



AGENDA NO: B-1

MEETING DATE: March 16, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE
PLANNING COMMISSION
FOR PUBLIC REVIEW
PRIOR TO THE MEETING**

[REDACTED]

From: Damaris Hanson
Sent: Tuesday, March 16, 2021 9:24 AM
To: Scot Graham; Cindy Jacinth
Subject: FW: agenda item b-1

From: betty winholtz [REDACTED]
Sent: Tuesday, March 16, 2021 3:38 AM
To: Jesse Barron <jbarron@morrobayca.gov>; Joseph Ingraffia <jingraffia@morrobayca.gov>; Susan Stewart <sstewart@morrobayca.gov>; Bill Roschen <broschen@morrobayca.gov>; Jennifer Ford <jford@morrobayca.gov>
Cc: Damaris Hanson <dhanson@morrobayca.gov>
Subject: agenda item b-1

Dear Planning Commissioners:

In your haste to get to the General Plan EIR, please give these trees your full attention first. It's a matter of life and death for them.

Here are facts about Monterey Cypress found from a variety of sources on the internet from the CA Native Plant Society to the University of Florida, from the Western Arborist to the US Forest Service to the San Francisco Botanical Garden. Descriptions were universal with each adding a unique angle.

"The *Monterey cypress* is found naturally only on the Central Coast of California." **It is the Morro Bay City tree.**

"Being quite hardy, it can live to 300 years old in ideal conditions. The oldest living Monterey cypress is a little over 280 years old, with most trees dying before reaching 100." **These trees are approximately 30.**

The Monterey Cypress "drops its lower branches." **These trees have had their lower limbs already removed, acknowledged in the arborist report.**

"6 Warning Signs Your Tree May Fall

1. Dead or falling branches.
2. Missing bark or deep marks.
3. Roots near water. ...
4. Fungus on roots. ...
5. Cracked or raised soil. ...
6. Cracks in the trunk." **These warning signs were not listed in the arborist report.**

CARE

"Any healthy, young, well-irrigated cypress tree can be safely pruned. As a tree grows older, prune it every few years from youth into age during the winter in order to lighten up the foliage, lace out the center, clean out dead twigs and foliage, remove dead wood, and tip-prune to strengthen branches.

"If it is six to ten feet tall, sink a sturdy six-foot long stake three feet in the ground two feet from the trunk on each side of the tree. Loop one inch wide nylon belting loosely around the trunk and stake. The support should be loose enough to allow some swaying but not so loose that the tree can fall again."

The arborist report identifies trimming and/or staking possibilities though he is not recommending them.

They can do sun, but prefer "part shade, bathed in fog." **These trees have this condition under the eucalyptus.**

"The high coastal winds transform the tree into irregular shapes with flat tops resembling a bonsai tree." **These trees already have this look.**

"The Monterey cypress depends on fire to cause its small round cones to open and disperse the tree's seeds." **No worry that these trees will spread.**

Its "understory of scattered dwarf shrubs and perennial herbs [[13](#)]. It intergrades with northern coastal bluff scrub." **Vegetation grows under them.**

"In native groves, trees on the coastal fringe are severely sculptured and distorted." **These trees' grove was each other and the eucalyptus; we should not expect them to look 'perfect.'**"

I assume this is the major concern of the homeowners. How Monterey Cypress fail:

"Branch failure was the principal type of failure for Monterey cypress: 222 cases or 48% of all failures. Branch failures can occur either at the point of attachment to the trunk or along the branch (Fig. 2). The majority of failures occurred along the branch for Monterey cypress (69%), for failures along the branch, distance from the point of attachment ranged from 1 to 12 feet for 72% of cases. Diameter of failed branches was highest (63%) in the 5- to 12-inch diameter range. No decay was reported in the majority (74%) of branch failures (Fig. 3). ostensibly, these failures occur along the branch and are associated with heavy end-weights." **Aligns with arborist statement that branch failure is the concern. Branches can be trimmed as mentioned above to prevent branch failure and reduce risk.**

"Of the 3 failure types, trunk failure was least frequently reported, amounting to 18% of all reports. Key defects associated with trunk failures include multiple stems/codominant stems (Fig. 5), dense crown, and cracks/splits." **Aligns with arborist statement: these trees have low risk.**

Sincerely,
Betty Winholtz



AGENDA NO: B-2

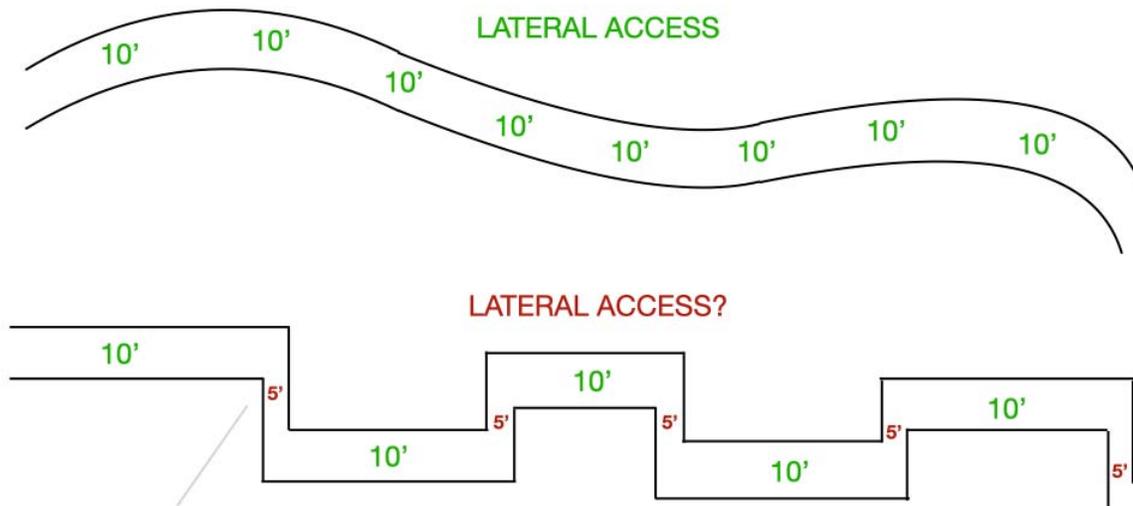
MEETING DATE: March 16, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE
PLANNING COMMISSION
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From: Sean Green [REDACTED]
Sent: Tuesday, March 16, 2021 4:15 PM
To: PlanningCommission; CentralCoast@coastal.ca.gov
Cc: Scot Graham; CityClerk
Subject: 3/16/21 Planning Agenda Item B-2: Lateral Access Protections
Attachments: Lateral Access - 3.16.21.jpeg

Planning Commission, Coastal Commission, and staff,

The difference between lateral access and vertical access, as they are specifically applied to the Morro Bay Embarcadero, needs revision and clarification in today's Draft Plan. As I have expressed in the past, and as has been supported by Tidelands Trust and Coast Act literature, **lateral access describes the ability to move parallel to the coastline, along the shore (3-43)**. In other words, any north-south walk from from Coastal Point X to Coastal Point Y along the shore is considered lateral access, which is appropriately subject to 10' minimum as specified in the Draft Plan before you. Unfortunately, what has been allowed to happen at several Tidelands developments in the past is a mischaracterization of lateral access as "vertical access," thus allowing private developers to squeeze **the public's ability to move parallel to the coastline** down to 5', sometimes even 3' or none at all.

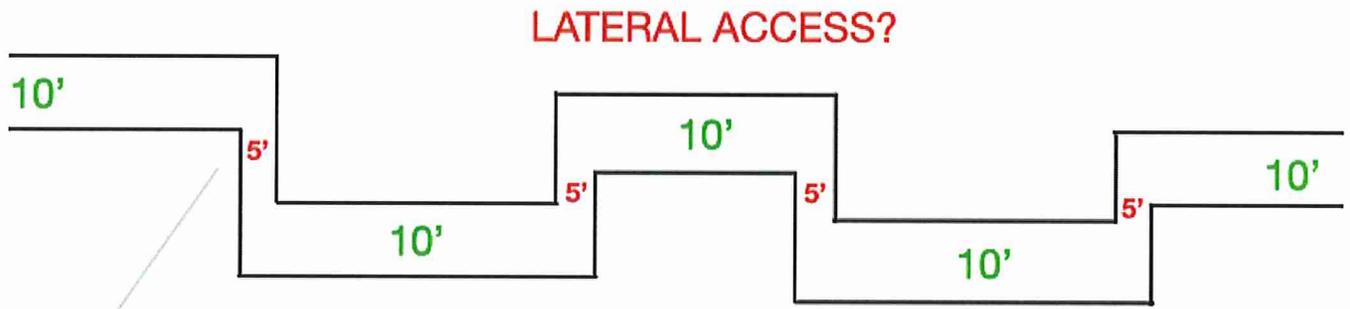
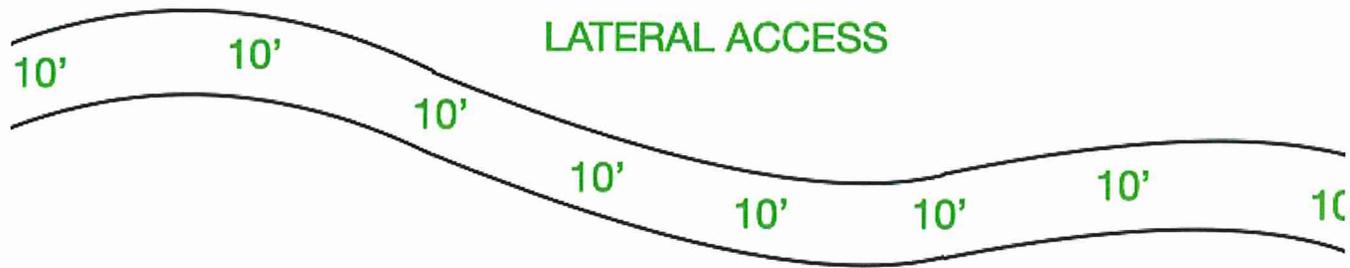


Every time lateral access is allowed to be mischaracterized as vertical access represents a hinderance to "the public's ability to move parallel to the coastline," as the Tidelands Trust and California Coastal Act prescribe.

By allowing this mischaracterization of vertical access to persist, the City and the Coastal Commission have unknowingly or willfully hindered the public's ability to access its own coastline, which is discouraging always, but especially discouraging in this case because the people of Morro Bay themselves--not the Embarcadero leaseholders--have been entrusted by the State of California as custodians of the Tidelands Trust. You can see in the comments submitted by Embarcadero businesses and their representatives that providing adequate lateral access is hardly a concern of theirs, nor is it in their best interest for you to accurately define and apply lateral access to future developments, which makes it even more critical for you to do so. At this time, prior to recommending approval of Plan Morro Bay to Council, I ask the Planning Commission, with Coastal Commission input, to close the vertical access loophole and make crystal clear that public enjoyment of the Morro Bay waterfront is non-negotiable.

Thank you for taking this important issue (and years of CA legal doctrine) seriously,

Sean Green
Morro Bay, CA



lateral access is allowed to be mischaracterized as vertical
 presents a hinderance to "the public's ability to move parallel to
 a," as the Tidelands Trust and California Coastal Act prescribe.

Embarcadero Master Leaseholders, LLC
701 Embarcadero Road
Morro Bay, CA 93442

March 15, 2021

City of Morro Bay Planning Commission
Community Development Department
955 Shasta Street
Morro Bay, CA 93442

Dear Chair Barron, Commissioners and staff,

The Embarcadero Master Leaseholder's are concerned with the effect that some of the policies in the General Plan and Local Coastal Plan update on the marketability of the City's assets in the Tidelands Trust properties. It is important to remember that the City depends on these assets to generate revenue specifically to fund the Harbor Department and to keep up and maintain the waterfront. Secondary to those direct revenues are the additional sales taxes and TOT taxes generated by those assets as well as the spill over to all the other businesses in Morro Bay. In order to make any of this work the City must be able to attract private capital to develop and to establish and maintain businesses on the City's own properties on the waterfront.

The issues we bring up below are areas of regulation that negatively impact the City's own properties in contrast with other privately held properties that do not have the same burdens. That disparity puts the City owned Embarcadero properties at a disadvantage to compete for that private capital needed for development and business generation. Our suggestions are intended to remove as much of that disparity as possible.... especially where they are clearly not needed.

Rules of Interpretation

The words "shall", "must", "will", "is to" and "are to" are always mandatory and so are "should" and "may" unless "should" and "may" have a compelling reason to do otherwise. If we're going to redefine the English language this way, the document needs to spell out what a 'compelling reason to do otherwise' is. Some formal criteria needs to be established or this will always be ambiguous and subject to challenge. Or we could go through the document where "may" or "should" is used and address each issue individually. Using language the way it is customarily used is the prudent approach. So allowing "should" and "may" to have their customary definitions seems the proper approach and the document should be explicit where there may be ambiguity.

Lateral Access

We have reviewed the Chamber of Commerce's letter to the Commission and would like to refer you to their discussion on lateral access and the Harbor Walk. Their discussion on the establishment of development standards and consistent application of those standards should inform you of the inadequacies and inconsistencies of the City's various policies on pedestrian access and hopefully encourage you to direct staff to establish a legal, properly justified and consistent pedestrian access policy throughout the city including the Embarcadero and the lateral accessways. Nowhere in this plan is there an acknowledgement or direction to the City as to the portions of the lateral accessways that are the City's responsibility to install such as the portion from the launching ramps through Tidelands Park and the several street dead ends on the Embarcadero. Those issues, including a funding plan, ought to be addressed in the implementation plan that the Chamber of Commerce points out is lacking.

Affordable accommodations

If we're reading the Overnight Accommodations portion of Plan Morro Bay correctly, Policy LU-6.3 (low cost accommodations) is not applicable until and unless a future survey shows the percentage of lower cost accommodations dipping to less than 25% citywide. Nevertheless, Policy LU-6.5 and Implementation Actions LU-13 and LU-14 require Tidelands Trust properties to provide 25% low cost accommodations despite the contrary policy for the rest of Morro Bay. This is another example of the City's policies devaluing the City's own properties...unnecessarily. If this is what city staff keeps replying to as a "non starter" with Coastal Commission, we remind you that your staff is interacting with Coastal Commission staff and the Commissioners themselves may have a differing opinion if ever they hear about it. (see paragraph below about pushing back on the CC staff)

Sea Level Rise

Setting the trigger for implementation of these policies in the number of feet of sea level rise rather than arbitrary time frames is an appropriate approach and we appreciate this change. However, two feet is much more stringent than the recommendations in the Sea Level Rise Adaptation Strategy Study commissioned by the City to advise on this issue. That study takes a wait and see kind of approach because the highest high tides we see in Morro Bay are currently at approximately 7 feet (7.01 was the highest in the past year) and the elevation of the Embarcadero is at approximately 14 feet. It goes on to say that the accepted studies about projected sea level rise on the West Coast show that the likelihood of sea level rise of more than 6 feet by 2100 is less than 0.5% (that also means it is 99.5% unlikely to occur) and that sea level rise of 2 feet by 2100 stands a 50% chance of occurring. With that level of likelihood of occurrence and the fact that the Embarcadero has 7 feet of freeboard, it seems prudent to assume that little will need to be done to counter sea level rise at the Embarcadero until the rise exceeds 4 or

5 feet and that appears (under the most recent and relevant science) to be more than 100 years in the future.

We continue to hold the opinion that it is inappropriate to single out individual property addresses in this document (Policy LU-7.8) rather than to address the sea level rise in more general terms and then deal with required changes to lateral accesses in lease negotiations or in development permits. Those citations to individual properties in the City's General Plan raise significant obstacles to an investor considering an investment in them thereby again devaluing the City's own property..... unnecessarily. Nowhere in the Technical Memo on Lateral Access or in the Sea Level Rise Adaptation Strategy Report, commissioned for this purpose, are those individual properties addressed and we cannot fathom why they're being cited here. It should be sufficient to simply begin monitoring the impacts of sea level rise at the time that sea level has risen two feet or four feet and then address the individual property's needs in lease negotiations or in the individual property's development permits.

Shoreline Preservation

The Public Safety goals and policies for shoreline preservation, the existing shoreline protective devices and new shoreline protective devices do not take into consideration that the Embarcadero was built over 80 years ago to standards considerably different than would be the case today. Policies PS-3.1, PS-3.2 and PS 3.3 need to exempt the Embarcadero along with all of the Tidelands Trust properties in recognition of their unique beginnings and special status to the City of Morro Bay. For example Policy PS-3.2 only allows repair and maintenance to shoreline protective devices that "were legally constructed prior to January 1, 1997". There isn't any documentation available to demonstrate whether or not the Embarcadero's protective devices were "legally" constructed. We think we can all agree that we don't want to tear down the entire Embarcadero, so these properties need to be exempted in all three of these policies.

Push Back on Coastal Commission Staff

A number of the responses that we received back from city staff about the comments we made to the draft plan were responded to with the issue being a "non starter" with the Coastal Commission. We think this is an inappropriate reply or stance for our negotiators to take. This is our community, and we know what is right for Morro Bay. It is unlikely that anyone from Coastal Commission staff to the Commissioners themselves have even been to Morro Bay (at least recently and not for much time) so they can't begin to understand some of these issues as we do. We are not Santa Barbara, nor Oceanside nor Ventura nor Moss landing nor any other community on the coast. This is Morro Bay and Morro Bay has its own and unique conditions that should be addressed by the people of Morro Bay and not squeezed into the Coastal Commission staff's one size fits all mentality. They don't know better than we do and our obligation is to conform with the Coastal Act in ways that best serve our community.

Additionally, our negotiators are hearing coastal commission staff's opinions and not necessarily the opinions of the Commissioners. When this plan is finally presented to the Commission, we hope that our mayor and city council members and planning commissioners will be willing to stand up and make our case to the Commission and urge that deliberative body to take our community's differences and desires into consideration.

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

Regards,



Bob Fowler
EML Secretary/Treasurer

Board of Directors:

Paul Van Beurden, President, [REDACTED]

Smith Held, Vice-President, [REDACTED]

Bob Fowler, Secretary/Treasurer, [REDACTED]

[REDACTED]

From: Brom Webb [REDACTED]
Sent: Tuesday, March 16, 2021 10:47 AM
To: PlanningCommission
Subject: Ocean Acidification Policy Makers

Morro Bay Planning Commission,

The OA Alliance just released an infographic on what policy makers need to know about Ocean Acidification.

https://www.oaalliance.org/wp-content/uploads/2021/03/OA_PolicyMakers.pdf

Respectfully,
Brom

San Luis Obispo Coastal Association of REALTORS®

DATE: March 16, 2021

TO: Chair Barron and Commissioners

RE: Plan Morro Bay: General Plan/Local Coastal Program Update

Dear Chair Barron and Commissioners,

The San Luis Obispo Coastal Association of Realtors® and affiliates are an integral part of the Coastal Communities. As a group we are also one of the primary advocates of private property rights in the local area. Please accept this communication as our organizations requested points for consideration when determining the potential work products, deliverables and other activities pertaining to the General Plan/Local Coastal Program Update.

Existing Development

“Policy PS-3.8: New Shoreline Protective Devices. New shoreline protective device development (including replacement, augmentation, addition, and expansion associated with an existing device) shall only be allowed where required to protect existing structures (i.e., **structures legally constructed prior to January 1, 1977**, that have not been redeveloped since then) and coastal-dependent development in danger from erosion (i.e., when the development would be unsafe to use or occupy within two or three years)... Shoreline protective devices shall not be constructed to protect non-coastal-dependent development, **development built on or after January 1, 1977** (including redeveloped structures), or where other measures/alternatives, including relocation, can adequately mitigate erosion hazards.”

Under Coastal Act section 30235 existing structures are entitled to develop a shoreline protection device when threatened by wave action. Defining structures existing on or before January 1, 1977 is unjustified based upon legislative analysis. Importantly there have been two efforts to amend the Coastal Act by the legislature to change the definition of “existing development” to mean before 1977, Assembly Bill 2943 in 2002 and Assembly Bill 1129 in 2017. Both bills failed. The Coastal Commission cannot write law or regulations and referring to this date in the proposed statewide interpretations for sea level rise does not constitute law. Furthermore, it would be inappropriate to utilize amendments to your LCP as a vehicle to impose a new interpretation with consequences locally and statewide.

Therefore, we request you remove any language seeking to define existing structures as those in place prior January 1, 1977. At minimum existing structures should be defined as those built/in the process of being built at the date of adoption of this LCP.

Disclosures

“Policy PS-3.10 Shoreline Management Plan. Sea Level Rise Hazard Overlay Zone. Establishing a Sea Level Rise Hazard Overlay Zone (in the potential sea level rise hazard areas established in Figure PS-8) to address safety from flood and sea level rise related hazards, and recommend remedial actions. Establishing a program to **inform owners of real estate** in the Sea Level Rise Hazard Overlay Zone about coastal hazards or property vulnerabilities, including information about known current and potential future vulnerabilities to sea level rise, and disclosing permit conditions related to coastal hazards to prospective buyers prior to closing escrow.”

The California Association of REALTORS® is currently developing a statewide Sea Level Rise disclosure. As one of the primary advocates of private property right in the area, we request you partner with us on developing real estate disclosures and keep us involved in any process moving forward. It is important to note that the City must remain the expert and source of LCP policies and have robust educational opportunities for all homeowners (current and prospective).

Avoid Takings

Article I, Section I of the California Constitution clearly states that it is an inalienable right to protect private property from damage. It should be rare whereupon there are regulations that don't allow redevelopment that can't either successfully retreat or protect itself from Sea Level Rise, but should that occur, it is imperative that the government have funding mechanisms to purchase the land at fair market value through eminent domain.

Thank you and we welcome any opportunity to partner with you to protect our coastal communities and resources.

Sincerely,

Lisa Keelan, Association Executive

San Luis Obispo Coastal Association of Realtors®

830 Morro Bay Boulevard

Morro Bay, CA 93442

██████████

████████████████████

[REDACTED]

From: Scot Graham
Sent: Monday, March 15, 2021 7:58 AM
To: Cindy Jacinth; Amy Sinsheimer [REDACTED]
Subject: FW: Planning Commission Meeting, 3/16/2021, Plan Morro Bay Final Adoption-March 2021 and EIR
Attachments: Plan Morro Bay March 2021 Cover Page.pdf; Land Use Map, Incorrect Land Designation, p 51.pdf; Land Use Designations.Page 47.pdf; EIR-Incorrect Density 3300 Panorama, Land Use Map.67 & 68.pdf; EIR-City of Morro Bay Zoning Map.pdf; EIR-Zoning Districts that Apply to Property within the City of Morro Bay, PAGE 278.pdf; 2017 GPAC, Land Designation Map.pdf; 2018 July, GPAC-Plan Morro Bay.pdf; Action Minutes General Plan Advisory Committee (GPAC) Regular Meeting JANUARY 19, 2017.pdf; Action Minutes-2162017, General Plan Advisory Committee.pdf; SB Bill 330.pdf

FYI

From: Kristen Headland [REDACTED]
Sent: Monday, March 15, 2021 6:21 AM
To: Scot Graham <sgraham@morrobayca.gov>; CityClerk <Cityclerk@morrobayca.gov>; Jesse Barron <jbarron@morrobayca.gov>; Joseph Ingraffia <jingraffia@morrobayca.gov>; Susan Stewart <sstewart@morrobayca.gov>; Jennifer Ford <jford@morrobayca.gov>; wroschen@morrobayca.gov; Scott Collins <scollins@morrobayca.gov>
Subject: Planning Commission Meeting, 3/16/2021, Plan Morro Bay Final Adoption-March 2021 and EIR

Date: 03/015/2021

To: Planning Commissioners and Staff
City of Morro Bay

From: Donald and Kristen Headland
Morro Bay Resident 31 years

Subject: **3300 Panorama Drive, R-1/Single Family Residential
Plan Morro Bay Final Adoption – March 2021
General Plan and LCP Update - Final Environmental Impact Report**

Dear Newly Appointed Planning Commissioners,

Please find attached a pack of maps and pages from Minutes I submitted to the previous Planning Commission regarding the Zoning Map and Land Use Map for the new GP/LUP.

As far as my neighborhood and I are concerned, the matter of density has not been resolved on the 3300 Panorama Drive property.

A recent State law states that density after 2018 cannot be changed. The Panorama density was set before that date at a lower density.

Minutes from previous meetings show that Community Development Director acknowledges that the wrong density was placed on the map and would be corrected; it continues to not be corrected.

Now that we are at the EIR stage, we expect you to uphold the truth reflected in the minutes and on the maps, and determine that the true, Moderate Density Residential, R-1 Single Family Homes, 4.1-7.0 du/ac, a lower density is marked on the maps.

Attached are links to the Plan Morro Bay – March 2021 and the Final Environmental Impact Report where it reports the incorrect density for 3300 Panorama Drive.

Respectfully,

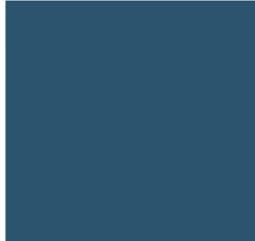
Donald and Kristen Headland



Plan MORRO BAY



MARCH 2021



PREPARED WITH THE SUPPORT OF



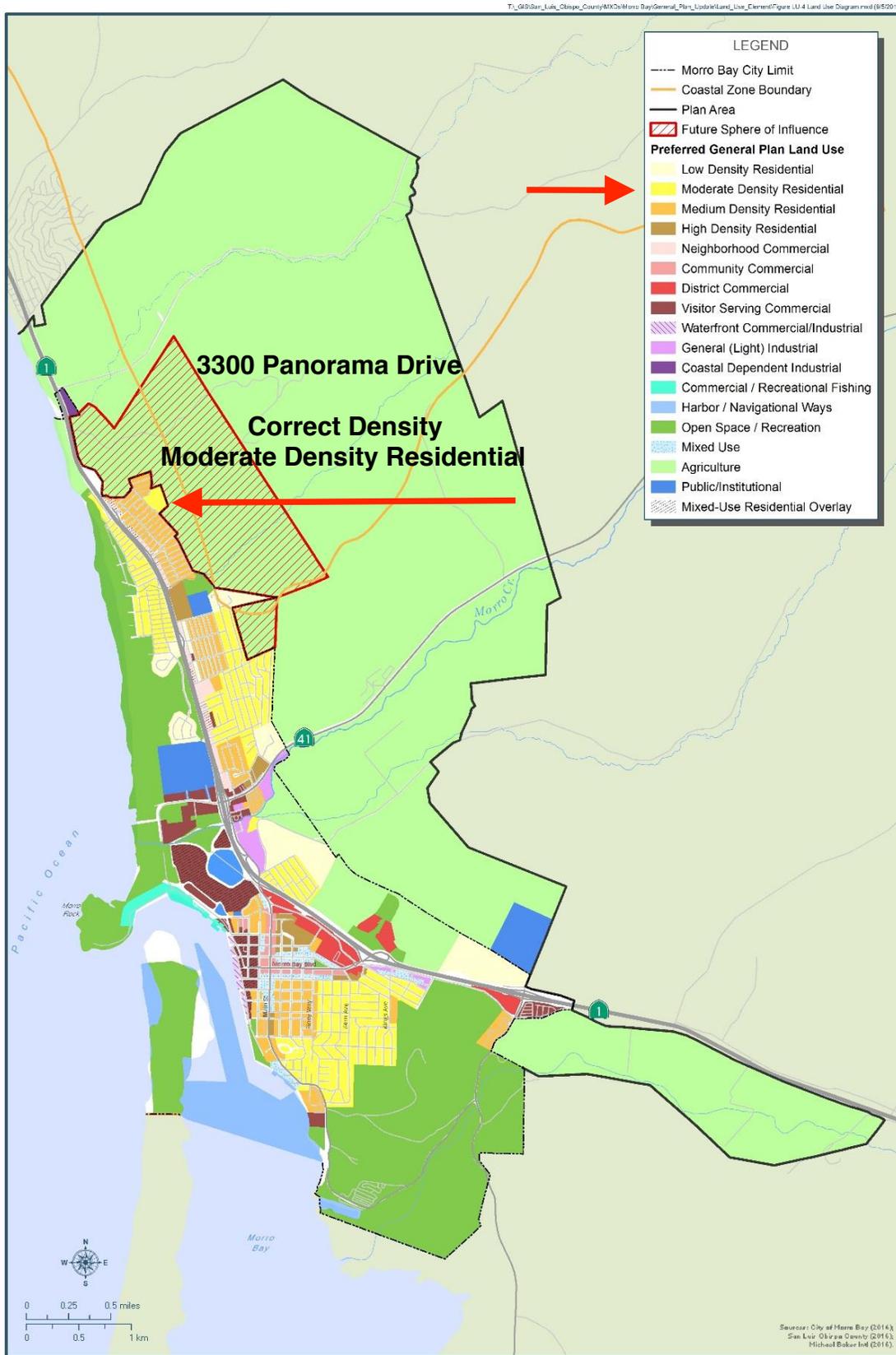
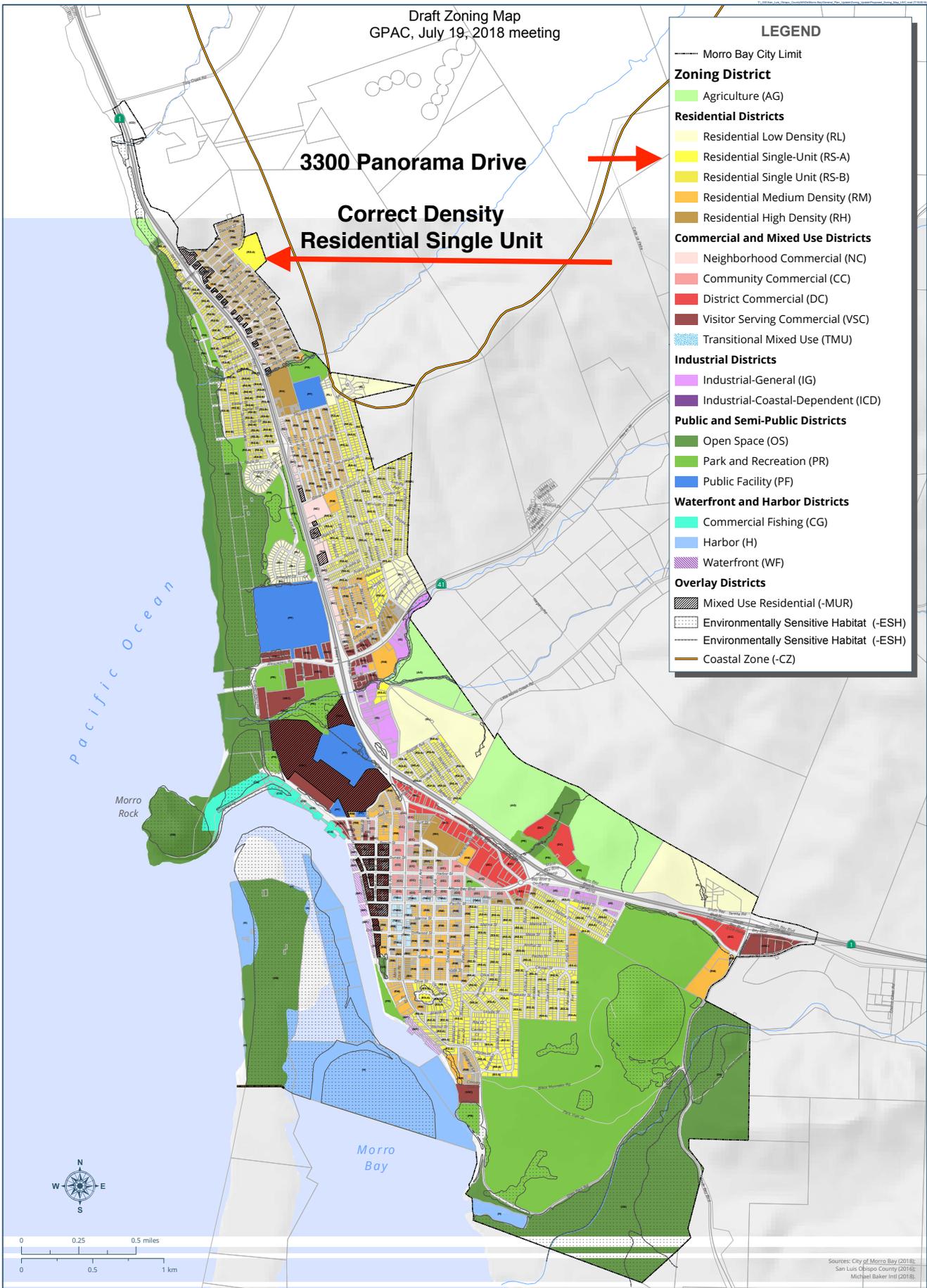


FIGURE 3
Land Use Diagram





Proposed Zoning
Draft July 11, 2018

Committee member Silloway announced the Morro Bay Open Space Alliance will be a sponsoring a public workshop on January 26th, 6:30 p.m. at the Morro Bay Community Center.

Chairperson Tefft announced there will be a public workshop next week for the Downtown Waterfront Specific Plan and General Plan is scheduled on February 2nd, 5:30 p.m. at the Morro Bay Community Center.

PRESENTATIONS – Morro Bay Open Space Alliance

<https://youtu.be/Dwcl0oSoK1c?t=7m49s>

Janet Gibson, Vice- Chairperson of Morro Bay Open Space Alliance, presented her report.

PUBLIC COMMENT PERIOD

<https://youtu.be/Dwcl0oSoK1c?t=16m59s>

→ Ed Griggs, [REDACTED], passed out copies of the existing General Plan map. Griggs spoke about the zoning shown on the map and stated the current plans show the area near the fuel tanks zoned as R-2 (Duplex Residential) instead of R-1 (Single Family Resident) as indicated originally. Griggs would like to keep the area as an R-1.

Richard Doerflinger, [REDACTED] stated he doesn't think the new development near the fuel tanks fits into the "guiding principal" of the Planning Division. New development should fit into the small scale of the community. Doerflinger is hoping the decision maker will keep the guiding principal in mind.

Victor Montgomery, Chevron representative, stated Chevron has continued conversations with the City, County and Conservancy agencies regarding the future of the property. Montgomery stated on February 13th, there will be a discussion set with land conservancy of SLO, Trust Republic Lands and the County to discuss the long term use of the property.

→ Kristen Headland, [REDACTED], spoke of the development of land on 3300 Panorama. Headland stated the General Plan has changed the area to an R-2 zone. Headland reviewed other issues the neighborhood will see if more homes are developed in the area.

→ Robert Walker, [REDACTED], stated he was confused about what the zoning is supposed to be in the area around the fuel tanks. Walker stated it wouldn't be compatible with the surrounding areas and noted he agreed with Headland about the issues if the area was developed as an R-1 zone.

→ Carol Walker, [REDACTED] strongly recommended the area be kept as an R-1 zone in order to keep the consistency in the neighborhood.

Tina Metzger, [REDACTED], stated she is concerned alternative 1 doesn't make study area #2, located east of Morro Bay, an open space recreation and would like to know why not keep it as agricultural.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/Dwcl0oSoK1c?t=42m11s>

→ Graham stated the zoning for the area of the fuel tanks is already R-1 and noted there was an error on the map compared to the land use map.

Discussion between Committee and staff; will need to resolve the inconsistency of the General Plan land use map versus zoning map.

→ support the City's expansion due to the fact the City has no funds to support what it already has. Pivarski feels the land being considered for inclusion should remain Ag and in the County's jurisdiction. Senior housing should also be included in the discussion. Pivarski also noted the error on the land use map was not corrected when it was brought to the Committee and Planning Department's attention in January.

Victor Montgomery, Chevron representative, spoke of the February 13th meeting between Chevron and several conservancy groups. Montgomery spoke of options for conservation, development and the search for a right mix for the Chevron property. Montgomery passed out maps to the Committee showing different alternatives. Montgomery stated he would be willing to speak more on the topic if staff or the Committee is interested.

Robert Walker, [REDACTED], brought up the correction of the existing General Plan map. Walker does not know why the Committee is taking on a study area which extends to Cayucos, and noted the focus should be on other issues in the city. Walker feels the north Morro Bay parcels should be in control of the county and not included in the sphere of influence (SOI).

→ Kristen Headland, [REDACTED], stated she agrees with the last three speakers and asked the land use map be corrected and made available to the public before everything is made final. Headland thanked everyone for their time and energy and reviewing the General Plan.

→ Stewart asked staff if the map had been corrected.

→ Graham responded the map has been corrected and explained there is a difference between the zoning map and the Land Use map associated with the General Plan.

Discussion between Committee and staff regarding the county property.

→ Walker stated on the previous land use map it shows the area around the fuel tanks as being the same as everything around it, but the current map shows the area being different. Walker would like to know why it's different now.

→ Discussion between staff and Committee. Graham explained the current Land Use map was updated and is currently correct

Headland wanted to clarify the area of 3300 Panorama is zoned R-1 and that it would not be changed to R-2 or a higher density.

The Committee presented their questions and concerns to Montgomery.

Chairperson Tefft closed the Public Comment period.

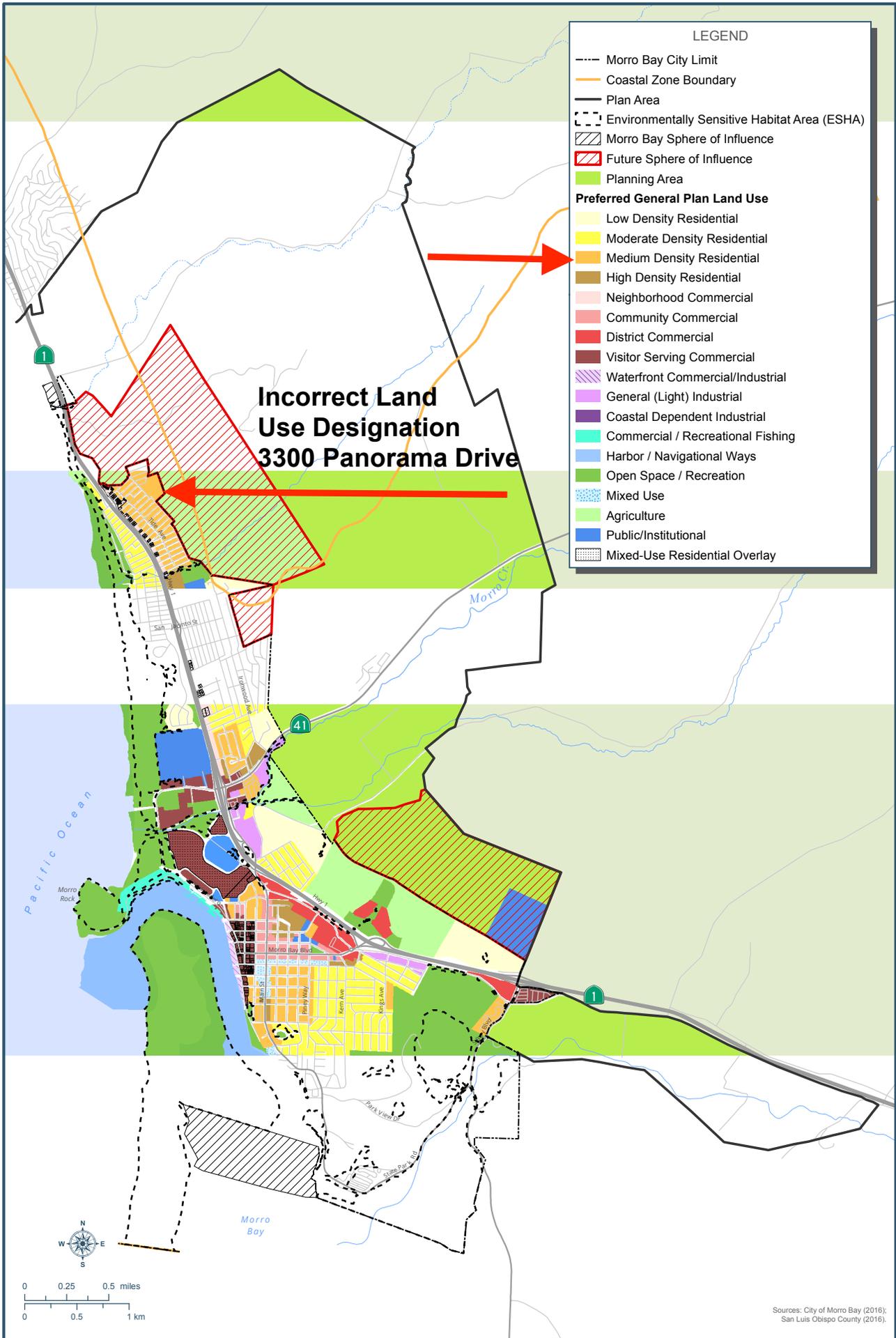
https://youtu.be/HF_OzFt8V-U?t=39m47s

A. CONSENT CALENDAR

https://youtu.be/HF_OzFt8V-U?t=39m54s

- A-1 Approval of minutes from the GPAC meeting of November 17, 2016.
Staff Recommendation: Approve minutes as submitted.

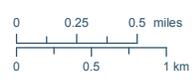
MOTION: Committee member Stewart moved to approve the Consent Calendar.
Committee member Buquet seconded the motion passed (7-0).



LEGEND

- Morro Bay City Limit
- Coastal Zone Boundary
- Plan Area
- - - - Environmentally Sensitive Habitat Area (ESHA)
- ▨ Morro Bay Sphere of Influence
- ▨ Future Sphere of Influence
- Planning Area
- Preferred General Plan Land Use**
- Low Density Residential
- Moderate Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- District Commercial
- Visitor Serving Commercial
- ▨ Waterfront Commercial/Industrial
- General (Light) Industrial
- Coastal Dependent Industrial
- Commercial / Recreational Fishing
- Harbor / Navigational Ways
- Open Space / Recreation
- Mixed Use
- Agriculture
- Public/Institutional
- ▨ Mixed-Use Residential Overlay

**Incorrect Land Use Designation
3300 Panorama Drive**



Sources: City of Morro Bay (2016);
San Luis Obispo County (2016).

**Table LU-1:
Land Use Designations**

| Designation | Description | Density/ Intensity* |
|---------------------------------|---|--|
| Low Density Residential | Detached single-family homes and some group housing uses. | 0-4.0 du/ac |
| Moderate Density Residential | Detached or attached single-family homes and some group housing uses. | 4.1-7.0 du/ac |
| Medium Density Residential | Detached or attached single-family homes, townhomes, duplexes, apartments, condominiums, and some group housing uses. | 7.1-15.0 du/ac |
| High Density Residential | Multifamily housing, including apartments, townhomes, condominiums, and some group housing uses. Single-family homes are allowed where the sites' characteristics, such as size or topography, would preclude multi-family development. | 15.1-27.0 du/ac |
| Community Commercial | Community-oriented uses including retail stores, restaurants, professional and medical offices, and personal services. Residential uses are allowed both above and behind commercial uses with discretionary approval. | 1.25 FAR for nonresidential component 15.1-27.0 du/ac for residential component |
| District Commercial | Retail, commercial, and service uses that meet local and regional demand. This designation is intended for larger-scale development that is appropriate in an auto-oriented environment. | 0.5 FAR |
| Neighborhood Commercial | Smaller-scale commercial uses that provide for the daily needs and services of nearby residents. Residential uses are allowed both above and behind commercial uses with discretionary approval. | 1.0 FAR for nonresidential component 4.1-15.0 du/ac for residential component |
| Visitor-Serving Commercial | Visitor-oriented services and uses located at easily accessible locations and tourist destinations within the coastal zone. In general, ground-floor development should be reserved for retail shops, restaurants and bars, and visitor accommodations, with the upper floors reserved for additional visitor accommodations and offices. | 1.25 FAR |
| Commercial/Recreational Fishing | Implements Measure D, which protects the tidelands area between Beach Street and Target Rock. Development and use permits are limited to fishing activities only. | 0.5 FAR |

Figure 2-4 Proposed Land Use Map

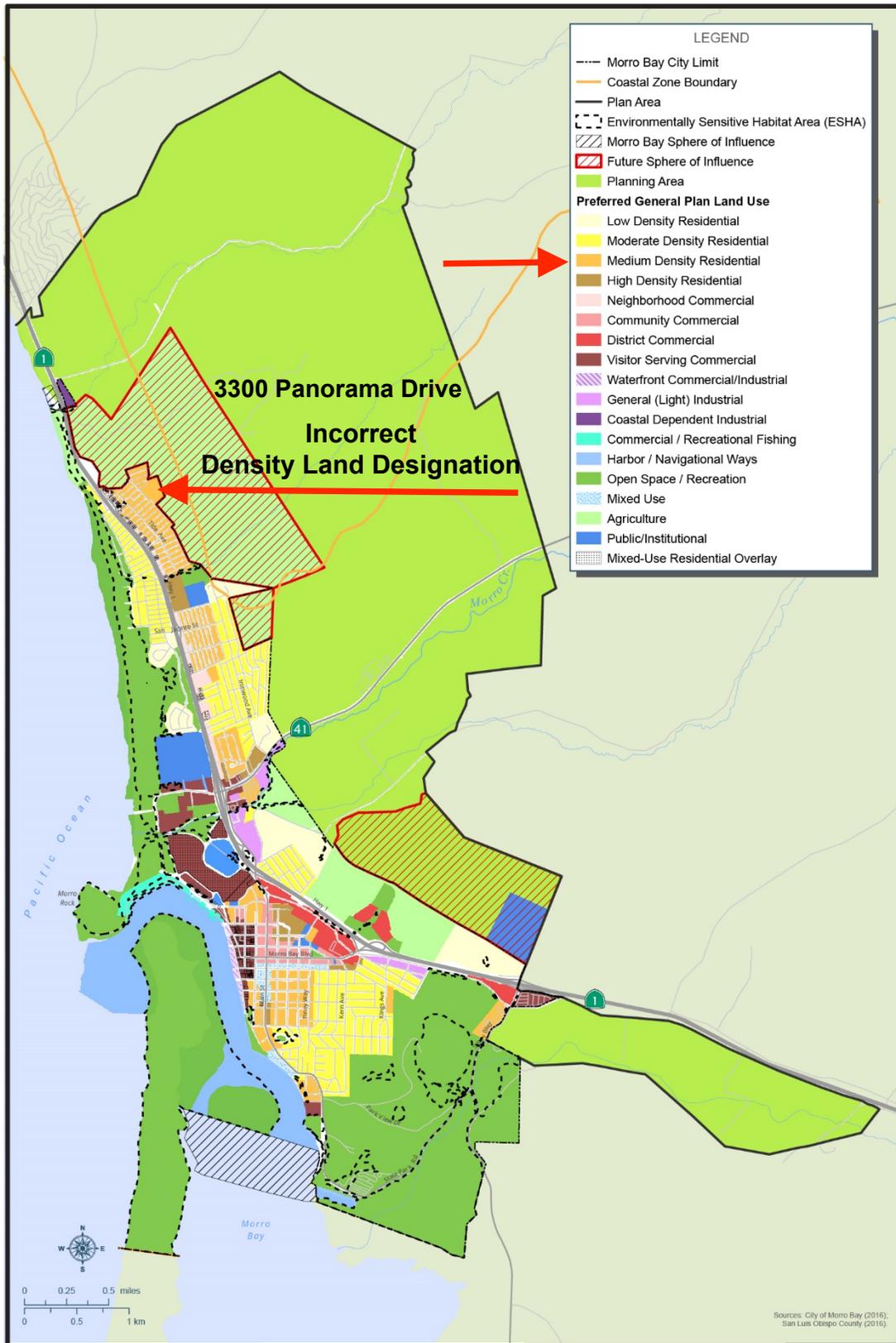


Table 2-4 Land Use Designations

| Designation | Description | Density/Intensity |
|----------------------------------|--|--|
| Low Density | Detached single-family homes and some group housing uses. | 0-4.0 du/ac |
| Moderate Density | Detached or attached single-family homes and some group housing uses. | 4.1-7.0 du/ac |
| Medium Density | Detached or attached single-family homes, townhomes, duplexes, apartments, condominiums, and some group housing uses. | 7.1-15.0 du/ac |
| High Density | Multifamily housing, including apartments, townhomes, condominiums, and some group housing uses. Single-family homes are allowed where the sites' characteristics, such as size or topography, would preclude multi-family development. | 15.1-27.0 du/ac |
| Community Commercial | Community-oriented uses including retail stores, restaurants, professional and medical offices, and personal services. Residential uses are allowed both above and behind commercial uses with discretionary approval. | 1.25 FAR for nonresidential component 15.1-27.0 du/ac for residential component |
| District Commercial | Retail, commercial, and service uses that meet local and regional demand. This designation is intended for larger-scale development that is appropriate in an auto-oriented environment. | 0.5 FAR |
| Neighborhood Commercial | Smaller-scale commercial uses that provide for the daily needs and services of nearby residents. Residential uses are allowed both above and behind commercial uses with discretionary approval. | 1.0 FAR for nonresidential component 4.1-15.0 du/ac for residential component |
| Visitor-Serving Commercial | Visitor-oriented services and uses located at easily accessible locations and tourist destinations within the coastal zone. In general, ground-floor development should be reserved for retail shops, restaurants and bars, and visitor accommodations, with the upper floors reserved for additional visitor accommodations and offices. | 1.25 FAR |
| Commercial/Recreational Fishing | Implements Measure D, which protects the tidelands area between Beach Street and Target Rock. Development and use permits are limited to fishing activities only. | 0.5 FAR |
| Waterfront Commercial/Industrial | A mixture of visitor-serving commercial uses and harbor-dependent land uses located in the coastal zone. | 1.25 FAR |
| General (Light) Industrial | Light industry uses which are generally not compatible with residential or most commercial uses. Existing residential buildings are permitted and are considered conforming. | 0.5 FAR |
| Coastal-Dependent Industrial | Uses within the coastal zone which must be located near the coast to function, and are thereby given priority pursuant to the California Coastal Act. | 0.65 FAR |
| Mixed Use | Implemented by the zoning code, any combination of commercial uses; offices; attached single-family housing, multiple-family housing, and live-work units; institutional uses; cultural facilities; developments including an open space component; visitor-serving uses; and/or civic facilities. Mixing of these uses may occur in a vertical and/or horizontal orientation. Mixed-use development is required within the constraints of parcel size, context/adjacent uses, and access to transportation. | 1.0 FAR for nonresidential component 15.1-27.0 du/ac for residential component |
| Public/Institutional | Facilities which serve the public, including government buildings and service facilities; or quasi-public facilities such as hospitals and cultural or civic resources. | 0.5 |

Table 4.9-2 Zoning Districts that Apply to Property within the City of Morro Bay

| District Abbreviation | Name of District |
|---|--|
| Primary Districts | |
| AG | Agriculture |
| R-A | Suburban Residential |
| R-1 | Single-family Residential |
| R-2 | Duplex Residential |
| R-3 | Multiple-family Residential |
| R-4 | Multifamily Residential-hotel-professional |
| CRR | Coastal Resource Residential |
| C-1 | Central Business |
| C-2 | General Commercial |
| MCR | Mixed Commercial/residential |
| C-VS | Visitor-serving Commercial |
| G-O | General Office |
| M-1 | Light Industrial |
| M-2 | Coastal-dependent Industrial |
| OA | Open Area |
| WF | Waterfront |
| CF | Commercial/recreational Fishing |
| H | Harbor and Navigable Ways |
| MMR | Mariculture and Marine Research |
| SCH | School |
| GC | Golf Course |
| Special Treatment Overlay, Combining Districts, and Specific Plans | |
| PD | Planned Development Overlay |
| ESH | Environmental Sensitive Habitat Overlay |
| S | Special Treatment Overlay |
| | Combining Mixed Use Overlay |
| I | Interim Use Overlay |
| SP-BS | Beach Street Area Specific Plan |
| SP-NM | North Main Street Specific Plan |

Note: For a graphic depiction, refer to City of Morro Bay Zoning Map: <https://www.morro-bay.ca.us/DocumentCenter/View/996/Zoning-Map>

Source: Title 17 of the Morro Bay Municipal Code, City of Morro Bay

**Link to City of Morro Bay
Zoning Map**

SB-330 Housing Crisis Act of 2019.(2019-2020)
Senate Bill No. 330

CHAPTER 654

An act to amend Section 65589.5 of, to amend, repeal, and add Sections 65940, 65943, and 65950 of, to add and repeal Sections 65905.5, 65913.10, and 65941.1 of, and to add and repeal Chapter 12 (commencing with Section 66300) of Division 1 of Title 7 of, the Government Code, relating to housing.

[Approved by Governor October 09, 2019. Filed with Secretary of State October 09, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

This bill, until January 1, 2025, with respect to land where housing is an allowable use, except as specified, would prohibit a county or city, including the electorate exercising its local initiative or referendum power, in which specified conditions exist, determined by the Department of Housing and Community Development as provided, from enacting a development policy, standard, or condition, as defined, that would have the effect of (A) changing the land use designation or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan or specific plan land use designation and zoning ordinances of the county or city as in effect on January 1, 2018;

THE LAW ITSELF

SEC. 13.

Chapter 12 (commencing with Section 66300) is added to Division 1 of Title 7 of the Government Code, to read:

CHAPTER 12. Housing Crisis Act of 2019

66300.

(b)(1)(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B). For purposes of this subparagraph, "less intensive use" includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing.

*(B)(ii) deals with moratoriums