



AGENDA NO: Public Comment

MEETING DATE: December 15, 2020

**AGENDA CORRESPONDENCE
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FOR PUBLIC REVIEW PRIOR TO THE MEETING**

TO: Morro Bay Planning Commission

From: **Home Front EJ, Morro Bay**

Regarding: Environmental Justice Element, Draft General Plan Update

Dear Morro Bay Planning Commissioners;

Home Front, Environmental Justice, Morro Bay (Home Front EJ), is a grassroots group of local citizens whose focus is on issues of environmental justice and policy as applied and practiced in Morro Bay. Below is Home Front EJ's comments on the Draft Environmental Justice Element of the General Plan Update (Plan Morro Bay).

According to The California Attorney General's Office, "'Environmental Justice' is defined in California law as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Cal. Gov. Code, § 65040.12, subd. (e).) California is a leader in enacting laws specific to environmental justice, including a law directing funding for greenhouse gas reduction measures to disadvantaged communities and another that requires environmental justice to be addressed in local governments planning. Furthermore, Environmental Justice requires an ongoing commitment to identifying existing and potential problems, and to finding and applying solutions, both in approving specific projects and planning for future development." Planning for a resilient future for Morro Bay is going to require collaboration, cooperation and innovation.

The Draft General Plan appears to make no distinction between 'Community Well-Being' and 'Environmental Justice'. For some, Community Well-Being might be dependent on filling Vacation Rentals and pushing the envelope on areas of development: chasing a billionaires' dream. For some, Community Well-Being is dependent on outside community factors like, tourism, coastal access and the ability get around. But these things have little to do with how 'environmental justice' looks like to the citizens who live here. The citizens that live here are the stewards of the place that they call home, and the city's General Plan should embody that responsibility and empower citizens to do better.

Environmental Justice has less to do with a line in the sand, designating a zone or property line and more to do with the space in between, which make up a neighborhood. That space is filled with people and an energy that radiates care for community. Environmental Justice is about care for the people that live here, not just for those who invest here. A good General Plan must have a thread of Environmental Justice weaving in a cohesive manner into all sections of this living document, creating a tapestry for the future to be founded on. Environmental Justice is not something one could quantify; it's made up of unique and diverse experiences coming together for a common good of caring for what we call home. If done well, the pursuit of environmental justice leads to innovating solutions and hope for the future.

With the Climate Crisis and a global pandemic upon us, the importance of a General Plan for the city of Morro Bay has never been greater. We are in the midst of facing some hard truths. We owe it to the upcoming generation to leave them a road map for solutions and where there are none, the freedom and tools to innovate. This is something that is missing from the Environmental Justice Element and in turn the whole document.

What does 'Environmental Justice' (EJ) look like in Morro bay?

As stewards of Morro Bay, we must have a General Plan that facilitates the ongoing commitment and responsibility to leave our future stewards a policy representative of the challenges that they are facing and they will face. We are one of many coastal communities in California that are facing the challenges of Climate Change and the economic challenges facing our community during this global pandemic. Our community is currently facing some critical environmental justice issues:

- Our water/sewer rates are double of the national average for our medium income, and are most likely going to go up.
- Affordable housing for our essential lower income workers is lacking and is contributing to homelessness and loss of diversity in our community,
- A once sustainable water supply and aquifer have been polluted by sewage from a dilapidated sewer collections infrastructure and now the public health risk has been exacerbated by the potential of cross-contamination with the COVID-19 pandemic.

The current Environmental Justice section of the General Plan lacks the vision necessary to confront these challenges that our children and grandchildren are facing. Instead of addressing the General Plan as a carousel of elements and then myopically analyzing an element as if it's on a petri dish; we build the General Plan on the back of an Environmental Justice Element that bonds and holds this living document together. We need to look beyond our comfort zone and push for a policy of action and direction that address the existential threat of the Climate Crisis that our generation has left for the future ones to solve. As a California coastal community, Morro bay should have General Plan elements that are rooted in environmental justice and have measures of reducing greenhouse gases. Morro bay has all the organic attributes to become carbon neutral in the future; here are some of the ways we could help move the city in that direction:

- Create a Natural Disaster Emergency Element, that would integrate with the current emergency responses of the city's police, fire and other first responders.
- Create an Air Element, that would inform the local citizenry of local air quality and help facilitate collaboration between the city, local academia and citizen scientist in understanding local climate change issues like greenhouse gas inventory and ocean acidification.

- Create an Environmental Justice Element that fosters decision making based on good science and the latest scientific projections of the approaching climate crisis.
- Institute a WRAP, Wastewater Resiliency Action Plan, at the existing WWTP location
- Invest in the Blue Economy of restoration; eelgrass and aquaculture in the estuary.
- Promote the MBEAM, Morro Bay Estuary Air Monitoring, project
- Focus around Carbon neutrality, by integrating and interconnecting our transportation element around the California Coastal Trail as it passes through Morro Bay.

Recently in Washington, a young man by the name of John Henry was addressing the newly elected administration regarding the Climate Crisis and to create an office on climate mobilization.

“Do this and we will never forget you, and if you fail us, we will never forgive you.”
...John Henry

We owe it to the children and grandchildren whom we claim to love, to give them the best chance for survival and to pass on a quality of life that we have enjoyed.

We must do better.

Richard E.T. Sadowski

Home Front EJ, Morro Bay

From: Sean Green [REDACTED]
Sent: Tuesday, December 15, 2020 12:35 PM
To: PlanningCommission <PlanningCommission@morrobayca.gov>
Cc: Scot Graham <sgraham@morrobayca.gov>; Cindy Jacinth <cjacinth@morrobayca.gov>; Council <council@morrobayca.gov>
Subject: 12/15/20 Planning Commission Item B-1: Public Access additions to General Plan

Planning Commission and staff,

Thank you for the attention you paid to lateral access during last month's ongoing review of the Plan Morro Bay hearing draft. Still, what must be made clearer and added to the general plan is specific guidance regarding connection links between otherwise independent stretches of 10' wide lateral access. What's currently (and incorrectly) being lumped into "vertical access" rather than "lateral access" are the essential connection points between each stretch of bayside access, especially as it pertains to the Embarcadero. If Morro Bay continues to allow reduction of lateral access down to 5' wide pinch points every X number of feet, then we essentially lose 5' of lateral access at every transition from parcel to parcel or parcel to sidewalk and are, thus, arguably in breach of the Coastal Act. At the very least, our pattern of pedestrian-unfriendliness would continue along Embarcadero if the hearing draft fails to close the current loophole that allows leaseholders to characterize "lateral" access as "vertical."

"Lateral access describes the ability to move parallel to the coastline, along the shore." (3-43)

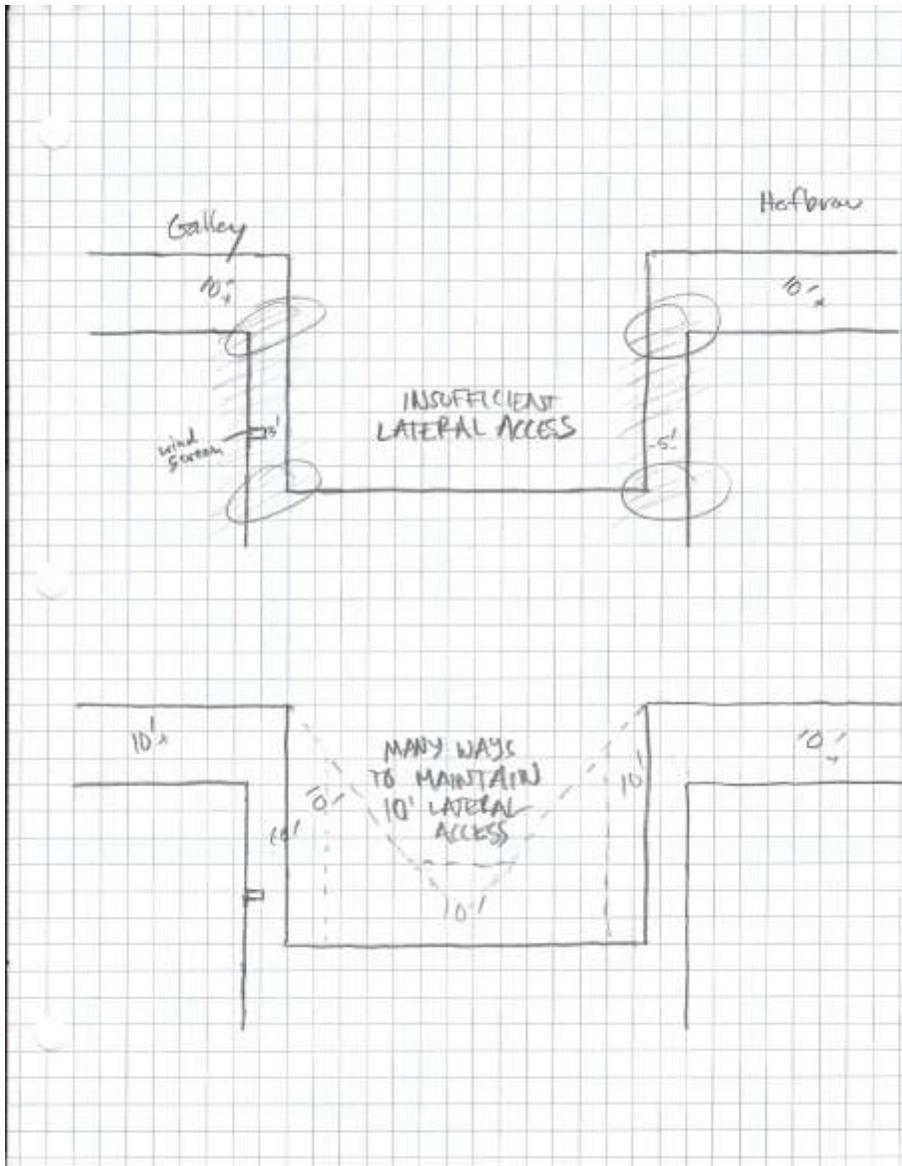
This means that 10' lateral access along the bay MUST EXIST CONTIGUOUSLY ALONG THE SHORE -- even as the shoreline deviates from a straight line -- not abruptly convert to 5' vertical access at every 90-degree corner of every block, as many of our waterfront leases currently do. Providing 5' vertical access to 10' lateral access, then back to 5' vertical access DOES NOT ADEQUATELY PROVIDE "THE ABILITY TO MOVE PARALLEL TO THE COASTLINE" but instead creates a maze through which most Morro Bay visitors are unwilling to venture.



Hofbrau and Galley, as recent examples, do satisfy minimum 10' lateral access against the bay, only to then funnel pedestrians immediately into 5' passageways (Galley's 3'). Planning Commission must make clear that these passageways are NOT VERTICAL ACCESS POINTS BY DEFINITION despite their perpendicular nature. Rather, they are part of what should be considered contiguous lateral access that provides the public "the ability to move parallel to the coastline, along the shore," as the Coastal Act prescribed. Compare those two examples to the new (and much more successful) House of Juju lateral access transition to see what a difference can be made by recognizing such connections NOT vertical access but rather contiguous lateral access.



After all, were the Embarcadero a natural habitat and not a series of commercial structures, Morro Bay would be obliged to provide 10' wide lateral access along the ENTIRE BAY SIDE, and not, as we do now, 5', then 10', then back to 5', then 10', and so on.



"Goal LU-7: All residents and visitors have unimpeded and convenient public access to and along the coast." (3-44)

Additions to hearing draft in Section LU-7:

- Clarify that transitions from parcel to parcel and parcel to sidewalk along Embarcadero (bayside) are considered LATERAL ACCESS and subject to 10' minimum widths

Weaker alternative 1:

- Clarify that transitions from parcel to parcel and parcel to sidewalk along Embarcadero (bayside) are considered HYBRID ACCESS and subject to 7.5' minimum widths (average of lateral/vertical mins)

Weaker alternative 2:

- Clarify that transitions from parcel to parcel and parcel to sidewalk along Embarcadero (bayside; north and south of lease site) "should maintain as close to the same lateral access as that provided on the parallel (west) side.

IMPLEMENTATION ACTION LU-22:

- **Explicitly classify bayside Embarcadero lease transitions from parcel to parcel and parcel to sidewalk as LATERAL ACCESS subject to 10' minimum widths**

"There is a particular emphasis on lateral access improvements needed in the Embarcadero area, where complete bayside lateral access via dedicated public space is required..." (3-43)

Vertical access points in the Beach Tract, on the other hand, are, in fact, true vertical access points that provide perpendicular access to the entire beach, as the beach itself offers the "ability to move parallel to the coastline." No issues with hearing draft plan when it comes to areas outside of Embarcadero.

"GOAL C-9: The aesthetic and visual natural resources in and around Morro Bay are protected to preserve the community's identity." (4-60)

Coastal Act and Morro Bay code breaches of lateral access, as well as compliance issues regarding view corridors and privacy screening along Embarcadero additionally hinder the public's ability to enjoy its own coastline. The Morro Bay Yacht Club, for example, screens 6' height for an entire city block with opaque wood fencing for the apparent purpose of increasing privacy and exclusivity: two features that should not be part of the Morro Bay waterfront. Associated Pacific Constructors, another "working waterfront" leaseholder, screens 6' as well.



Vast stretches of public viewsheds along Embarcadero have disappeared needlessly over time; we must seek to correct this damaging pattern through specific language in our general plan. Not only is compliance with the Coastal Act at stake, but also the public status of the increasingly private waterfront. Further, the "working waterfront" moniker appears countless times throughout this hearing draft plan; how is the public supposed to observe and gain an appreciation for the work if we can't see it? And aren't the Morro Bay Yacht Club and Associated Pacific Constructors perfect examples of waterfront activities that we DO want the public to see?

Though views are discussed in later sections of the general plan, specific implementation actions must be added to the general plan in section LU (as well as Section C) to expressly facilitate the removal of non-compliant privacy screening, removal of lateral access obstacles, and restoration of all accessways and view corridors per Coastal Act guidelines or current Morro Bay CDP/CUP.

IMPLEMENTATION ACTION LU-23, 24, 25 (and duplicate as C-35, 36, 37)

- **Explicitly require "the removal of all privacy screening at Embarcadero lease sites except those required around trash and other related items (possibly subject to enforcement against leaseholder), as these represent a hindrance to public enjoyment of the waterfront guaranteed by the CA Coastal Act and Morro Bay code."**
- **Explicitly require "the removal of all physical obstacles, furniture, and signage currently existing within lateral and vertical accessways along Embarcadero (possibly subject to enforcement against leaseholder), as these represent likely violations of the CA Coastal Act (and Morro Bay code)."**
- **Explicitly require "the ongoing maintenance by leaseholder of all accessways and viewsheds per the CA Coastal Act and Morro Bay code (possibly subject to enforcement against leaseholder), as these accessways and viewsheds along Embarcadero are explicit rights granted to the public by the Coastal Act and Morro Bay code."**

I thank you again for taking public access seriously. Planning Commission represents the people of Morro Bay whose legal right to enjoy the waterfront along Embarcadero is challenged daily, whether intentional or not, and it will take strong, clear language in our general plan (and supporting documents) to guarantee such challenges will not be allowed to persist. Please keep in mind that the city and people of Morro Bay have been appointed trusted guardians of all waterfront lease sites on behalf of the public. It is our responsibility to set and maintain higher standards for public access than those that have created the pedestrian-unfriendly situation we have in Morro Bay today.

Respectfully submitted,

Sean Green
Morro Bay, CA



