranged to allow visibility into the space from pedestrian walkways within the development. Fencing or barriers shall be designed with opaque, nontransparent materials for a maximum of 80 percent of the surface area, to allow some visual transparency between the common open space and pedestrian walkways.

2. **Private Open Space.** Private open space shall be provided according to Section 17.23.100, Open Space, and shall be screened with one of the following options:

a. **Screening with Structural Elements.** A private open space may be screened by a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls.

b. **Screening with Landscaping and Structural Elements.** A private open space may be screened by a landscape buffer or dense evergreen shrubs/vines of minimum 5 feet width and minimum 4 feet height, and a fence or wall complying with Section 17.23.060, Fences and Freestanding Walls. If a ground-level private open

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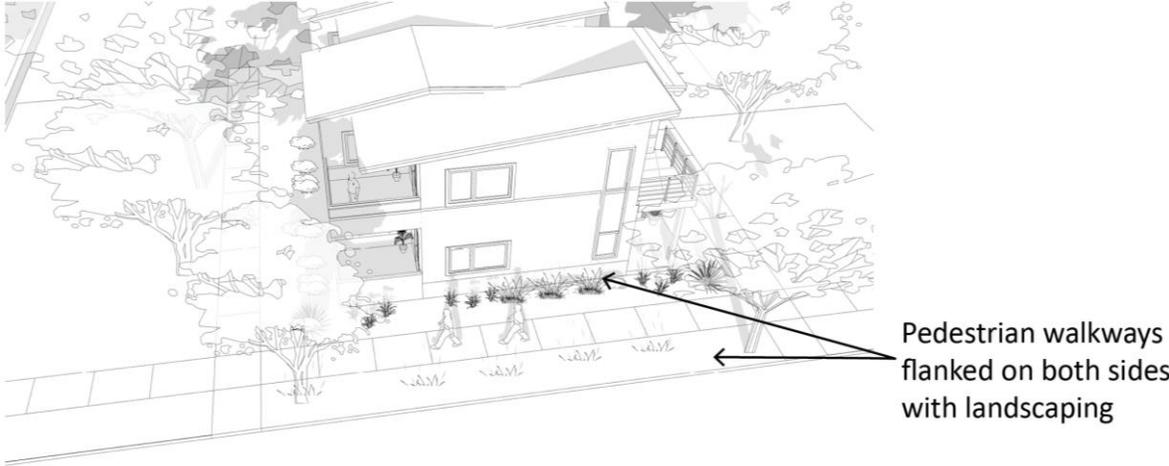
space is visible from a public right-of-way or common open space, a landscape buffer is required.

- F. **Landscaping.** Landscaping shall be utilized for all outdoor areas that are not specifically used for parking, driveways, walkways, or open space. Refer to Chapter 17.25, Landscaping, for regulations applicable to all new development. In addition, projects within the Coastal Resource Protection (CRP) Overlay District shall comply with relevant regulations in Chapter 17.14, Coastal Resource Protection Overlay District. For landscaping requirements in vehicular parking areas, refer to Section 17.27.110, Parking Area Design and Development Standards. In addition, the following standards apply:

- ~~1. **Pedestrian Walkways.** Pedestrian walkways shall be flanked on both sides with landscaping, and may include a mix of turf, groundcover, or shrubs. Both sides of walkways shall provide trees spaced to shade at least 25 percent of the overall walkway length at maturity.~~
- 2.1. **Number of Plants.** A minimum of one 15-gallon tree or equivalent box size and 10 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
- 3.2. **Plant Selection.** Projects shall comply with water efficient planting standards of Section 17.25.050, General Requirements. Plants shall be selected from plants that are native to California, or plants included on the City's Street Tree List. Artificial or synthetic plants, except for turf, are prohibited. In addition, tree and plant species that attract and provide habitat for local fauna (e.g., birds and pollinators such as bees and butterflies) are encouraged. ~~Artificial or synthetic plants, except for turf, are prohibited.~~
- 4.3. **Privacy.** Landscaping shall be provided as a buffer between adjacent individual units. Landscaping shall obscure direct sight lines, and may be used in combination with walls, fencing, and/or trellises to screen views. ~~Plant selection and landscape screening container size shall be selected to achieve at least 50 percent of this height within three years of installation.~~
- ~~4. **Pedestrian Walkways.** Pedestrian walkways shall be flanked on one side with landscaping, and may include a mix of turf, groundcover, or shrubs. Trees provided within 20 feet of pedestrian walkways shall be placed a maximum of 30 feet apart on center, in order to provide some shade.~~

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**FIGURE 17.31.020(F)(14): PEDESTRIAN WALKWAYS**



**17.31.030 Building Design Standards**

~~A. **Purpose.** Building design incorporating variations in form, massing and façade articulation provides human scale and visual interest to a building and contributes to Morro Bay’s eclectic character and architectural diversity. Topics in this section include building massing, scale and form, façade articulation, roof forms, building and unit entryways, fenestration, parking structure design, and building materials and colors.~~

A. **Building Form, Massing, and Façade Articulation.** Building form, massing and façade articulation facilitate the distinction of individual units, or groups of units, through varied heights, projections, setbacks, and recesses. Materials and colors emphasize changes and hierarchy in building form.

1. **Building Form and Vertical Hierarchy.** Buildings shall be designed to differentiate between a defined base; a middle or body; and a top, cornice, or parapet cap. Buildings two stories or less shall include a defined base and a top, cornice, or parapet cap. This effect shall be achieved through incorporating at least two of the following design elements for all buildings:
  - a. Color, texture, or material changes.
  - b. Variations, projections, or reveals in the wall plane.
  - c. Variations in fenestration size or pattern.
  - d. Decorative architectural details such as cornices and columns.

**FIGURE 17.31.030(B)(1): BUILDING FORM AND VERTICAL HIERARCHY**

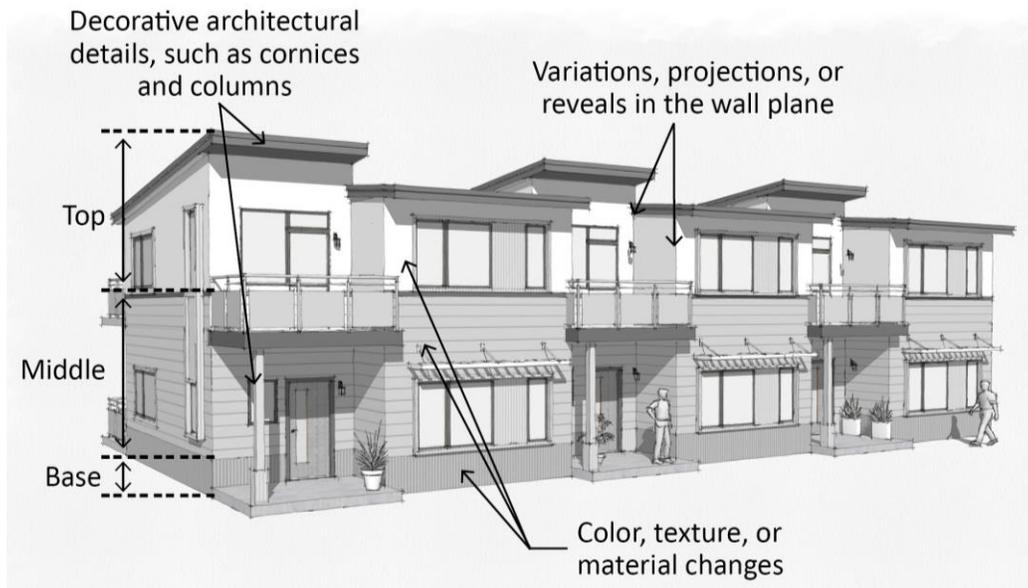


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- ~~2. **Wall Plane Variation.** See Section 17.07.040, Supplemental Regulations, for building façade articulation in residential zoning districts. For mixed use projects, see Section 17.31.030 in this chapter.~~
- ~~3. **Four sided Architecture.** Buildings shall be designed and articulated with common details, articulation, materials, and elements on all sides.~~
- ~~4. **Corner Architectural Features.** Buildings shall incorporate architectural features at corners such as towers, primary entries, enhanced materials, or roof projections to create a sense of hierarchy.~~
- ~~5. **Corner Facade Articulation.** Buildings located on the corner of two streets, and greater than one story, shall include one or more of the following features on both of the intersecting facades, located within 25 feet of the corner of the building:
  - ~~a. An entry to ground floor use or a primary building entrance.~~
  - ~~b. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade.~~
  - ~~c. The area encompassed within 25 feet of the corner of the building shall have a change in height of at least 5 feet.~~~~

~~**FIGURE 17.31.030(B)(5): CORNER FACADE ARTICULATION**~~

- ~~2. **Massing.**
  - ~~a. **Upper Floor Area Reduction.**
    - ~~i. **Main Street and Morro Bay Boulevard.** The floor area for upper floors shall be reduced through one of the following options:
      - ~~(1) The second floor shall have a maximum floor area that is 90 percent of the ground floor area, and the third and higher floors shall have a maximum floor area that is 80 percent of the ground floor area.~~
      - ~~(2) The second and higher floors shall provide that 50 percent of every elevation is set back a minimum of 3 feet in addition to the required setback area.~~~~
    - ~~ii. **All Other Locations.** The third floor and floors above shall have a maximum floor area that is 80 percent of the ground floor area.~~~~
  - ~~b. **Upper Floor Cantilever.** Upper floor uncovered decks shall be allowed to cantilever and protrude into the applicable setback or public-right-of-way, provided that there is a minimum of 12 feet of clearance and that the cantilever does not encroach more than 2 feet into the applicable setback or public right-of-way. Right-of-way encroachment shall obtain an Encroachment Permit in accordance with Title 12 of the Morro Bay Municipal Code.~~~~
- ~~3. **Façade Articulation.** All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth for every 25 horizontal feet of wall. If located on a building with two or more stories, the articulated elements must~~

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be greater than one story in height, and may be grouped rather than evenly spaced in 25-foot modules. Building entrances and front porches and projections into required yards such as stoops, bays, overhangs, fireplaces, and trellises may count towards meeting this requirement.

**4. Roofs.**

**e-a. Roof Line Variation.** Roof lines shall not extend more than a length of 40 feet without at least one prominent change as described below:

- i. Provide variation in roof form, such as hip, gable, shed, and flat with parapet. Mansard roofs are prohibited.
- ii. Provide variation of roof height of at least 18 inches (as measured from the highest point of each roof line).

**FIGURE 17.31.030(~~B~~)(~~6A~~)(4): ROOF LINE VARIATION**

**e-b. Flat Roofs and Parapets.** Parapets shall be provided around the perimeter of a flat roof and shall be a minimum of six inches taller than all rooftop equipment.

- i. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.
- ii. Parapets shall be capped with “precast” treatment, continuous banding, or projecting cornices, dentils, or similar edge treatment. Visible unfinished metal flashing is prohibited.

**5. Corner Architectural Features.** Buildings located on the corner of two streets, and greater than one story, shall include one or more of the following features on both of the intersecting facades, located within 25 feet of the corner of the building:

- a. An entry to ground-floor use or a primary building entrance.
- b. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade.
- c. The area encompassed within 25 feet of the corner of the building shall have a change in height of at least 2 feet.

**B. Building and Unit Entrances.** Entrance orientation and design shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts). The following additional standards also apply:

**1. Primary Residential Building Entrances.**

- a. *Street-Facing Entry.* Residential buildings located adjacent to the primary street shall have a ground-level common entry facing the primary street unless units are accessed by individual entries.
- b. *Building Entry Architectural Treatments.* Common building entries shall be differentiated from the main façade through at least two of the following:

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- i. Roof above the entry incorporating a change in roof line of at least 18 inches in height.
  - ii. Entry incorporating a variation of wall plane (recessed or projected) a minimum of 2 feet from the adjacent wall planes.
  - iii. Entry incorporating architectural treatments that vary from those on the general facade (e.g., window and/or door trim with substantial depth and detail, decorative siding, decorative fascia, porches, stoops).
- c. *Porch Requirements.* A porch serving more than one unit shall be a minimum of 6 feet by 8 feet in dimension.
- d. *Enhanced Paving for Building Entrances.* Primary building entryways shall provide decorative and accent paving that contrast in color and texture from any adjacent pedestrian walkway surfaces. Allowed materials include stamped concrete, painted concrete, concrete pavers, brick, stone, flagstone, tile, and ceramic. Decomposed granite, pea gravel, and other types of crushed rock are prohibited.

**FIGURE 17.31.030(CB)(1)(B): PRIMARY BUILDING ENTRY ARCHITECTURAL TREATMENTS**

**2. Individual Unit Entrances.**

- a. *Upper-Floor Unit Entry.* Exterior entries to individual units on upper floors are permitted; however, in order to avoid a “motel-style” appearance, no exterior access corridor located above the ground floor may provide access to five or more upper-floor units.
- b. *Non Street-Adjacent Buildings.* Buildings not located adjacent to a street shall have unit front entryways oriented to face common open space areas such as landscaped courtyards, plazas, or paseos.
- c. *Porch Requirements.* A porch serving an individual unit shall be a minimum of 5 feet by 8 feet in dimension.
- d. *Stoop Requirements.* A stoop serving an individual unit shall be a minimum of 4 feet by 4 feet in dimension. The stoop adjacent to the door shall be a maximum of 5 feet in height above the adjacent walkway, and stairs or ramps from the stoop lead directly to the public right-of-way, or a parallel to the public right-of-way.

**C. Windows.**

- 1. **Privacy.** Where a residential building is located within 10 feet of a neighboring property line, windows facing adjacent neighboring buildings shall be offset a minimum of 5 feet from closest edge to edge. Where this offset cannot be provided, the window design on the building facades facing each other shall avoid unfiltered/direct sight lines views into interiors and from neighboring properties. This requirement is waived if opposing windows are adjacent to commercial uses. In addition, windows opposite an adjacent building shall be further screened through shall be designed with one or more of the following:
  - a. Utilize non-transparent or obscured glazing, such as frosted/patterned glass, glass block, or non-operable opaque windows. Reflective glazing is not permitted.

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- b. Provide permanent architectural screens or affixed louvers at windows.
  - c. Utilize clerestory windows with the bottom edge of the window a minimum height of 6 feet from the ground.
2. **Window Treatment.** All windows shall either be recessed at least 2 inches from the plane of the surrounding exterior wall or shall have trim at least 1/2 inch in depth and ~~3.52~~ inches in width. ~~See Section 17.07.040, Supplemental Regulations (Residential Districts).~~
- a. *Windows Facing a Public Street.* Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
  - b. *Window Shutters.* Functional and decorative shutters shall be one-half-width of the associated window glazing (for paired shutters), or matching window width for a single shutter.
- D. **Materials and Colors.** Exterior building materials and colors shall comply with the provisions of Section 17.07.040, Supplemental Regulations (Residential Districts), or Section 17.08.040, Supplemental Regulations (Commercial and Mixed Use Districts).
- 1. **Wall Material.** The primary exterior siding material for buildings shall be stone, brick, stucco, concrete block, painted wood clapboard, fiber cement clapboard, or painted metal clapboard.
  - 2. **Window Material.** Window materials, color, and style shall be consistent on all elevations, unless used at an entry way or as an accent feature.
  - 3. **Material Transition.** Changes in material shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.
  - 4. **Awnings.** Glossy finish vinyl awning material is not allowed.

**17.31.040 Additional Mixed Use Standards**

- A. **Façade Articulation.** Building façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 5-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest. Building entrances, front porches, upper-story setbacks, and projections such as stoops, bays, overhangs, fireplaces, upper-story decks and trellises count towards this requirement.
- ~~B. **Ground Floor Transparency.** Refer to Section 17.080.040, Supplemental Regulations, for standards related to exterior walls containing non-residential uses.~~ **Height.** The ground floor height of mixed use projects shall be a maximum of 11 feet, measured floor to ceiling.
- ~~B.C. **Ground Floor Transparency.** Exterior walls of buildings or portions of buildings containing non-residential uses facing and within 20 feet of a front or street side lot line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening.~~
- ~~C.D. **Street-Facing Setbacks.** Where a front setback or street-facing side setback is provided for a mixed use building, it shall be designed for pedestrian orientation with hard surface and amenities. The setback area on each lot shall contain at least two amenities per 50 linear feet such~~

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as benches, drinking fountains, shade structure, or other design element (e.g. art or sculpture, planters, and kiosks).

**D-E. Entrances.**

1. **Residential Street-Adjacent Entry.** Mixed use buildings located adjacent to the primary street shall incorporate at least one residential building entrance that directly fronts the public sidewalk or right-of-way and complies with the requirements of Subsection 17.31.030(CB)(1).
2. **Commercial Storefronts.** Commercial entrances adjacent to the sidewalk shall be recessed from the façade by a minimum of 2 feet from the rest of the building, creating an alcove.

**17.31.050 Parking Structures.**

- A. **Wall Plane Variation.** Façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a 3-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest.
- B. **Materials and Colors.** The parking structure shall utilize the same colors and materials as the primary buildings.
- C. **Articulation.** The exterior of the parking structure shall apply at least one of the following as articulation:
  1. Applied materials such as brick, stone, and/or siding which extend at least two inches from the face of the structure to the face of the applied materials. Painted concrete, smooth concrete, or stucco walls shall not be considered sufficient articulation.
  2. Decorative architectural features such as cut metal screens, awnings, trellises, louvers, and/or decorative security grills shall be used on openings facing a public street or open space.
- D. **Landscaping.** Vertical plantings shall be located between openings, entrances, and architectural accent features. At least one tree shall screen the building façade per 50 feet. Trees shall be selected from California native plants or from the City's Street Tree list. Trees shall be selected to grow to 40 feet in height at maturity, and shall grow to at least 15 feet in height within two years from time of installation.

**17.31.060 Utilitarian Elements**

- A. **Bicycle Parking.** Bicycle parking shall comply with the provisions of Section 17.27.080, Bicycle Parking. Additionally, long-term bicycle parking areas shall be required to provide one 110 voltage wall outlet per every 10 long-term bicycle parking spaces for residents with electric bicycles.
- B. **Refuse Storage and Collection Areas.** Trash, recycling, and green waste container enclosures are required for residential and mixed use developments. They shall be located within a service section of the primary building, incorporated into the exterior building design, or located within a detached and locked enclosure designed and placed as follows:
  1. **Location.** The enclosure shall be located to the rear or side of the building and located outside of view from a public right-of-way.

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2. **Screening.** The enclosure shall include a solid wall a minimum of 6 feet in height and a roof structure that fully shields the top of the container, and be located on the site in an area where the screening height required is allowed.
  3. **Materials.** The enclosure shall use materials that are consistent with exterior colors and materials of the primary building.
- C. **Fences and Walls.** Fences and walls shall comply with the provisions of Section 17.23.060, Fences and Freestanding Walls. In addition, where fences and walls of different materials or finishes intersect, a column or pilaster shall be provided.
- D. **Lighting.** Lighting shall comply with the provisions of Section 17.23.080, Lighting and Illumination. Projects within the Coastal Resource Protection (CRP) Overlay Zone District shall comply with additional provisions of Section 17.14.090, Visual Resource Protection. Lighting in parking areas shall also comply with Section 17.27.110, Parking Area Design and Development Standards.
- E. **Screening of Mechanical Equipment.** Equipment and utilities shall comply with the provisions of Section 17.23.130, Screening.
- F. **Vents and Exhaust.** All wall-mounted elements shall be located at interior corners of building walls or behind building or screening elements that conceal them from public view. All flashing, sheet metal vents, exhaust fans/ventilators, and pipe stacks shall be painted to match the adjacent roof or wall material and/or color.

Exhibit E

Link to May 16, 2023, Planning Commission agenda and staff report (pages 121-123)

<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6171>

Exhibit F

Link to June 6, 2023, Planning Commission agenda and staff report (pages 37-58)  
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6188>

Exhibit G

Link to July 18, 2023, Planning Commission agenda and staff report (pages 11-30)  
<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6242>