



AGENDA NO: B-1

MEETING DATE: May 11, 2021

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

Heather Goodwin

Subject: FW: 3300 Panorama Drive - Correct Land Use Density, Rincon Consultants, Inc.
Attachments: Rincon Consultants, Inc - 3300 Panorama Drive Incorrect Wording.pdf

From: Kristen Headland [REDACTED]
Sent: Tuesday, May 11, 2021 2:44 PM
To: Scot Graham <sgraham@morrobayca.gov>; Scott Collins <scollins@morrobayca.gov>; Dana Swanson <dswanson@morrobayca.gov>; John Headding <jheadding@morrobayca.gov>; Robert Davis <rdavis@morrobayca.gov>; Dana Swanson <dswanson@morrobayca.gov>; Dawn Addis <daddis@morrobayca.gov>; Laurel Barton <lbarton@morrobayca.gov>; Jeffrey Heller <jheller@morrobayca.gov>
Subject: 3300 Panorama Drive - Correct Land Use Density, Rincon Consultants, Inc.

Hi Scot,

Regarding 3300 Panorama Drive, I wanted to thank you for making the land use designation corrections on the *Morro Bay Land Use Map, Final EIR* and incorporated it into the *2021 GP/LCP* documents.

I reviewed the document from Rincon Consultants, Inc, dated 05/05/2021, with the subject of "Revision Letter re: Land Use Change at 3300 Panorama Drive".

This revision letter notes the correction of 3300 Panorama Drive as "Low Density", it should state "Low-Medium or Moderate Density". It also notes the property as "15 acres", it should be "10.06 acres". We're thinking this document should be more accurate.

I attached this letter from Rincon Consultants, Inc. with the wording underlined in red. Can you inform Rincon Consultants, Inc that the wording is incorrect?

Thank you very much for your time with this important matter.

Respectfully,
Don and Kristen Headland

On 5/5/21, 2:41 PM, "Scot Graham" <sgraham@morrobayca.gov> wrote:

Hi Kristen,

We made the change to the land use map for 3300 Panorama and incorporated it into the GP/LCP document. See figure LU-4 on page 51 of the document. We are also adding a clarification letter on the

change to the EIR that will be included in the packet for next weeks Council meeting.

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

Have a nice rest of your day.

Scot Graham

Community Development Director

Community Development Department, City of Morro Bay

Tel: (805) 772-6291 | www.morrobayca.gov <<http://www.morrobayca.gov>>

955 Shasta Ave. | Morro Bay | CA | 93442



Rincon Consultants, Inc.

1530 Monterey Street, Suite D
San Luis Obispo, California 93401

805 547 0900

info@rinconconsultants.com
www.rinconconsultants.com

May 5, 2021

Project No: 15-02152

Scot Graham, Community Development Director

City of Morro Bay

595 Harbor Street

Morro Bay, California 94332

Via email: sgraham@morrobayca.gov

**Subject: Morro Bay General Plan/Local Coastal Plan Update Final EIR
Revision Letter re: Land Use Change at 3300 Panorama Drive**

Mr. Graham:

This revision letter to the Morro Bay General Plan/Local Coastal Plan Update Final EIR compares the environmental effects of the revised land use at 3300 Panorama Drive to the original planned land use map evaluated in the February 2021 Final Environmental Impact Report (Final EIR) for the Morro Bay General Plan/Local Coastal Plan Update prepared by Rincon Consultants on behalf of the City of Morro Bay.

The Draft EIR was circulated for a 45-day public review period that began on October 19, 2020 and ended on December 4, 2020. Since the Draft EIR was circulated for public review, the Final EIR project description has been revised by City staff to update the existing and planned land use of a single property located at 3300 Panorama Drive. The Final EIR identifies the planned land use at 3300 Panorama Drive property as medium density residential (refer to Final EIR Figure 2-4). The requested revision to the General Plan land use map and Final EIR described herein would modify the planned land use for this property to low density residential, reducing the potential residential development density on the property from 7-15 developable units per acre to 4-7 developable units per acre (refer to Figure 1, attached). The property is approximately 15 acres, but City staff have determined that the developable area of the property is approximately 7 acres. Therefore, this change would result in an estimated reduction in the maximum development potential of the property by almost 60 units.

Because the requested revisions to the planned land use would result in a reduction in residential buildout potential within the City, this change would incrementally reduce potential impacts identified in the Final EIR related to air quality and greenhouse gas emissions, energy consumption, population and housing, public services, and transportation.¹ However, as shown in Final EIR Table 2-5, the requested reduction in buildout would be incremental and minor in comparison to the overall General Plan/Local Coastal Plan Update, which anticipates up to 881 new residential units and up to 8.3 million square feet of new non-residential development. As a result, the requested revision would not reduce

¹ The correlation between buildout potential and transportation impacts is not direct, because the effects of reducing buildout potential on regional vehicle miles traveled (VMT) is complex. However, this discussion assumes VMT would be reduced with the requested revision because the 3300 Panorama Drive property is on the periphery of the City, such that fewer vehicles trips generated from this location would also reduce average vehicle trip lengths in the City.



any of the environmental effects described in the Final EIR such that the overall impact conclusions or mitigation requirements would be reduced. Based on the evidence described above and original analysis in the Final EIR, impacts resulting from implementation of the revised General Plan/Local Coastal Plan Update would not otherwise result in a change in the levels of impact identified in the existing analysis contained in the Final EIR. As such, the Final EIR may be used to fulfill the environmental review requirements for the revised General Plan/Local Coastal Plan Update, and the information contained herein does not require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

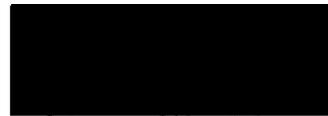
As described, the revision to the Morro Bay General Plan/Local Coastal Plan Update would not result in any new or revised environmental impacts, as compared to the General Plan/Local Coastal Plan Update as evaluated in the Final EIR.

Sincerely,

Rincon Consultants, Inc.



Chris Bersbach, MESM
Senior Environmental Planner/Program Manager



Richard Daulton, MURP
Principal/Vice President

Attachments

Figure 1 Updated Land Use Map (EIR Figure 2-4)

**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



From: [Dana Swanson](#)
To: [Heather Goodwin](#)
Subject: FW: agenda item b-1
Date: Tuesday, May 11, 2021 4:39:49 PM

From: betty winholtz [REDACTED]
Sent: Tuesday, May 11, 2021 4:35 PM
To: John Heading <jheading@morrobayca.gov>; Robert Davis <rdavis@morrobayca.gov>; Jeffrey Heller <jheller@morrobayca.gov>; Dawn Addis <daddis@morrobayca.gov>; Laurel Barton <lbarton@morrobayca.gov>
Cc: Scot Graham <sgraham@morrobayca.gov>; Dana Swanson <dswanson@morrobayca.gov>
Subject: agenda item b-1

Dear City Council:

1) At the City Council meeting that addressed the General Plan/Local Coastal Program, *Plan Morro Bay*, I inquired about how public comments were communicated to the CA Coastal Commission (CCC). What I heard was that the city council meeting links would be sent along with the document to CCC staff. This raises for me the question: What about submitted written comments, are they also forwarded, or should the public plan to copy what they have submitted to the city council their submitted comments to the CCC/CCC staff?

2) **Circulation:** page 3-105, I would like to know the consequences of having these 9 bullets points in the document. Will they be implemented?

a) Constructing a real sidewalk along Main Street south of Radcliffe is the only necessary, feasible, and logical project.

b) Landscaping Morro Bay Blvd would eliminate parking on at least one side of the Blvd.

c) There are 3 bullet points dealing with 41/1/Main Street plus the introductory paragraph; together they seem contradictory.

d) The San Jacinto roundabout was discarded decades ago for obvious reasons and the intersection is already signaled.

e) Another access to the Embarcadero across Morro Creek has always been rejected by the downtown merchants because it would leave them out of the tourist-loop: driving from Why 41 straight to the Embarcadero and out again, never going through the downtown business district.

Rather than generate 13 policies (pages 3-106 to 3-108) that are impractical for Morro Bay, why not focus on a few that would benefit Morro Bay. This section needs to be re-evaluated and not adopted. It doesn't acknowledge the nature of our neighborhoods or town. It's a template for any town. This is embarrassing.

3) **Noise:** page 3-139, I have the same issue with these policies, they are generic, not applicable to Morro Bay.

4) **Conservation:**

a) page 4-8, why are the two not-adopted spheres-of-influence (SOI) consistently acknowledged in the maps, but not acknowledged in the text?

b) "Rare and Unique Plant Communities" is part of our current LCP. I cannot find it in this new document; has it been eliminated? If so, please put it back.

c) page 4-17, Figure c-3, is lacking the drainage/wetland behind the power plant along the bike trail. Please add.

d) page 4-23, Have the buffers been reduced from 100' to 50" and 50' to 25'?

Sincerely,
Betty Winholtz



AGENDA NO: B-3

MEETING DATE: May 11, 2021

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

Dana Swanson

From: betty winholtz [REDACTED]
Sent: Monday, May 10, 2021 1:44 AM
To: John Headding; Robert Davis; Jeffrey Heller; Dawn Addis; Laurel Barton
Cc: Dana Swanson; Katie Lichtig
Subject: agenda item b-3

Dear City Council:

1.) I am having difficulty reconciling the per cent increases in the Fee Schedule for the "Appeal of City decision." (page 12)

The appeal fee has always been treated different from other fees due to its nature. Unlike other fees, the appeal fee is a means by which the public or developer can participate in voicing disagreement by bringing forth evidence to a decision making body. Historically, it has been a consistent number not subject to a CPI annual increase. Within the last couple of years this changed, and it became susceptible to the CPI. As noted in the line item's footnote, the fee does not cover the cost of an appeal. This is purposeful to keep the cost from have a "chilling effect" on public participation in its governance.

The Fee Schedule for 2020/21 stated, "All fees adjust annually by either the December Consumer Price Index (CPI = 2.5%) or Construction Cost Index (ENR = 5.36%). The CPI used is for the San Francisco-Oakland-San Jose area." Using that per cent, the Appeal Fee should have been proposed to be \$281.88, not \$300. There is no footnote to contradict this. As stated in the current staff report, the increase was postponed due to COVID-19.

Now it is the desire to apply the delayed 2.5% increase and a 2% increase on top of that for this fiscal year.

Five months ago, I paid an appeal feel of \$275. Based on a 2.5% increase followed by a 2% increase the new Appeal Fee should be \$287.52, not \$306. The jump from \$275 to \$300 was a 9% increase not 2.5%, and the jump to \$306 is an 11% increase.

Is the Appeal Fee being singled out? Since the Appeal Fee wasn't identified as being treated different, then it should be subject to what it says at the beginning of the Fee Schedule: "All fees adjust annually by either the December Consumer Price Index (CPI = 2.5/ 2.0 %) or Construction Cost Index (ENR = 5.36/3.16%). The CPI used is for the San Francisco-Oakland-San Jose area."

Please lower the Appeal Fee.

2.) Also, please explain this phrase on page 2: "Refundable appeal fee for non-land use administrative decisions." That is, what is an example of a "non-land use" decision?

3.) I would like to alert the newer members of the city council and remind the public that in 2015 the city council changed Morro Bay's CPI reference from LA-Riverside-Orange County to San Francisco-Oakland-San Jose. This was an intentional move to get a higher per cent CPI from anyone who pays fees. This includes our business license fees, planning/building fees, park use fees, room rentals, etc. I would ask the current city council to go back to the LA-Riverside-Orange County CPI to give us users smaller, more gradual annual increases.

Sincerely,
Betty Winholtz



AGENDA NO: C-1

MEETING DATE: May 11, 2021

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL FOR
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From: [REDACTED]
To: [Council](#)
Subject: Fireworks
Date: Saturday, May 8, 2021 7:09:30 AM

Please do not approve the fireworks and try to remember this is a Bird Sanctuary!!! Other animals are also very disturbed by the fireworks, to say nothing of people with PTSD. As I write this email, I'm thinking that I shouldn't even bother since you people do whatever it takes to make money for the city and I feel that my comments always go on deaf ears. Patti Anderson

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