

**City Attorney’s Impartial Analysis of Measure A-24:
“Initiative Measure to Amend City of Morro Bay’s General Plan (Plan Morro Bay),
adopted by City Council on May 25, 2021, to prohibit, unless approved by Morro Bay
Voters, any change to Land Use Designations of Visitor-Serving Commercial or
Commercial/Recreational Fishing, on Certain designated Parcels within the City”**

Measure A-24 was placed on the ballot after an initiative petition received the requisite number of voter signatures. Plan Morro Bay (the “Plan”) serves as the General Plan and Local Coastal Program/Coastal Land Use Plan for the City of Morro Bay (“City”).

Current City land use procedures allow for City consideration of alternate land use designations from the Plan and of allowable development uses through land use and development applications considered by the City’s Planning Commission and City Council. Measure A-24 prohibits City changes to the Plan’s land use designations, and prohibits alternative development uses, for approximately 103 acres (“Subject Property”) of real property within the City, from Visitor-Serving Commercial and/or Commercial/Recreational Fishing, unless approved by City voters.

The Subject Property lies east of Morro Rock by the Morro Bay harbor, and includes certain parcels on each side of Embarcadero Road (from Beach Street to Atascadero Road) as well as on Coleman Drive. The Subject Property currently includes restaurants, commercial/recreational fishing oriented uses, certain parking lots, Coleman park, the Harbor Department, the U.S. Coast Guard, City property, Morro Dunes RV Park and approximately 63 acres of the former Morro Bay Power Plant property.

If Measure A-24 is adopted, any future City amendment to the Subject Property’s land use designations requires an election. An election for new land use designations could be called through either (i) a voter-initiated petition signed by 10% of City registered voters, or (ii) a Council initiated measure. The election date would be a regular election (held every two years) or a special election called by the Council. Measure A-24 does not prohibit State mandates or preemptions superseding City control of land use designations for the Subject Property. Such State control of land use would be applied pursuant to State law procedures and not be subject to a local election.

Measure A-24 provides the City Council shall take all steps reasonably necessary to enforce the Measure and to defend the Measure against any challenge to its validity. A legal question exists as to whether this provision conflicts with initiative authority because that authority does not allow initiatives to decree adjudicatory or administrative acts, or matters committed to City Council discretion.

Measure A-24 would take effect if approved by a majority of voters at the November 5, 2024 general municipal election. A “YES” vote would restrict City changes to Subject Property land use designations of Visitor-Serving Commercial and/or Commercial/Recreational Fishing unless alternate land use designations are approved by the voters at a future election. A “NO” vote is a vote against such land use restrictions.

The above statement is an impartial analysis of Measure A-24. If you desire a copy of the measure, please contact the Morro Bay City Clerk’s Office at (805) 772-6205 and a copy will be mailed at no cost to you.