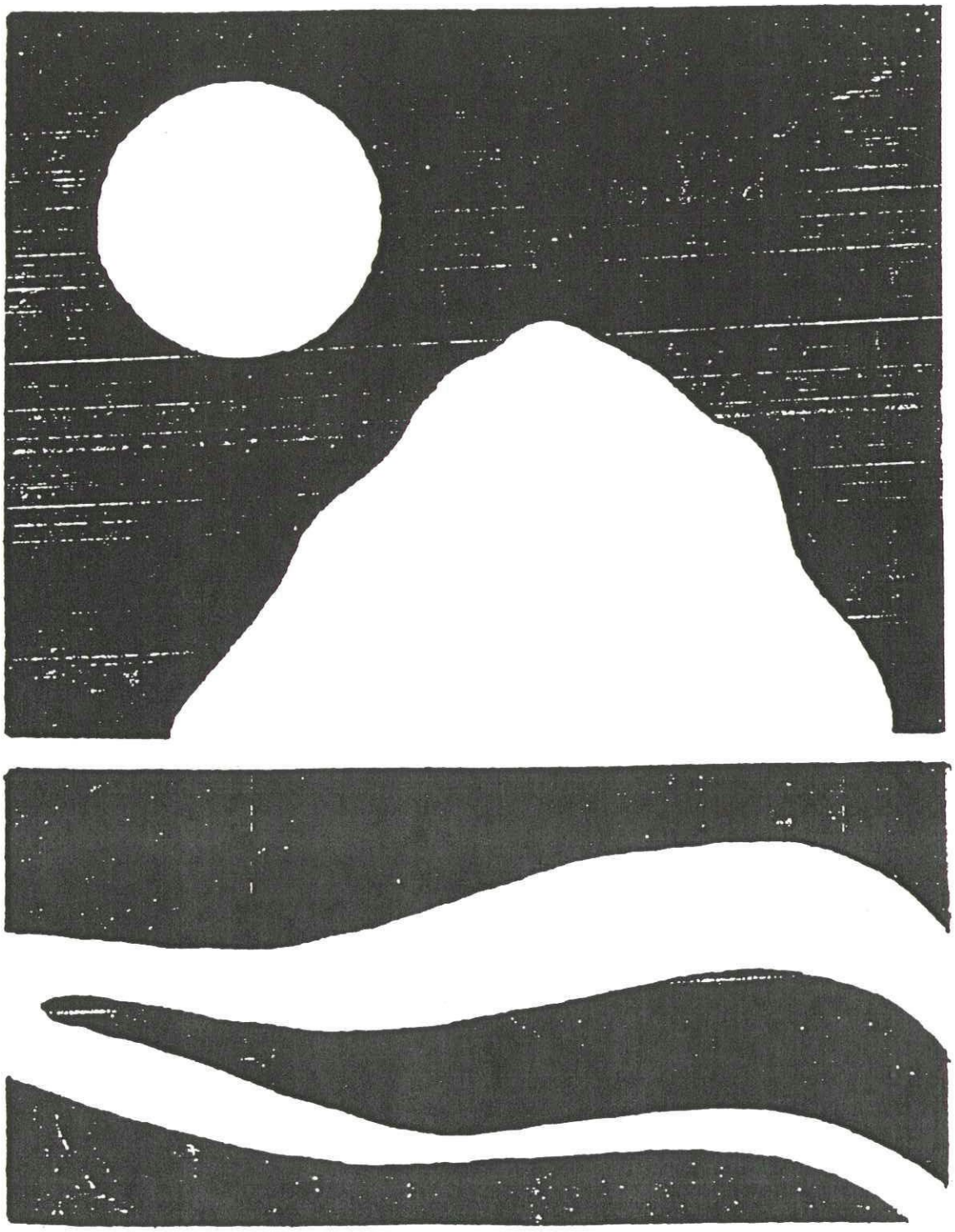
# MORRO BAY
# COASTAL
# LAND USE PLAN



CITY OF MORRO BAY

# PROPOSED LAND USE PLAN*

# OF THE

# LOCAL COASTAL PROGRAM

*As adopted JUNE, 1981,

Incorporating Revisions of

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# I. INTRODUCTION

## A. THE CALIFORNIA COASTAL ACT OF 1976

The California coastline has been determined by the people of California to be a resource of special statewide importance, to be protected and enhanced through the regulation of land uses and initiation of special programs. In November, 1972, California voters approved the Coastal Zone Conservation Act (CZCA, or Proposition 20). This initiative called for the preparation of a comprehensive plan to preserve, protect, restore and enhance California's remaining coastal resources for present and future generations.

Passage of the initiative was the first step on the road to halting wasteful, piecemeal coastal development. The principal provisions were to:

(1) Create a state and six regional commissions,
(2) Require a comprehensive study of the coastal zone and its resources,
(3) Require the preparation of a plan for the orderly, long-range management of the coastal zone,
(4) Regulate development by a permit system during preparation of the plan.

The plan was to include recommendations with respect to:

- Public access, recreation, marine resources,
- Ecology, land use, and maximum desirable population densities,
- Transportation, public services and facilities,
- Methodology for implementation of the plan.

Moreover, the initiative mandated that, "No development permit shall be issued unless the regional commission, or the State commission on appeal, has found that the development will not have any substantial adverse environmental or ecological effect had will be consistent with the objectives of the initiative which specify orderly, balanced preservation and utilization of coastal zone resources..."

From early 1973 to the fall of 1975, the eighty-four regional and State commissioners conducted hundreds of meetings and hearings in a major effort to involve the general public in the development of the California Coastal Plan. The completed Plan was presented to the California Legislature on December 1, 1975. The document's letter of transmittal informed the legislature and the people of California that the plan had been designed to consider two overriding objectives:

(1) Protect the California coast as a great natural resource for the benefit of present and future generations,
(2) Use the coast to meet human needs in a manner that protects the irreplaceable resources of Coastal lands and waters.

The California Coastal Act of 1976 evolved from the California Coastal Plan and the immense amount of work that occurred as a result of the Coastal Zone Conservation Act.

The Coastal Act sets policies and provides guidelines for preparation of Local Coastal Programs by cities and counties consisting of a land use plan and implementing ordinances.

In enacting the Coastal Act, the state legislature established the following goals for future activity in the coastal zone:

"(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources;
(b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state;
(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources, conservation principles and constitutionally protected rights of private owners;
(d) Assure priority for coastal-dependent development over other development on the coast;
(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone."
(Section 30001.5 of the Coastal Act)

The heart of the Coastal Act is found in Chapter 3, "Coastal Resources Planning and Management Policies." These policies constitute the standards that local plans must meet in order to be certified by the State as well as the yardstick for evaluating proposed developments within the coastal zone. Topics covered by the Coastal Policies include: beach access, recreation, marine environment, environmentally sensitive habitat areas, agriculture, visual resources, and coastal-dependent and industrial development. In essence, these policies are the rules for future growth and development in the coastal zone.

The Coastal Act also established a framework for resolving conflicts among competing uses for limited coastal lands. The policies which spell out priority uses constitute this framework. The Coastal Act places as its highest priority the preservation and protection of natural resources including environmentally sensitive habitat areas and prime agricultural lands. In the case of habitat areas, only uses dependent on these resources are allowed within such areas. On lands not suited for agricultural use, coastal-dependent development (a use which requires a site adjacent to or on the sea to function) has the highest priority. Public recreational uses have priority on coastal sites which are not habitat areas and are not needed for coastal-dependent uses. For sites that are not reserved for habitat preservation, agriculture, coastal-dependent uses, or public recreation, private development is permitted. However, visitor-serving commercial recreation has priority over private residential development. These priorities must be reflected in the land use plan prepared by local governments. Specifically, the sections of the Act relating to priority land uses are given in Chapter II, Part C of this document.

The Coastal Act directed local governments, with a portion or all of their lands within the coastal zone to develop a Local Coastal Plan (LCP) and authorized the California Coastal Commission to retain permit authority over development in the coastal zone until local LCP's were adopted and certified.

A local coastal program is a local government's land use plan, zoning ordinances, zoning district maps, and implementing actions which, when taken together, meet the requirements of and implement the provisions of the Coastal Act at the local level. The precise content of each program is to be determined by the local jurisdiction in consultation with the California Coastal Commission and with full public participation.

Local coastal programs will determine future development on the coast. Where public access and urbanization will occur, where industrial facilities will be placed, and how wildlife, open spaces, and recreational areas will be protected are among the determinations local coastal programs must make. Uses that are of more than local importance are to be considered in preparing LCP's.

Presently, the Coastal Commission regulates coastal development. Once state certification of local coastal programs is accomplished, development control within the local coastal zone will revert tot he local government. Certified coastal programs become legally binding on local jurisdictions and provide permanent systems of guidelines and strategies for protecting and managing the coastal environment.

Once the LCP is certified, an action taken by the City of Morro Bay on a coastal development permit application may be appealed to the California Coastal Commission. In addition, any amendments to the City's Land Use Plan must be approved by the California Coastal Commission. If the City does not wish to amend the plan, a request for amendment may be appealed to the Commission. Appeals may also be made to the Commission on any permit action taken by the City concerning any development which is a major energy project, is not the designated principal permitted use under the Zoning Ordinance, or is located in an appealable area. Appealable areas include (Section 30603 of the Coastal Act):

"(1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the local government not included within paragraph (1) of this subdivision located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Development approved by the local government not included within paragraph (1) or (2) of this subdivision located in a sensitive coastal resource area if the allegation on appeal is that the development is not in conformity with the implementing actions of the certified local coastal program.

(4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Sec. 30500).

(5) Any development which constitutes a major public works project or a major energy facility."

The grounds for an appeal is limited in the Act to the following (Sec. 30603 [b], and the standard of review for any development reviewed is conformity with the implementing actions of the City's certified Local Coastal Program (Sec. 30603 [c]):

"(1) The development fails to provide adequate physical access or public or private commercial use or interests with such uses.

(2) The development fails to protect public views from any public road or from a recreational area to, and along, the coast.

(3) The development is not compatible with the established physical scale of the area.

(4) The development may significantly alter existing natural landforms.

(5) The development does not comply with shoreline erosion and geologic setback requirements."

The State Coastal Zone Conservation Commission is also required to review periodically, the progress of local governments in carrying out the Coastal Act. this review is to occur at least once every five years.

Pursuant to Section 30159 of the Coastal Act, the California Coastal Commission retains permit authority after LCP certification on tidelands, submerged lands and public trust lands, whether filled or unfilled. Section 30519 (b) however specifies exceptions to this including those lands or waters granted to a local government by the Legislature providing that certain conditions exist. Section 30519 follows:

> "Except for appeals to the commission, as provided in Section 30603, after a local coastal program, or any portion thereof, has been certified and all implementing actions within the area affected have become effective, the development review authority provided for in Chapter 7 (commencing with Section 30600) shall no longer be exercised by the regional commission or by the commission where there is no regional commission over any new development proposed within the area to which such certified local coastal program, or any portion thereof, applies and shall at that time be delegated to the local coastal program or any portion thereof.
>
> (b) subdivision (a) shall not apply to any development proposed or undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled, lying within the coastal zone, nor shall it apply to any development proposed or undertaken within ports covered by Chapter 8 (commencing with Section 30700) or within any state university or college within the coastal zone; however, this section shall apply to any development proposed or undertaken by a port or harbor district or authority on lands or waters granted by the Legislature to a local government whose certified local coastal program includes the specific development plans for such district or authority."

Within Morro Bay Harbor, the Legislature has granted certain tideland areas to the City of Morro Bay. Under Section 30519 (b) of the Act, the City will obtain coastal development authority when the following conditions are met:

(1) The City has a certified LCP.

(2) The certified LCP contains specific port or harbor district or authority development plans for those granted lands.

(3) The harbor has a designated harbor authority or district which can supervise or propose development specified under the LCP.

The term tidelands has a specific meaning in public land law. Tidelands means lands which, in the last natural state of the shoreline lay between the ordinary high water mark (mean high tide line) and the ordinary low water mark (mean low tide line). Submerged lands are lands which, in the last natural shoreline state, lay below the ordinary low water mark. The term "tideland" can be used to describe both tide and submerged lands (City of Long Beach v. Mansell, 1970).

Figure 1 shows the official tidelands boundaries of 1956 and the recent change of 1981. These lands were transferred to the City of Morro Bay by the State Legislature in 1964. The City as the grantee, has primary responsibility for administering these lands. The responsibility of the State Lands Commission is to ensure that such administration is carried out consistent with the granting statutes and the public trust.

## B. THE LOCAL COASTAL PROGRAM - LAND USE PLAN

Section 30108.5 defines the Land Use Plan of the Local Coastal Program as follows:

" 'Land Use Plan' means the relevant portions of a local government's general plan, or local coastal element, which are sufficiently detailed to indicate the kinds, location, and intensity of land use, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions."

A local government may submit its entire local coastal program (LCP) at one time or in components. The two basic components are the land use plan and the ordinances and other measures which implement the plan. The land use plan sets the policies, standards, and objectives to be applied in guiding coastal zone land use decisions. The City of Morro Bay has chosen to submit its program in components. The implementing measures will be submitted separately from the land use plan. A summary of the Local Coastal Plan Process is given in Table. 1.

### 1. Methodology

This land use Plan reflects the issues and concerns of the City of Morro Bay. This plan incorporates, to the maximum extent possible, the City's plans and policies which are consistent with the Coastal Act. Where inconsistencies have been identified, modification and revisions have been made to ensure consistency. the final Local Coastal Plan, incorporating the land use plan and the implementing ordinances, will thus constitute a separate element of the City's General Plan. Where there are conflicts between policies set forth in the adopted LCP and those in any other element of the General Plan, the LCP will take precedence.

Originally, the City was required to review Coastal Act issues as they related to the City and prepared a list of relevant issues. This list is called a Work Program and this program laid out those issues that needed to be discussed in its land use plan.

TIDELANDS BOUNDARIES

Figure 1

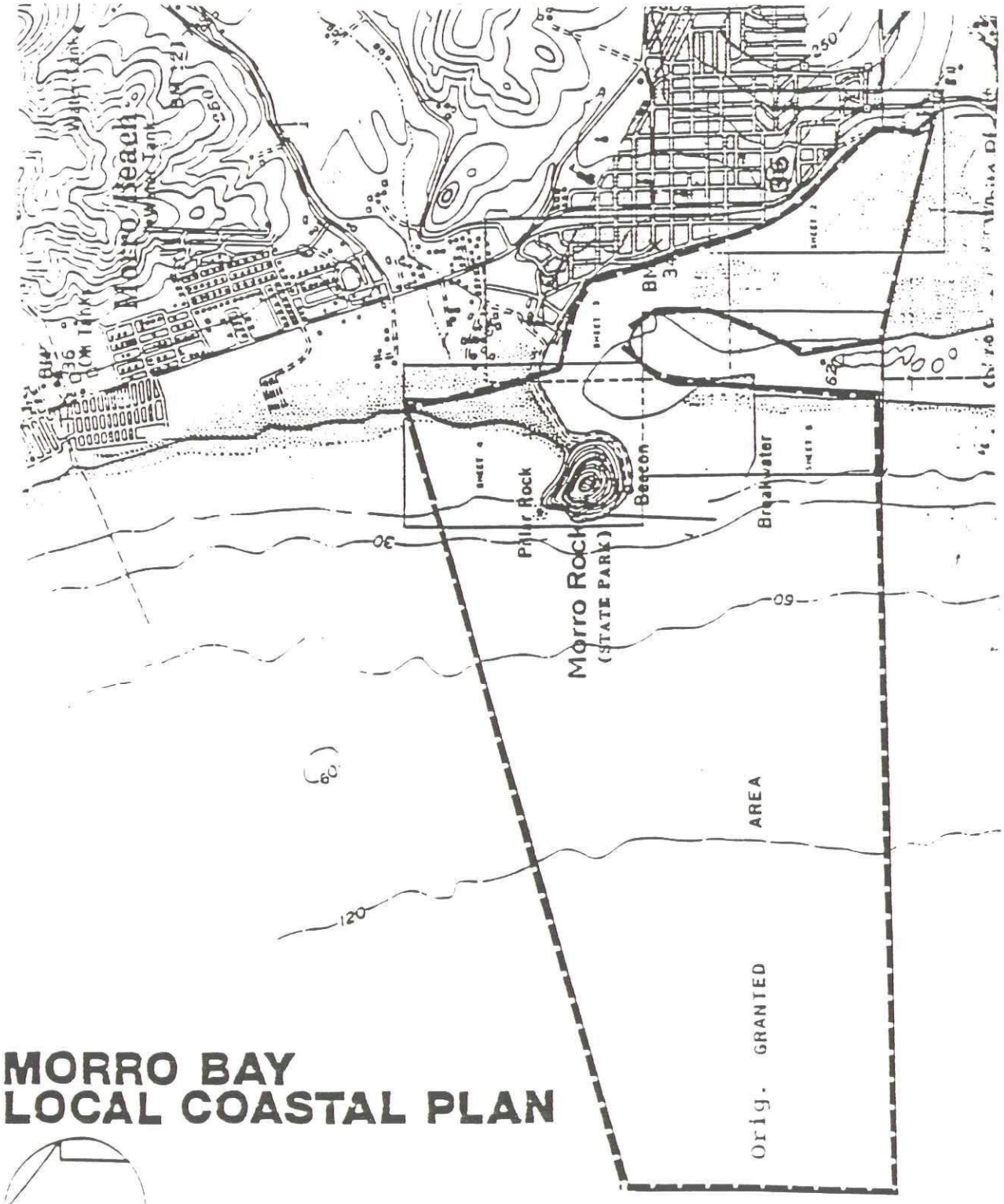


TABLE 1

LOCAL COASTAL PLAN PROCESS

| | |
|---|---|
| PHASE I | -Issue Identification<br>-Phase II Work Program<br>-Local, Regional and State Hearings<br>-Approval |
| PHASE II | -Resource Analysis<br>-Distribution of Working Papers<br>-Local Public Workshops and Meetings<br>-Preparation of the Draft Land Use Plan<br>-Local Public Workshops and Meetings<br>-Preparation of Hearing Draft Land Use Plan<br>-Local Public Hearings<br>-Local Adoption of Land Use Plan<br>-State Coastal Commission staff review and recommendations<br>-State Coastal Commission Hearings<br>-Certification of City's Land Use Plan<br>-Phase III Work Program<br>-Local and State Hearings |
| PHASE III | -Preparation of draft Implementation Plan<br>-Local Public Workshops and Meetings<br>-Revisions<br>-Local Public Hearings<br>-Local Adoption of Implementation Plan<br>-State Coastal Commission Staff review and recommendations<br>-State Coastal Commission Hearings<br>-Certification of Implementation Plan<br>-Certified Local Coastal Program |

The method of the Land Use Plan preparation is based on the Issues and Identification and work program. This work program and Chapter 3 of the Coastal Act are contained in Appendix B.

Precise term definitions are based on those found in the Coastal Act of 1976 or are those used by the City in its planning processes.

2. Land Use Plan Contents

The LCP Land Use Plan consists of two major portions: the land Use Plan map and text, and the policies necessary to ensure protection of coastal resources and the regulation of development.

These policies are the basis for the Land Use Plan. they establish the criteria for evaluating future development within the community and et forth the measure s the City should take to achieve the protection of coastal resources as required by the Coastal Act.

The major topics as established by the Coastal act and applicable to the City of Morro Bay as identified in the Issues and Identification Work Program (Appendix B) are listed as follows:

(1) Shoreline Access and Recreation
(2) Visitor-serving Facilities
(3) Archaeology
(4) Public Works
(5) Energy (Industrial Development)
(6) Agriculture
(7) Commercial Fishing
(8) Hazards
(9) Environmentally Sensitive Habitat
(10) Diking, Dredging and Filling
(11) Visual Resources and Neighborhood Character

These topics are discussed in the order they are presented above but are not necessarily listed in order of their importance. All of the topics are an important part of coastal land use planning, and all of the topics have been considered in the development of the Land Use Plan map.

3. Implementing Ordinances

The implementing ordinances will be prepared once the Land Use Plan has been approved by the California Coastal Commission. the implementing ordinances include necessary zoning ordinance revisions, revisions to the zoning map, categorical exclusions, permit procedures, necessary amendments to the City ordinances and regulations and preparation of new ordinances and programs necessary to implement this Land Use Plan. The implementing ordinances will require review and approval prior to certification of the entire city Local Coastal Plan by the California Coastal Commission.

## C. PLANNING AREA CHARACTERISTICS

As shown on Figure 2, almost all of the Morro Bay city limits are within the Coastal Zone. for ease in issues and policy discussion, the City has been divided into ten planning areas. These planning area designations are used throughout the Land Use Plan. Figure 3 shows the locations of the planning areas. The existing characteristics of each planning area re described in the following discussions. Included also is a summary of potential development and the major coastal issues relevant to the planning area. Table 2 summarizes coastal issues by planning area.

### 1. Area 1 - North Morro Bay

This area is bisected by State Highway One and comprises the northernmost portion of the community. Island and Azure Streets are the southern boundaries, and the City limits are the northern, eastern and western boundaries.

#### a. Existing Land Use

The area includes the Atascadero State Beach, the Chevron Marine Terminal, the Navy Fuel Storage Facility, single family and multifamily residential development and some strip commercial uses along Main Street. The majority of the area is developed in residential uses.

#### b. Potential Development

The majority of the existing residential areas are developed; vacant lands adjacent to Del Mar Park would allow considerable residential development. There is commercial infill potential in the strip commercial areas. Future changes in type of energy-industrial use is possible in the existing industrial use areas.

#### c. Major Coastal Issues

The major issues facing this area include potential hazards, visual concerns, energy considerations, locating new development, provisions of coastal access, housing rehabilitation and neighborhood character considerations. Refer to the area discussions in the appropriate issues chapters.

FIGURE 2
COASTAL ZONE
BOUNDARY

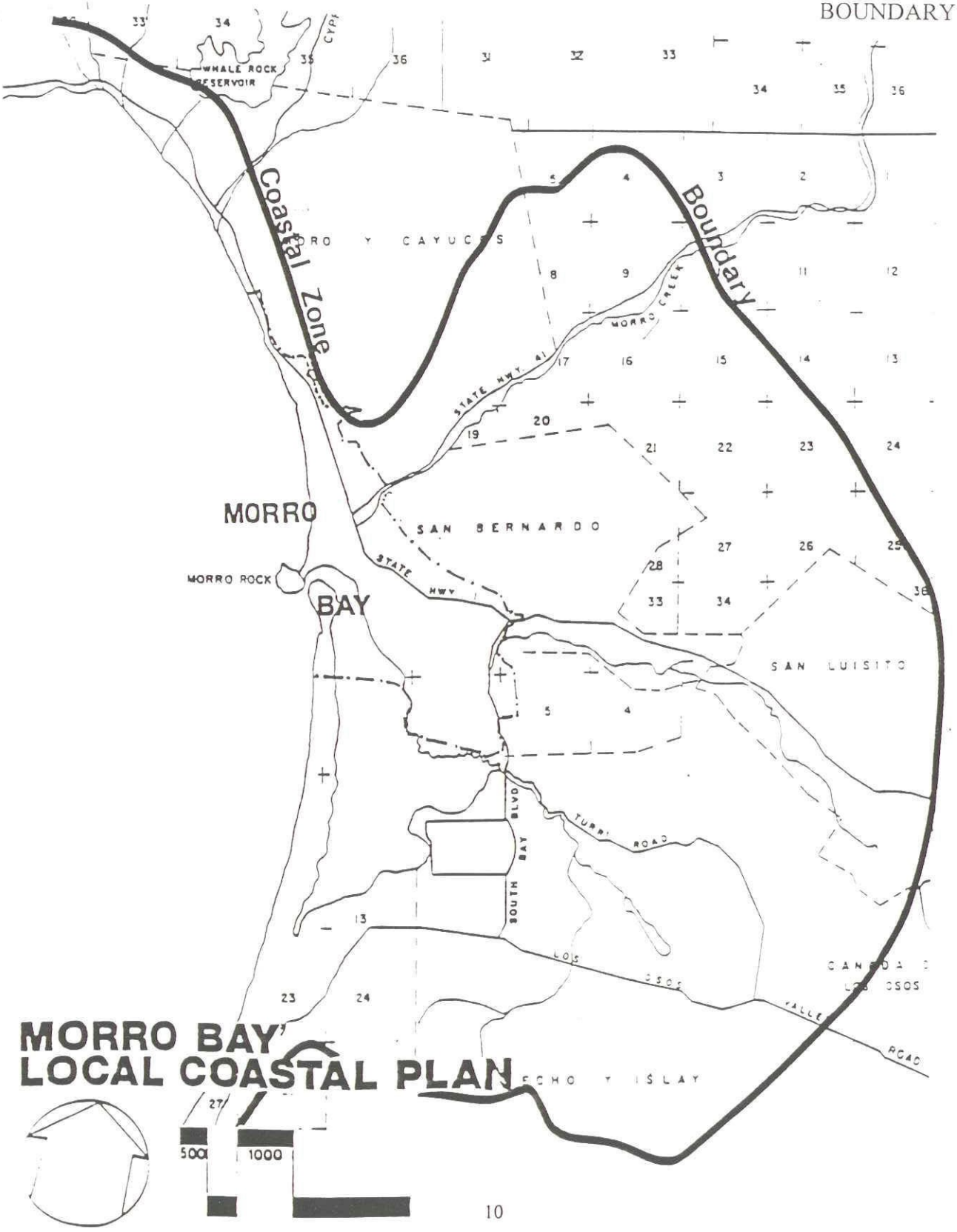


FIGURE 3

PLANNING AREAS

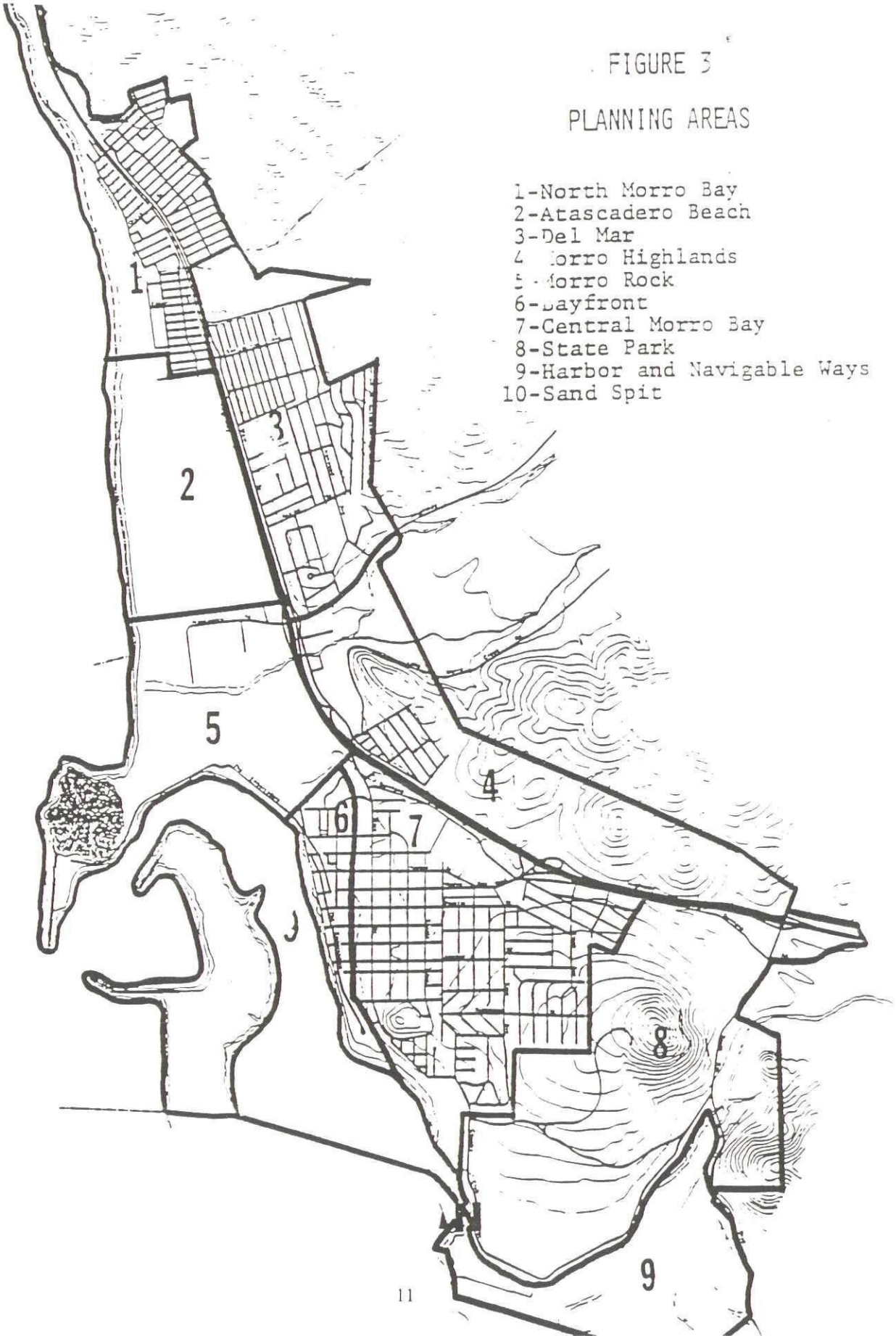


TABLE 2

MATRIX OF COASTAL ISSUES
BY PLANNING AREA*

| MAJOR COASTAL ISSUES | AREA 1 North Morro Bay | AREA 2 Atascadero Beach | AREA 3 Del Mar | AREA 4 Morro Highlands | AREA 5 Morro Rock | AREA 6 Bayfront | AREA 7 Central Morro Bay | AREA 8 Morro Bay State Park | AREA 9 Harbor Navigable Ways | AREA 10 Morro Bay Sand Spit |
|---|---|---|---|---|---|---|---|---|---|---|
| Access & Recreation | X | X | | | X | X | | X | X | X |
| Visitor Serving Facilities | | | X | | | X | | | | |
| Archaeology | X | X | X | X | X | X | X | X | X | X |
| Energy | X | | X | | X | X | | | X | |
| Commercial Fishing | | | | | X | X | | X | X | |
| Agriculture | | | | X | | | | | | |
| Environmentally Sensitive Habitat | | X | | | | | | | X | |
| Hazards | X | X | X | X | | | | | | |
| Diking, Dredging & Filling | X | X | | | X | X | | X | X | X |
| Visual and/or Neighborhood Character | X | X | X | X | | X | X | | | |
| | | | | | | | | | | |
| Public Works & New Development | X | X | X | X | X | X | X | X | | |

*Refer to Appendix B for description of coastal issues as they relate to Morro Bay. Refer also to the coastal issues discussions by area in the appropriate issues chapters.

2. Area 2 - Atascadero Beach

This area consists of two large parcels bordered on the east by State Highway One, on the south by the Morro Bay High School, on the west by the Pacific Ocean and on the north by a westerly projection of the Sienna Street alignment. a. Existing Land Use

The area is vacant. A portion of the vacant property is covered with sand dunes.

b. Potential Development

Development proposals have included planned residential development and motel development. No development plans have been approved by the City. The State of California recently acquired the area known as the Cloisters for Parks and Recreation purposes.

c. Major Coastal Issues

The major coastal issues within this area include: access and recreational use, hazards, (flooding and drainage), visual impacts, locating and planning new development including consideration of coastal priority uses and protection of sensitive dune habitats. Refer to the area discussion in the appropriate issues chapters.

3. Area 3 - Del Mar

This area is located east of State Highway One, north of State Highway 41, south of Island Street and west of the City limits.

a. Existing Land Use

Existing land uses include commercial strip development along Main Street which serve both community and visitor needs, motels and multifamily and single family residential uses, and Del Mar Park. There are conflicts existing between the General Plan and zoning ordinances which require resolution.

b. Potential Development

The commercial and residential areas have considerable vacant infill parcels.

c. Major Coastal Issues

The major issues facing this area include visual and hazard concerns, housing rehabilitation, locating and planning new development, and community character considerations. Refer to the area discussions in the appropriate issues chapters.

4. Area 4 - Morro Highlands

The Morro Highlands planning area is bounded on the north by State Highway 41, on the west by State Highway One, and on the east and south by the City limits.

a. Existing Land Use

Land uses vary from manufacturing, neighborhood and visitor-serving commercial, mobilehome development and some single family development. Approximately two thirds of this area is vacant and is used for marginal cattle grazing.

b. Potential Development

Approximately 200 acres are vacant and available for development. Much of Morro Bay's future growth may occur within this area. It is desirable to designate a nominal amount (approximately 30 acres) of District Commercial use in this area near the freeway interchange. Prior to approval of any use of this land use designation the City shall require a detailed market analysis to demonstrate the need for such use.

c. Major Coastal Issues

Major coastal issues to be addressed in this area include agricultural land uses, locating and planning new development, visual and hazard (hillside protection) concerns. Refer to the area discussion in the appropriate issues chapters.

5. Area 5 - Morro Rock

This area is located west of State Highway One and south of Atascadero Beach Planning Area, and includes the PG&E Morro Bay Power Plant property line as the southernmost boundary.

a. Existing Land Use

The land uses include the Morro Rock and beach areas in recreation and wildlife preservation uses, the power plant, two City park areas, the high school, the City wastewater treatment plan, some visitor-serving commercial uses and a recreational vehicle park.

b. Potential Development

Potential development in this area is varied and could include increased commercial fishing uses, increased energy development-related uses, increases or changes in recreational uses, and some potential for increase in commercial visitor-serving uses. Extension of State Highway 41 - Embarcadero Road is possible.

c. Major Coastal Issues

Major coastal issues within this area include expansion of the commercial fishing industry, power plant expansion and energy-related development and shoreline access. Refer to the appropriate issues chapters.

## 6. Area 6 - Bayfront

This area is bounded generally on the north by the PG&E Morro Bay power plant property, on the east by Morro Avenue and the Tidelands Park eastern boundary, on the south by Morro Bay State Park and on the west by the bay.

### a. Existing Land Use

The majority of this area is used for harbor-related, commercial fishing, and tourist commercial uses. There is some residential development in this area.

### b. Potential Development

Most of this area is developed. Potential development includes increase in efficiency of the commercial areas along the Embarcadero, including additional visitor-serving commercial uses, increase in public access opportunities, and increase in commercial fishing uses. The Tidelands Park is planned for improvement.

### c. Major Coastal Issues

The major coastal issues within the Bayfront Planning Area include commercial fishing, visual resources, recreation (boating) and access. refer to the area discussions in the appropriate issues chapters.

## 7. Area 7 - Central Morro Bay

This area is bounded on the north by Scott Avenue and the PG&E property, on the east by State Highway One, on the south by the Morro Bay State Park, and on the west by Morro Avenue.

### a. Existing Land Use

This area includes residential and commercial uses. Some visitor-serving uses are located in this area, particularly along Morro Bay Boulevard and Main Street north of Morro Bay Boulevard, and in the area adjacent to the Embarcadero.

### b. Potential Development

Most of the residential areas are fully developed. There is potential for expansion of commercial services.

### c. Coastal Issues

The major coastal issues are limited to housing rehabilitation, visual and community character concerns. Refer to area discussions in the appropriate issues chapters.

8. Area 8 - Morro Bay State Park

This planning area incorporates the Back Bay of Morro Bay and Morro Bay State Park. The boundaries are the existing line of residential development to the north, State Highway One to the northeast, and the bay to the west and south.

a. Existing Land Use

Morro Bay State Park and Black Mountain comprise the majority of this area. Along Quintana Road and South Bay Boulevard north of County Club Drive are a trailer park, some single family residences and visitor-serving commercial uses.

b. Potential Development

There is a possibility for limited commercial fishing, recreational boating or visitor-serving uses adjacent to the tidelands area.

c. Major Coastal Issues

The major coastal issues in this planning area are protection of commercial fishing and coastal access and recreation.

9. Area 9 - Harbor and Navigable Ways

This planning area incorporates the area within the city limits covered by bay water, wetlands areas and tidelands.

a. Existing Use

The harbor is being utilized for a variety of harbor dependent uses which include dockage, moorage, government, commercial and recreational navigation, swimming, commercial and recreational fishing, mariculture and other similar uses. The harbor serves as de facto safe moorage during inclement weather.

b. Potential Development

It is anticipated that existing uses will be expanded. It is possible that the harbor could be utilized for some coastal- dependent energy uses in the future.

c. Major Coastal Issues

The major coastal issues in this planning area are commercial fishing, energy, access and recreation, diking, dredging and filling, environmentally sensitive habitat protection and locating and planning new development.

10. Area 10- Morro Bay Sand Spit

The Morro Bay Sand spit planning area is that area of the sand spit extending north from Montana de Oro State Park to its northerly terminus.

a. Existing Land Use

The existing land use is open space and recreation. No structures exist on the sand spit.

b. Potential Land Use

Based on governmental and private ownership decisions, there is the potential for development, but environmental and policy constraints may limit the potential for development.

c. Major Coastal Issues

The major coastal issues are the protection of environmentally sensitive habitat, visual and scenic value, access and recreation, and locating and planning new development.

Figure 4

LAND USE MAP

# II. LAND USE PLAN MAP AND GENERAL LAND USE POLICIES

## A. LAND USE PLAN MAP

Section 30108.5 defines a land use plan as follows:

"'Land Use Plan' means the relevant portion of a local government's general plan, or local coastal element which is sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions."

The land use designations depicted on the Land Use Plan map (Figure 4) reflect those policies contained in the chapters which follow and the discussion of land use in this chapter.

The Land Use Plan is intended to amend the City's General Plan. The Land Use Plan does not offer specific methods to implement policies; that task will be accomplished in Phase III of the City's Local Coastal Program. When this Land Use Plan is approved the other Elements of the General Plan must then be made consistent with the LUP.

## B. COASTAL ACT POLICIES RELATING TO DEVELOPMENT

There are many sections of the Coastal Act that address, either directly or indirectly, the issue of development. In the Act, development is broadly defined to include the placement of, or construction of, any solid material or structure; land division; removal of major vegetation other than for agricultural purposes, kelp harvesting, or timber operations. Refer to Appendix A for other definitions. Coastal Act policies which are addressed in other sections of the Plan also apply.

Sec. 30106. "Development means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous liquid, solid or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of a major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511)."

"As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line."

Sec. 30220. "Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses."

Sec. 30221. "Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for pubic or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area."

Sec. 30222. "The use of private lands suitable for visitor-serving commercial/recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry."

Sec. 30223. "Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible."

Sec. 30250. "(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

"(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

"(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors."

Sec. 30252. "The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing non-automobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high-intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans and with the provision of on-site recreational facilities to serve the new development."

## C. LAND USE DESIGNATIONS

### 1. Residential Land Uses

Five residential land use categories are established to provide for a wide range of densities. The purpose is to ensure that residential land is developed to a density suitable to its location and physical characteristics.

One type of residential development that the City would encourage is cluster development. Some of the advantages include increased open space, better visual qualities, additional

preservation of sensitive sites, decreased cost of municipal services and an opportunity to provide more affordable housing.

Density ranges area as follows:

| | | |
|---|---|---|
| Limited Density | - | up to 2 dwelling units per acre |
| Low Density | - | up to 4 dwelling units per acre |
| Low-Medium Density | - | 4 - 7 dwelling units per acre |
| Medium Density | - | 7 - 15 dwelling units per acre |
| High Density | - | 15 - 27 dwelling units per acre |

2. Commercial Land Uses

Six commercial land use categories have been established to meet the varieties of commercial needs within the City.

Neighborhood Commercial: This land use designation is intended to provide for those commercial uses which cater to the daily needs of residents within a one-to-two mile radius. Typical land uses are grocery and convenience food stores, laundries, hardware and drug stores.

District Commercial: This land use designation is intended to provide for commercial uses which cater to the needs of more than one neighborhood. It would provide for suitable land area, primarily in the Central Morro Bay Planning Area, for commercial businesses offering major household and personal goods and services.

Service Commercial: Many commercial uses must be located carefully with respect to residential neighborhoods. Those commercial businesses that create noise, require outdoor work areas, or have other characteristics which are not suitable to be located near residential land uses should be located in the areas designated for service commercial uses.

This land use category is intended to accommodate some forms of light industrial/manufacturing uses particularly relating to commercial fishing needs. Specifically, it is intended to encourage the continuation of boat building land uses and fish processing which does not require canning or extensive cooking facilities.

The City recognizes the need to preserve land for service commercial use, and will with any LUP amendment and zone change request carefully, recognizing the need for such uses as boat storage and repair, and light industry. Areas most suitable for service commercial/light industrial activities shall be protected as such. The characteristics of such areas include good vehicle access, buffers from residential areas and the principal commercial districts, and larger lot size. Some service commercial areas must also be preserved near the waterfront but care must be exercised to minimize conflicts with other uses.

Visitor-Serving: The visitor-serving land use category is especially important to the City since tourism is a significant contributor to the local economy. This category encourages concentration of tourist-intensive uses at major destination points in the City or at locations easily accessible to travelers along State Highway One. Visitor-serving uses that should be developed in those areas designated as such are hotels/motels, overnight RV facilities,

restaurants, gift shops, goods and supply stores, commercial recreation and other uses typically found to accommodate tourist needs and activities.

Mixed Commercial/Harbor Dependent Land Use: This land use designation allows a mixture of visitor-serving commercial uses, and harbor dependent land uses. It is intended to preserve the working harbor existing along the Embarcadero while facilitating visitor needs, since the Embarcadero is a major tourist destination. Examples of land uses that would be accommodated in this category are sportfishing facilities, fish stores, dockage for commercial fishing boats, restaurants, gift shops, visitor access and facilities, some fish processing facilities requiring the use of ocean water, recreational boat dockage and other similar activities.

Priority will be given to access and coastal-dependent development on the bay side of the Embarcadero from Olive Street to Beach Street for vacant parcels, or in the case of redevelopment of existing structures which involves additions equaling 50 percent or more of the square footage, or 2,000 square feet, whichever is greater.

Priority will be given to coastal-dependent projects and commercial fishing activities on the bay side of the Embarcadero from Beach Street north to Coleman Drive; however, existing uses may remain and be redeveloped in the same use as long as the intensity is not increased (i.e., parking demands unmet on the site).

Commercial/Recreational Fishing: This category is intended to implement Measure "D" of the June 2, 1981, City ballot, passed by the citizens of Morro Bay, which states in its full text (as a permitted use in the Planned Development "P.D." Zone):

> "The City shall not grant any permit, authorization or other approval of any state owned tidelands subject to city lease between Beach Street and Target Rock, unless such development or use is primarily for the purpose of serving or facilitating licensed commercial fishing activities or noncommercial recreational fishing activities, or is clearly incidental thereto. For purposes of illustration only, and not by way of limitation, no approval shall be granted for any new passenger-for-hire boats or supporting facilities, or for any new restaurant, cafe, gift shop or other retail establishments serving the general public, and any existing such uses shall hereafter be considered nonconforming and shall not be expanded or enlarged."

It is also noted that the Coastal Act of 1976 has peremptory status over local zoning.

Measure "D" added Section 17.36.020, to the Morro Bay Municipal Code (Zoning Ordinance); it is noted that by doing so, the described "nonconforming uses" become subject to the other provisions of that Municipal Code Title; also see LUP Policy 7.01.

3. Industrial Land Uses

Two industrial land use categories have been established, General (Light) Industrial and Coastal Dependent Industrial land uses. Both designations reflect the existence of two basic industrial uses in the City, commercial fishing and processing and public utility and energy land uses.

General Industry: Light industry land uses which do not require materials or equipment which emit excessive air, audio, water or land pollutants, or would require considerable outdoor storage, are allowable in this designation. The City would like to encourage the location of light industries that would specifically cater to commercial fishing and regional needs, such as machine shops, auto mechanic shops, black smith, cold storage, warehousing and food processing, light manufacturing, component assembling and small parts processing.

Coastal-Dependent Industrial Land Use: This land use specifically relates to those industrial land uses which are given priority by the Coastal Act of 1976 for location adjacent to the coastline. Examples of uses in this designation are thermal power plants, seawater intake structures, discharge structures, tanker support facilities, and other similar uses which must be located on or adjacent to the sea in order to function. The Morro Bay wastewater treatment facilities are protected in their present location since an important operational element, the outfall line, is coastal-dependent; see Policy 5.03.

Interim/Open Space Uses in Industrial Categories: This designation allows interim or temporary land uses in both industrial categories until such time as the area is needed for its primary use. These uses must have relocatable (not permanent) structures which are subordinate to the character of the visual setting and are limited to visitor-related, recreational or commercial fishing temporary uses as listed in Policy 5.02.

4. Other Land Uses

There are eight additional land uses which are designated within the City. These are Agriculture, Mariculture and Marine Research, Harbor and Navigational Ways, Environmentally Sensitive Habitat, Open Space/Recreation, Golf Course, School, and Mixed Uses.

Agriculture: This land use designation is intended to identify and preserve agricultural land for the cultivation of plant crops and the raising of animals. Lands eligible for this designation shall include lands with prime soils, prime agricultural land, land in existing agricultural use, land with agricultural potential and lands under Williamson Act contracts.

Mariculture and Marine Research: This designation applies to areas within the City that, because of their location adjacent to sources of seawater, and their relationship to adjacent land uses, have been determined to be suitable for the propagation and rearing of ocean fish and shellfish. Uses allowed in these areas are coastal dependent mariculture activities that must be served by seawater intake and discharge pipelines in order to function, and includes other directly related uses.

Mariculture facilities include buildings, tanks, raceways and pipelines used for breeding, hatching, grow-our, and related research, and administrative offices and educational facilities. Processing of mariculture products such as cleaning, shelling, canning or packaging is expressly prohibited in such areas.

Harbor and Navigable Ways: This use designation specifically addresses that area of the City covered by seawater and includes the mouth of the bay to the southern city limits. Uses allowed in the harbor are those which must be located on the water in order to function, including intake and discharge structures, mariculture, commercial and recreational boating and support facilities, visitor-serving uses where public access is enhanced or facilitates coastal-depended use, open space for navigation, habitat preservation and viewshed.

Environmentally Sensitive Habitat: This designation is intended to protect those areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Resource-dependent activities such as fishing, claming, hiking, viewshed enjoyment, etc., are allowable within this designation.

Open Space/Recreation: This designation includes that open space which is not defined environmentally sensitive habitat and is intended to accommodate more intensive recreational activities. Allowable uses include golf courses, boating clubs, athletic fields, stables, campgrounds and other commercial recreation uses.

Golf Course: This designation provides for golf courses and related facilities such as club houses, pro-shops, maintenance buildings, parking areas, and irrigation systems, and also provides for passive recreation activities including walking and bicycle paths, picnic areas, play areas and similar quiet recreational activities.

School: This land use category is applied to areas devoted to public school sites.

Mixed Uses: The mixed uses land use designation combines neighborhood and visitor-serving commercial uses, high density residential and professional uses. It recognizes those areas in the City which have existing mixed use development patterns which appear to be a positive land use function worth maintaining. Uses allowed in this designation will be those which can function compatibly and include but are not limited to apartments and condominiums, professional offices, small convenience stores and gift shops, and small capacity restaurants. Businesses which have later hours or tend to be noisy would be encouraged to locate in other areas with more appropriate land use categories.

In addition, the mixed land use designation may apply to certain vacant parcels, that because of their large size, can accommodate two or more types of uses with careful planning. The following descriptions of these areas shall be the basic planning policy for these areas. These mixed uses, designated by specific areas on Figure 5, are defined as follows:

Mixed Use Area A: Vacant lots or major developments (involving new Structures or additions of more than 50 percent of the total floor area to existing structures or 2,000 square feet, whichever is greater) shall have priority for visitor-serving uses. Existing uses shall be allowed to remain excepting the above development requirement. In Mixed Use Area A, the primary permitted use is visitor-serving recreational/commercial. The secondary permitted use is residential, however, the number of individual residential and office units or office space floor area within Mixed Use Area A, shall at no time exceed the amount existing at the time of the certification of the LUP.

Mixed Use Area B: Existing coastal-dependent and coastal-related uses shall be protected, maintained and provided where feasible in new development. Mixed Harbor Uses shall be for recreational boating and fishing rather than commercial fishing. Visitor-serving commercial /recreational uses shall have priority over other land uses consistent with traffic, circulation and parking constraints in the Embarcadero.

For the area of the City west of Main Street between Acacia and Barlow (ie: those parcels west of Main Street between APN 66-251-01 and 07, inclusively), the following policies shall apply:

1. All existing residences and commercial establishments in this area shall be considered conforming; existing commercial use above the bluff shall not be permitted to expand.

2. Vehicular accessways and parking lots serving commercial properties below the bluff may be permitted above the bluff.

3. The entire area shall be designated with a "P.D." overlay so that CUP's (and public hearings) are required for new development. In approving a CUP for new uses the Planning Commission shall make the following findings:

a. That any proposed commercial use is generally serving a water-borne clientele or serving a water-oriented purpose.

b. That the proposed commercial use, by its nature or design, will result in minimal noise, glare, odor and traffic impacts on other nearby uses.

c. That any new residential development shall be of a density and design which minimizes potential exposure to and would not unreasonably restrict water-oriented commercial activities.

d. That any new use shall not generate significant traffic/circulation impacts and shall include adequate parking, loading and access (turning and driveway) facilities.

e. That any new use shall not result in any harmful (eg: toxic waste) discharge into the bay.

Mixed Use Area C: Lower cost visitor-serving uses shall be protected, encouraged, and where feasible provided in this area. Existing lower cost uses shall be protected and maintained; vacant parcels suitable in size and location shall be designated for such use.

In Mixed Use Areas A, B and C, additional general commercial, general office, professional office and non-priority use commercial development shall be prohibited.

Mixed Use Area D: These areas serve as transition zones between the downtown and adjacent, established residential neighborhoods. Allowable uses shall be high density residential, offices and visitor-serving commercial uses such as hotels or motels.

FIGURE 5

MIXED USE AREAS

FIGURE 5
MIXED USE AREAS

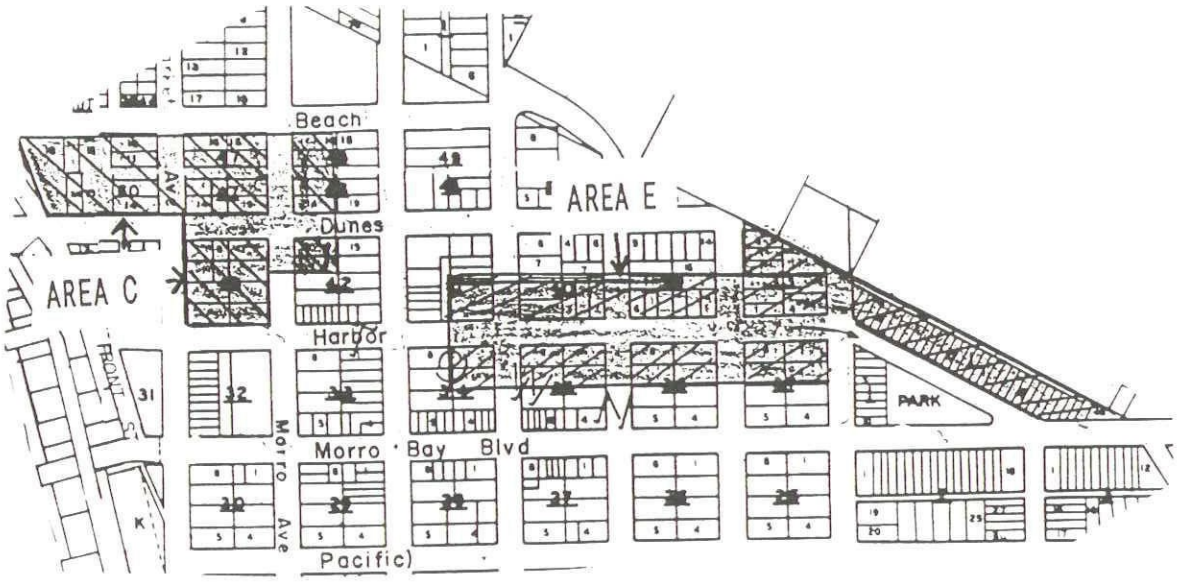


FIGURE 5
MIXED USE AREAS

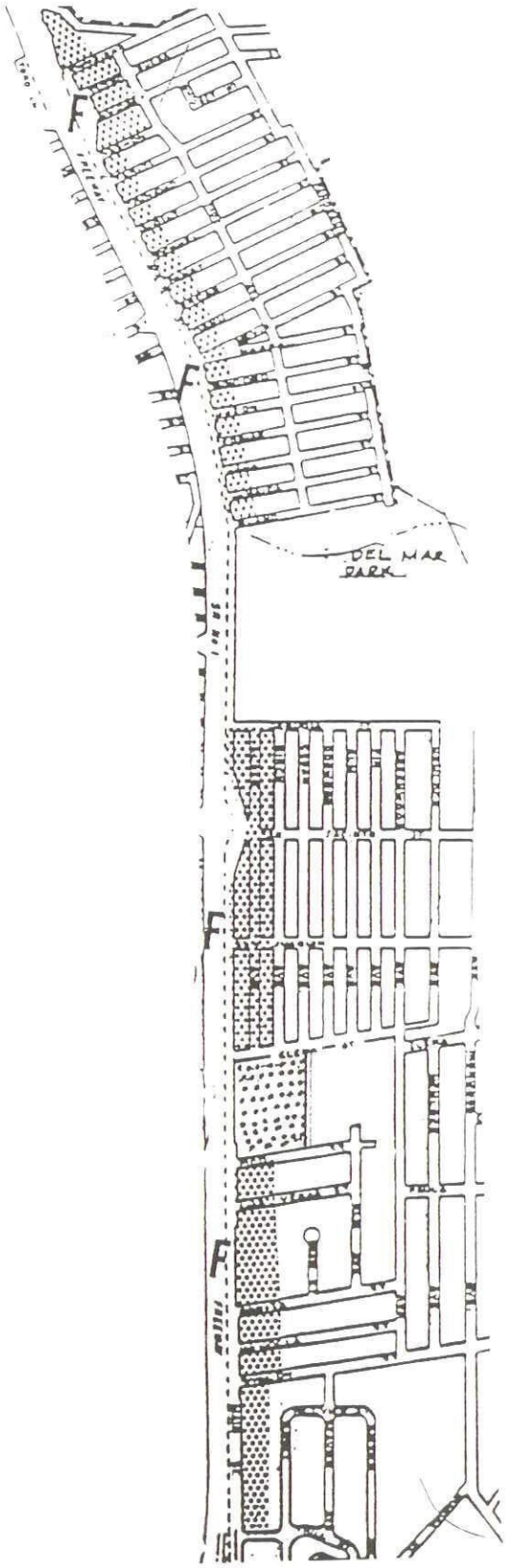
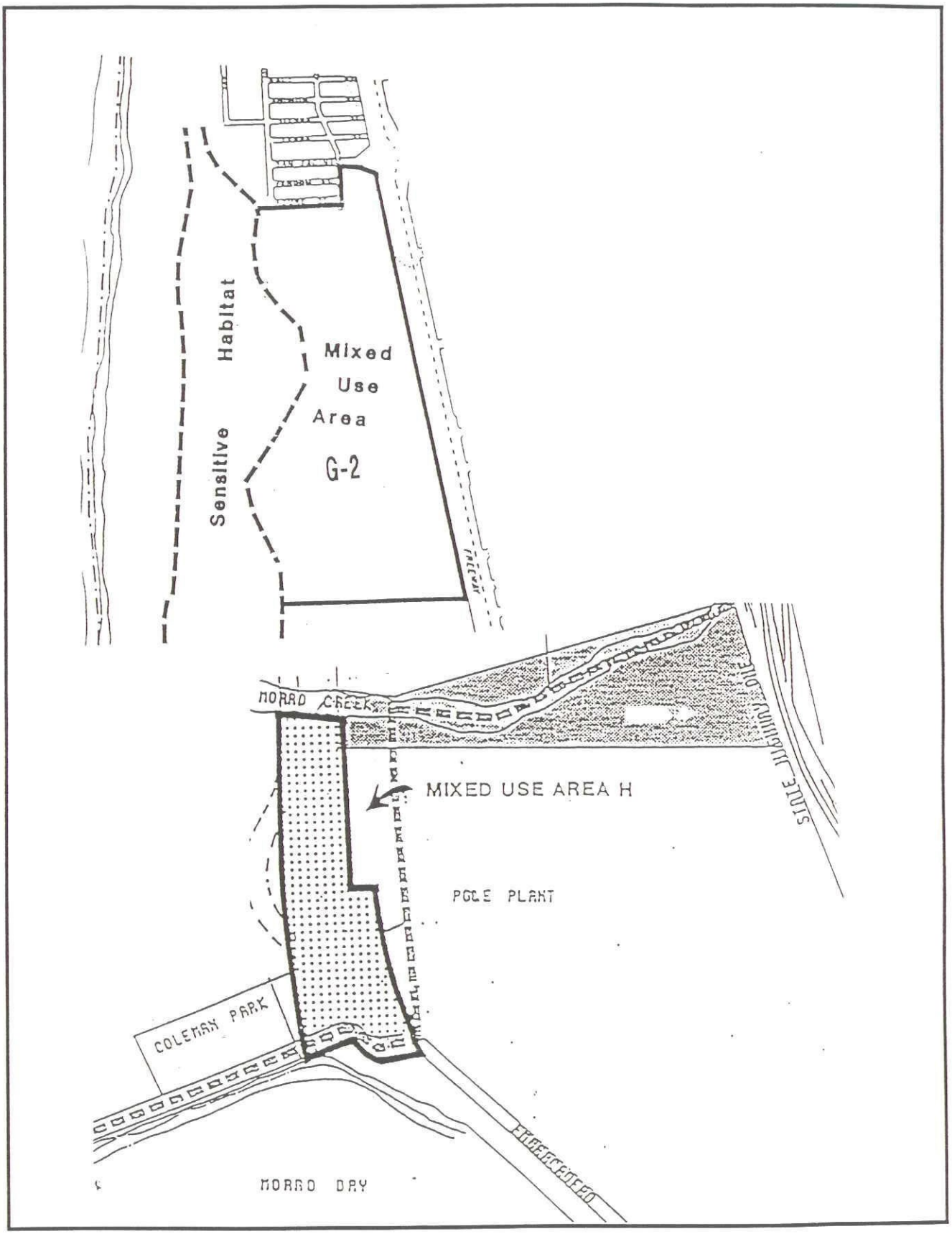


FIGURE 5
MIXED USE AREAS



Mixed Use Area E: Professional offices and public/quasi-public uses shall be encouraged in this area. For that area designated as Mixed Use Area E located along Main Street and north of Surf Street, residential, office uses and a limited range of commercial uses related to offices may be permitted. Prior to approving new development on this site, a concept plan for the entire area shall be submitted to and approved by the City. This concept plan shall include a common access/circulation system which minimizes the number of driveways with direct access to Main Street.

Mixed Use Area F: A mixture of all uses as appropriate shall be encouraged. An evaluation of appropriate uses on a parcel-by-parcel basis will be conducted during the implementation phase.

Mixed Use Area G (1): This area is suitable for expansion of visitor-serving and general commercial uses. There are also several existing residences here, as well. The existing character of this area makes it suitable for mixed uses: high density residential with general or visitor-serving commercial. Existing residential projects shall be considered conforming. New residential may be permitted only in conjunction with commercial or office development. At least 50 percent of the floor area of any new development must be devoted to office or commercial uses. (Res 106-84)

Mixed Use Area G (2): This area is currently owned by the Keyoto- Natalie Corporation, formally known and sometimes referred to herein as the VRM property. It is a large vacant area of approximately 84 acres. The intent of the mixed use designation on this large vacant property is to provide for a range of land use opportunities emphasizing coastal dependent, recreational, and limited, low intensity residential uses, consistent with the priorities of the Coastal Act. These uses include Environmentally Sensitive Habitat areas found within the area, and should retain the traditional public views of the sand dunes, shoreline and ocean from Highway One. Future development proposals for the area will be considered based upon coordinated and integrated plans that are found to be consistent with all applicable provisions of the City's Local Coastal Program and with the Coastal Act and California Environmental Quality Act. Future development plans for this area shall be consistent with the policies set forth in Specific Policy 0.6 below. (Res 127-88)

Mixed Use Area H: Within this area, uses allowable under any of the applicable land use and zoning designations are encouraged as primary uses of the area. Open space uses or commercial fishing support facilities may be proposed either singly or in a mixed use pattern.

5. Overlay Designations

Overlay designations provide for land uses which are specific to certain locations within the City and which are allowable in more than one land use designation. The overlays are the exclusive use of the property so designated and are described as follows:

Planned Development: This overlay requires that nay development must occur in accordance with a precise development plan, which has received discretionary City approval. If the overlay involves residential uses, they shall be developed in accordance with the density established under the residential land use designation.

Restricted Areas: This overlay identifies those sensitive habitats within the City which have resources so environmentally sensitive that even passive recreational uses must be prohibited. Such areas include the Morro Rock Peregrine Falcon area, the heron rookery near the Stocking site and the wetlands portion of the bay. Additional areas may be added within this definition after consultation with the Department of Fish and Game and U.S. Fish and Wildlife Service.

Park: This overlay identifies where public parks exist or are proposed.

Public-Institutional: This overlay identifies the location of facilities which serve the public such as government buildings, power plant and transmission substations, and the City wastewater treatment facility; and quasi-public institutions such as hospital or facilities of civic, cultural or religious nature.

## D. GENERAL LAND USE POLICIES

Policy 0.1 The City adopts the policies of the Coastal Act (PRC Sections 30310 through 30263) as the guiding policies of the Land Use Plan.

Policy 0.2 Where policies within the Land Use Plan overlap, the policy which is the most protective of coastal resources shall take precedence.

Policy 0.3 Where there are conflicts between the policies set forth in the Coastal Land Use Plan and those set forth in any other element of the City's General Plan or existing ordinances, the policies of the Coastal Land Use Plan shall take precedence.

Policy 0.4 Prior to the issuance of a coastal development permit, the City shall make the finding that the development complies with all applicable Land Use Plan policies.

Policy 0.5 Land Use Plan policies calling for further studies, initiation of new programs, or acquisition of land or easements will be implemented as staff and funding become available.

## E. SPECIFIC LAND USE POLICIES

Policy 0.6 Development Within Mixed Use Area G. (2)

1. Land Uses Permitted

The following types of land uses may be permitted or conditionally permitted at locations within Mixed Use Area G as designated on Figure 5A, and as shown on the Land Use Plan and Zoning maps.

a. Environmental Sensitive Habitat (ESH): Portions of Mixed Use Area G designated as ESH, generally the sand dunes, shall be limited to uses consistent with existing LUP policies and Morro Bay Municipal Code, Chapter 17.42. No residential density credit accrues from this area.

b. Coastal Resource Residential: Portions of the area, generally adjacent to the Atascadero Beach Tract on the north, Morro Bay High School on the south, and outside the public view corridor designated by Figure 32, may be used for single family detached residences with minimum lot areas of not less than 6,000 square feet and consistent with Chapter 16 of the Municipal Code. Density credit derived from the overall area designated as Coastal Resource (Limited Density) Residential on the Land Use Plan Map with a base density of up to 2 units per acre, may be transferred to the areas outside of the public viewshed, and residences may be developed at higher densities within those areas, subject to the minimum lot sizes set forth above. Such transferred density will allow 120 residential units in a Clustered Residential Development, clustered to the north and south of the view corridors. There shall be no transferred density by reason of the subdivision map recorded in or about 1015.

c. Golf Course. A golf course may be located within any portion of Mixed Use area G. except for the ESH area, and may be developed in combination with other uses, or as the only use. Golf club, pro-shops, and other facilities involving permanent structures shall be located outside the public view corridor. Parking for a golf course may be located within the public view corridor so long as it is adequately screened by landscaping. Passive recreational uses are also encouraged within this area.

d. Mariculture and Marine Research. Mariculture and marine research facilities may be located in the southern one-third of Mixed Use Area G and outside the public view corridor designated in Figure 32, and as provided in the Mariculture and Marine Research land use and Zoning designations. Mariculture grow-out tanks and raceways not exceeding 4 feet in height above grade pursuant to Morro Bay Municipal Code Section 17.12310 (B) and as hereafter amended may be located in other portions of the southerly one-third within the view corridor, but may not be located in those areas designated as ESH area.

2. Development Limitations and General Performance Standards

Detailed policies and performance standards affecting development within Mixed Use Area G are contained in various sections of the Land Use Plan and zoning ordinance and must be complied with in any development proposal. Basic policies and standards include but are not limited to:

a. All uses shall be conditional uses subject to use permit procedures of the base zoning district and the Planned Development suffix zone.

b. Structures shall be limited to a single story in height and shall not exceed 14 feet in height on the area north of the view corridor. Structures shall not exceed 25 feet in height on the area south of the view corridor. The above mentioned height limits shall be measured from finished grade, provided however, finished grade shall only exceed existing grade by the minimum fill

necessary to meet flood plain elevation requirements and tract drainage, engineering and utility design criteria as determined by the City Engineer in his sole discretion. Any grading plan for this site shall be reviewed to insure that the natural grade is not elevated beyond the levels necessary to meet flood plain elevation requirements and track drainage, engineering and utility design as determined by the City Engineer in his sole discretion.

c. All permanent structures in excess of 4 feet in height above grade pursuant to Morro Bay Municipal Code Section 17.12.310 (B) and as hereafter amended shall be limited to the area outside the public view corridor shown in Figure 32. The only exception shall be a small public restroom associated with recreational uses.

d. All development shall conform to City and federal flood control regulations.

e. Subdivision shall be phased if necessary to ensure the orderly provision of public services in compliance with City regulations (including Measure F, Ordinance No. 266) and Coastal Act priorities. The northerly portion of the property shall be subdivided first, or at the same time as the southerly portion of the property. However, the southern portion of the site may be developed with a mariculture use regardless of the timing or level of subdivision or development of the northern area.

f. Permanent structures associated with mariculture and marine research uses should be clustered at the south end of the property as far back as practical from the public view corridors. Rustic architecture should be used and landscaping should be provided to screen buildings, service and parking areas. More than one tenant may occupy the site, and development of a small research and educational complex is encouraged. Mariculture activities shall be limited to research, hatchery, and grow out; processing of mariculture products such as cleaning, shelling, canning or packaging is expressly prohibited.

g. Golf course development shall be carefully controlled to prohibit the use of environmentally damaging herbicides, pesticides, and poisons. Landscaping shall be with native plants, except for tees and greens. Irrigation should be limited to reclaimed wastewater or brackish water, and only if no adverse environmental impacts to the ESH area will result.

h. Restoration and establishment of a permanent management program for the ESH area shall be required as a condition of development within the area.

i. Lateral accessways shall be provided according to the location of historically used portions of the site and projected future use by residents, and shall include the provision of continuous lateral access across the site. Lateral public access through the area shall be provided as a condition of development approval. Excessive vertical access to the shoreline is discouraged due to the presence of nesting Snowy Plovers on the beach and within the dunes. A public bike path in accordance with the Circulation Element of the General Plan shall be provided as a condition of development approval.

j. Development proposals within Mixed Use Area G may require a greater level of public access to Highway One than is now available via San Jacinto Street. The City shall consider approval of proposals that require a greater level of access, only if the necessary land can be acquired by the developer without financial cost or legal action by the City.

k. The suitability of locating or the need to site a future City fire station within the northeast part of Mixed Use Area G should be considered by the City during the review of applications for development of this area.

3. The developer shall, as a condition of any residential subdivision, agree to and establish an assessment/maintenance district or other mechanism acceptable to the City to maintain the street paving, curbs, gutters, sidewalks and parking lots until the subdivision is ninety percent (90%) built out.

4. Alternative Water Sources: The City may allow developers of this property to provide alternative water sources for new development within Mixed Use Area G so long as such sources do not compete with City water resources. Such alternative sources, for example desalinization projects, must be built and operated in strict compliance with all government regulations including, but not limited to, Department of Health Services and the Federal EPA. The method of financing, construction and operation, the size and capacity and whether such alternative sources would become a part of the City's water system would be some of the issues to be resolved at the time a specific project was proposed by a developer. The City may consider accepting, as a part of the City's water system, a Desalinization Plant or other approved alternative water source, planned and constructed at the cost of a developer, if such a source has the capacity to serve not only the proposed development but also an equal or greater capacity allocated for general city use and if the total operating, maintenance and repair costs are paid for by an assessment district of the development for which it is proposed or other mechanism acceptable to the City. The provision of such an alternative water source as described above would entitle a residential subdivision to the alternative standard of development of sixty percent (60%) maximum lot coverage for all structures rather than the standard requirement of forty five percent (45%) maximum lot coverage.

# III. SHORELINE ACCESS AND RECREATION

## A. INTRODUCTION

Of all the issues the Coastal Act addressees, those concerned with provision of public access to the coast are perhaps the most significant and most familiar. Provision of coastal access was the primary concern of California voters who approved the 1973 Coastal Act initiative. Public access to the coast also is stressed in Section 4, Article X of the California State Constitution which guarantees the public's right of access to the beach along the 1072 miles of coastline.

The specific public access policies of the Coastal Act implicitly recognize that escalating coastal land values and the increasing demands of the private market for coastal land pose a threat to continuance of public right to have access to the coast. To insure that the public's constitutional right to have access to the coast will be enhanced and protected by local policy, the coastal act requires the following:

> "Each local coastal program prepared pursuant to this chapter (Chapter 1 of the Coastal Act) shall contain a specific public access component to assure that maximum public access to the coast and public recreation areas is provided." (Section 30500)

The primary purpose of the access component of the LCP is to describe in detail the ways in which local conditions do or do not conform to Coastal Act policies, and to recommend local policies and actions to correct non-conforming conditions. Because of the extent of overlap between concerns relevant to shoreline access and those involving coastal recreation, policies and plans concerning both are addressed together. Morro Bay enjoys an exceptionally large amount of shoreline public access and recreational opportunities, and some of these opportunities have the capability to be expanded or enhanced. With applicable policies and programs in addition to those existing in the City, access and recreational opportunities can be guaranteed to be in compliance with the requirements of the Coastal Act.

## B. COASTAL ACT AND CITY POLICIES

### 1. State Policies

The Coastal Act policies directly related to access and recreation are as follows:

Sec. 30210. "In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse."

Sec. 30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Sec. 30212. (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exits nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the regional commission or the commission determines that such activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision, "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities o public agencies which are required by Sections 66478.1 to 6648.14, inclusive, of the California Government Code and by Section 4 of Article X of the California Constitution.

Sec. 30212.5 "Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area."

Sec. 30213. Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Neither the commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Sec. 30214. (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain uses and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Sec. 30220. "Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland areas shall be protected for such use."

Sec. 30221. "Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area."

Sec. 30222. "The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development but not over agriculture or coastal-dependent industry."

Sec. 30240. "(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Article X, Section A of the California State Constitution states as follows:

> "No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay inlet, estuary, or other navigable water in this state, shall be permitted to exclude the right-of-way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision so that access to the navigable waters of this state shall be always attainable for the people."

The State Subdivision Map Act also incorporates a number of provisions regarding public access to navigable water and shoreline areas that can be found in Section 66478.1 through 66478.14 of the Government Code. Relevant portions are summarized as follows:

> "No local agency shall approve coastal or oceanfront subdivisions or subdivision involving waterways, lakes or reservoirs, unless public access is provided by fee or easement from a public highway to `land below the ordinary high-water mark on any ocean coastlines or bay shoreline within or at a reasonable distance from the subdivision,' or `that portion of the bank or stream bordering or lying within the proposed subdivision.'"

> "Additionally, no local agency shall approve a subdivision that does not provide for dedication of public easement (designed in extent, width, and character to achieve public use of the waterway) along a portion of the waterfront bordering or within the proposed subdivision."

> "Reasonable access is to be determined by the local agency, considering: (1) mode of access; (2) size of subdivision; (3) common uses of bank or stream, or type of coastline or shoreline and appropriate uses; (4) likelihood of trespass and means of avoiding trespass. The subdivision need not be disapproved if access is not provided and the local agency finds that reasonable access is available nearby."

> "The Subdivider is not required to improve access rout(s) that benefit non-residents of the subdivision. Access route(s) may be conveyed or transferred to other governmental agencies."

2. City Policies on Public Shoreline Access

Morro Bay's General Plan identifies and responds to some of the issues of shoreline access in the context of its Parks and Recreation Element. While these attempts do not meet specificity of the Coastal Act, the Parks and Recreation Element recommends that access between areas

on both sides of State Highway One should be improved by installing one or more separated pedestrian overcrossings.

The Element also proposes major improvements to and the expansion of Coleman Drive between the PG&E -owned property and Morro Rock. The conceptual plan proposes to increase access to and use of the beach areas and provide clustered parking in order to provide a more diverse and effective use of the area.

## C. GENERAL ACCESS AND RECREATION CHARACTERISTICS

### 1. Physical Characteristics

Morro Bay is a community with a wealth of existing access, and has access opportunities which can be improved or expanded. There are a total of 10.75 linear miles of ocean and bayfront shoreline that fall within the city limits. Approximately 95.5% of the shoreline within Morro Bay corporate limits is presently open to lateral access. Moreover, existing vertical public access is provided along virtually all segments of the shoreline (see Figure 8). One of the primary intentions of the LUP policies pertaining to access and recreation is to maintain the abundance of existing access and further maximize access in new development, consistent with the provisions of the Coastal Act.

The majority of Morro Bay's coastline is dominated by flat sandy beaches that rise to dunes or short coastal bluffs. Significant portions of the City's bayfront are lined by man-made rock revetments or consumed by waterfront structures. Coastal bluffs and isolated natural rock outcroppings, the most notable of which is Morro Rock, make up a relatively small portion of the city's shoreline. The coastal physical characteristics are summarized in Table 3 and shown on Figure 6.

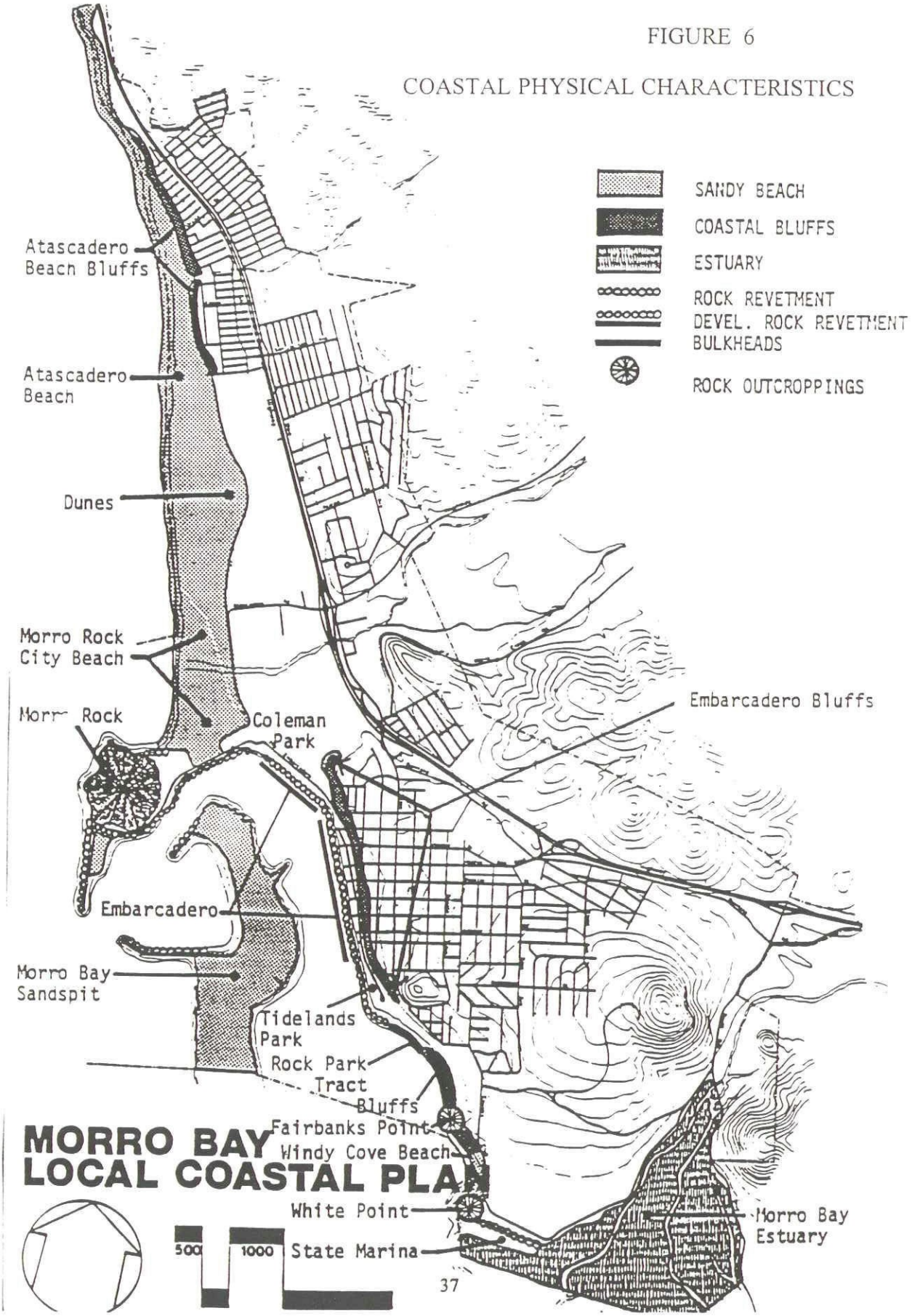
Table 3

Coastal Physical Characteristics

| Physical Characteristics | Number of Lineal Miles | Percent of Total |
|---|---|---|
| Sandy Beach | 5.19 | 48.2 |
| Land Based Beach | 2.77 | 25.6 |
| Sand Spit | 2.42 | 22.6 |
| Manmade Rock Revetment/ Waterfront Structures | 2.07 | 19.3 |
| Estuarine | 2.01 | 18.6 |
| Coastal Bluffs | 0.75 | 7.0 |
| Rocky Outcroppings | 0.73 | 6.9 |
| TOTALS | 10.75 | 100.0 |

FIGURE 6

COASTAL PHYSICAL CHARACTERISTICS



## 2. Land and Shoreline Ownership

Approximately 90 percent of land frontage immediately abutting the waters of the Pacific Ocean and Morro Bay are publicly owned. Figure 7 depicts the areas in Morro Bay owned or managed by public institutions.

Most of the bayfront lands managed by lease arrangements by the City of Morro Bay are tideland submerged lands held in trust by virtue of a state legislative grant. Technically, the City is the steward rather than the true owner of these lands, many of which have been leased out to and heavily developed by private concerns. Lands may be leased and developed by private concerns but they must be consistent with the public trust and granting statutes.

## 3. Access Considerations

The State Coastal Zone Conservation Commission Interpretive Guidelines for Shoreline Access identifies four types of access that should be reviewed by each coastal community during preparation of its Local Coastal Program. Lateral, vertical, bluff-top and visual access types are defined in Appendix A and are discussed as follows as they relate to Morro Bay. Figure 8 depicts location of these access types.

Lateral Access: Unencumbered lateral access, or access along and parallel to the shoreline, is ample in Morro Bay. An open sandy beach from Morro Rock northward provides lateral access without interference or hindrance of any kind.

Vertical Access: Vertical access, or that which allows the public to achieve access to the shoreline from the first public road, is available at a number of locations. Due to the relatively flat terrain of northern Morro Bay west of Highway One, access to northern beach areas is made easier than in some of the southern sections of the City where bluff-top terrain, waterfront revetments, and wall-to-wall waterfront construction have directed access to the shoreline through street ends. There are at least 35 vertical access points along the shoreline and bluff tops. Access is provided to all beach and bayfront areas.

Bluff-Top Access: Lateral access across the bluff tops that form the backdrop for the City's Embarcadero area is available but is limited by the extensive building that has already occurred. Existing vertical access from the tops of coastal bluffs to beach areas or the Embarcadero is adequately provided and is available for vehicles and pedestrians.

Visual Access: Visual access to shoreline areas will be discussed in Chapter XIII, Visual Resources.

## 4. Recreational Use Considerations

As a community with high tourist demand and with three major state park installations, Morro Bay's shoreline offers a wide variety of shoreline recreational opportunities to residents and visitors alike.

Recreational opportunities such as hiking, nature walks, and sightseeing, abound in Morro Bay. Water sports, such as surfing, fishing, diving, and recreational boating, are also prevalent along Morro Bay's shoreline areas. The state parks offer camping facilities, passive recreational opportunities, and active recreational facilities. In addition, the County operates the Morro Bay Golf Course in Morro Bay State Park. Figure 9 shows the location of recreational facilities in the City.

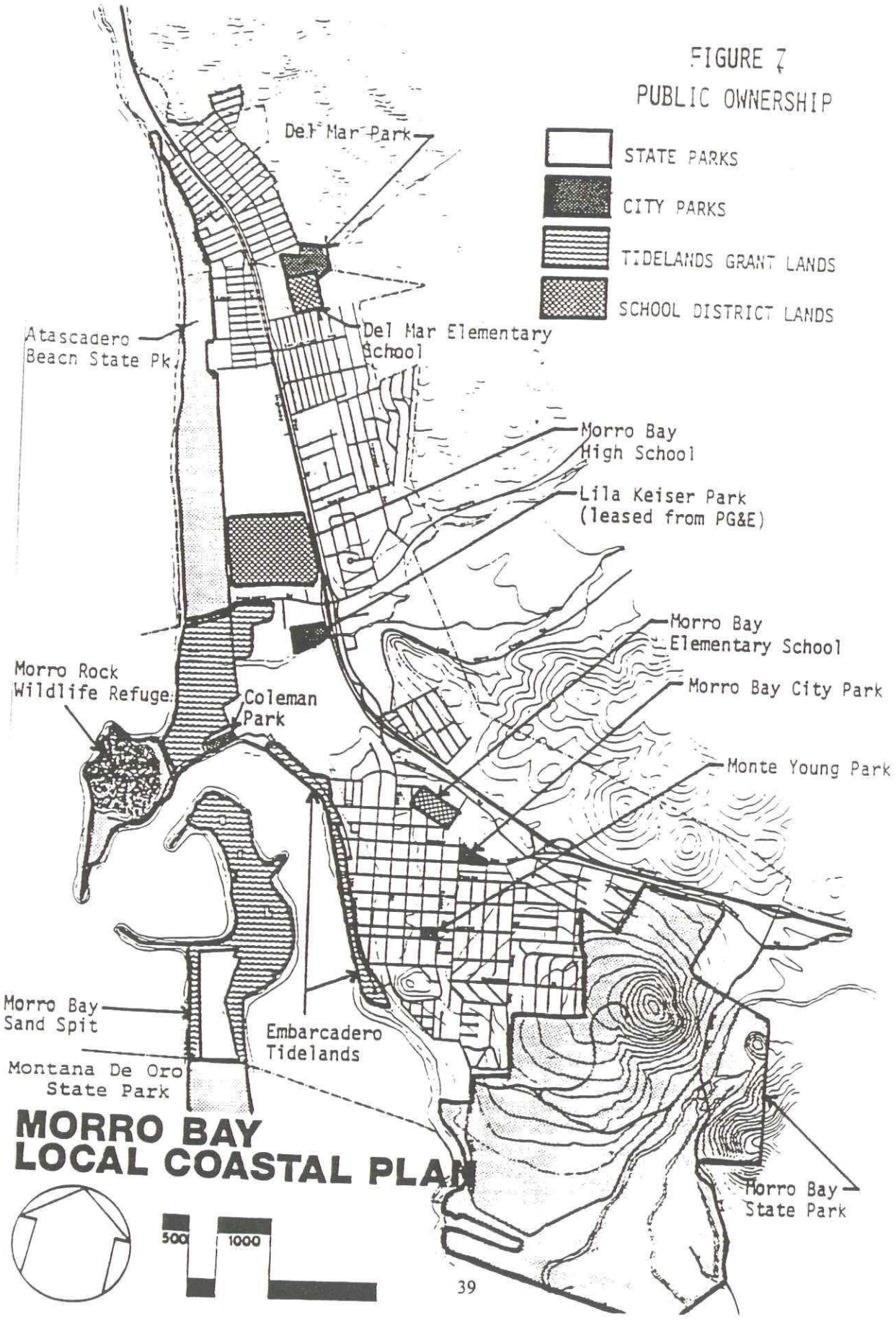


FIGURE 7
PUBLIC OWNERSHIP
STATE PARKS
CITY PARKS
TIDELANDS GRANT LANDS
SCHOOL DISTRICT LANDS
Del Mar Park
Del Mar Elementary School
Atascadero Beacn State Pk
Morro Bay High School
Lila Keiser Park (leased from PG&E)
Morro Bay Elementary School
Morro Rock Wildlife Refuge
Coleman Park
Morro Bay City Park
Monte Young Park
Morro Bay Sand Spit
Embarcadero Tidelands
Montana De Oro State Park
Morro Bay State Park
MORRO BAY
LOCAL COASTAL PLAN
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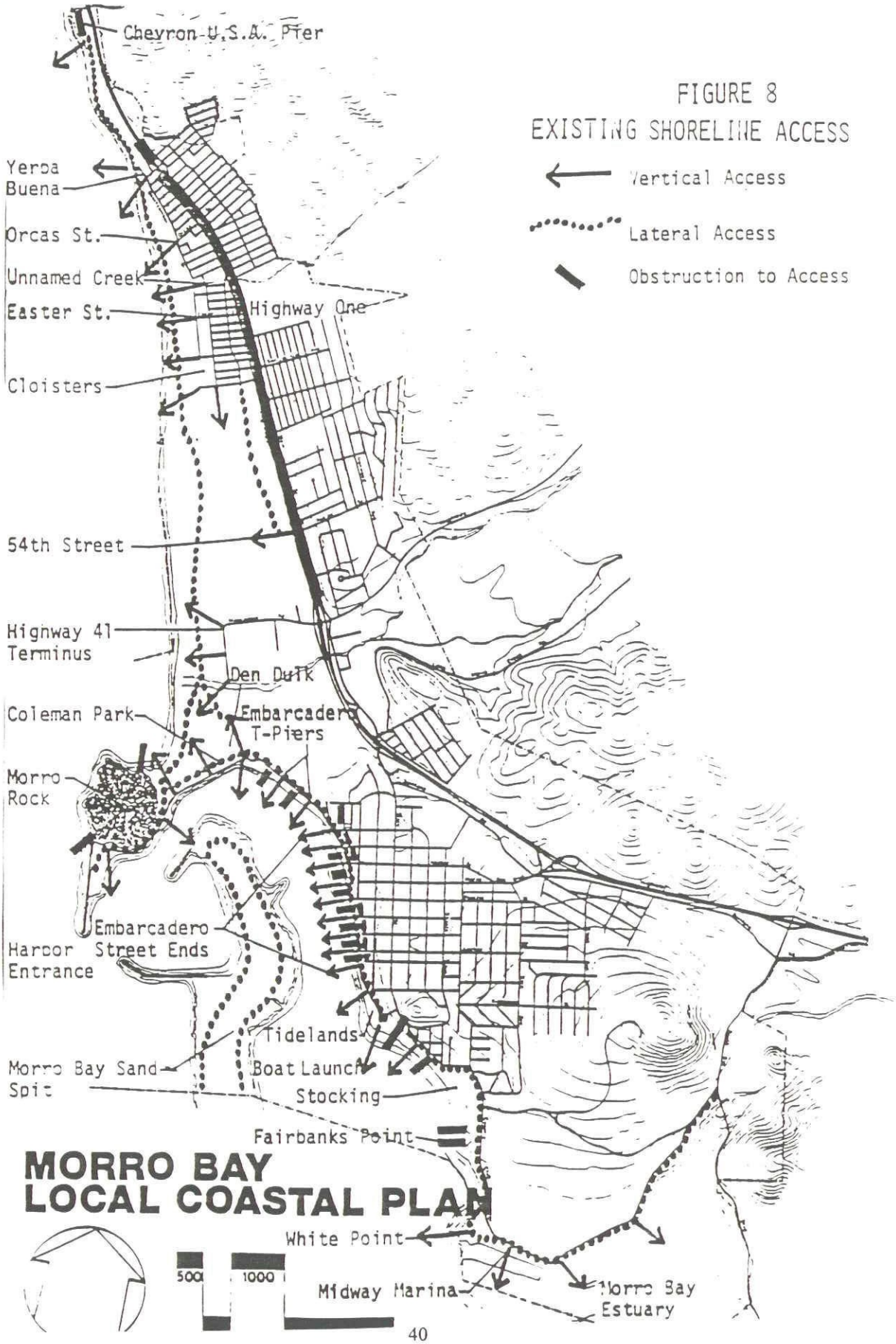

Chevron-U.S.A. Pier
Yerba Buena
Orcas St.
Unnamed Creek
Easter St.
Highway One
Cloisters
54th Street
Highway 41 Terminus
Den Dulk
Coleman Park
Embarcadero T-Piers
Morro Rock
Embarcadero
Harbor Street Ends
Entrance
Tidelands
Morro Bay Sand Spit
Boat Launch
Stocking
Fairbanks Point
White Point
Midway Marina
Morro Bay Estuary
500
1000
FIGURE 8
EXISTING SHORELINE ACCESS
Vertical Access
Lateral Access
Obstruction to Access
MORRO BAY
LOCAL COASTAL PLAN

## D. ACCESS ISSUES AND CONSTRAINTS

Morro Bay offers a wide variety of shoreline access. The City is a truly distinctive area that offers access and recreational opportunities to both its residents and visitors. In evaluating access issues and constraints, significant considerations include the following:

(1) The City of Morro Bay has extremely limited funds to improve existing accessways, to acquire, maintain and develop new accessways, or to manage and maintain new waterfront parks and recreational facilities. Additionally, it must fulfill obligations assumed in the Pipkin Tideland Settlement which thus far have not been accomplished.

(2) The City's present Zoning and Subdivision Ordinances will require review to ensure that acquisition or expansion of public access is provided for and meets Coastal Act Policies.

(3) The City's present circulation system to and along the waterfront provides adequate accessibility to waterfront areas.

(4) Parking in the much used, heavily developed waterfront areas along the City's Embarcadero is barely adequate to meet the demands. Prospects to improve the situation, with the cooperation of landowners, is considered good under present conditions.

(5) Bicycle and pedestrian access is available but might be increased and better organized to provide maximum access potential.

(6) Continuous lateral access is provided but is not entirely contiguous to nor does it necessarily need to be contiguous to the waterfront.

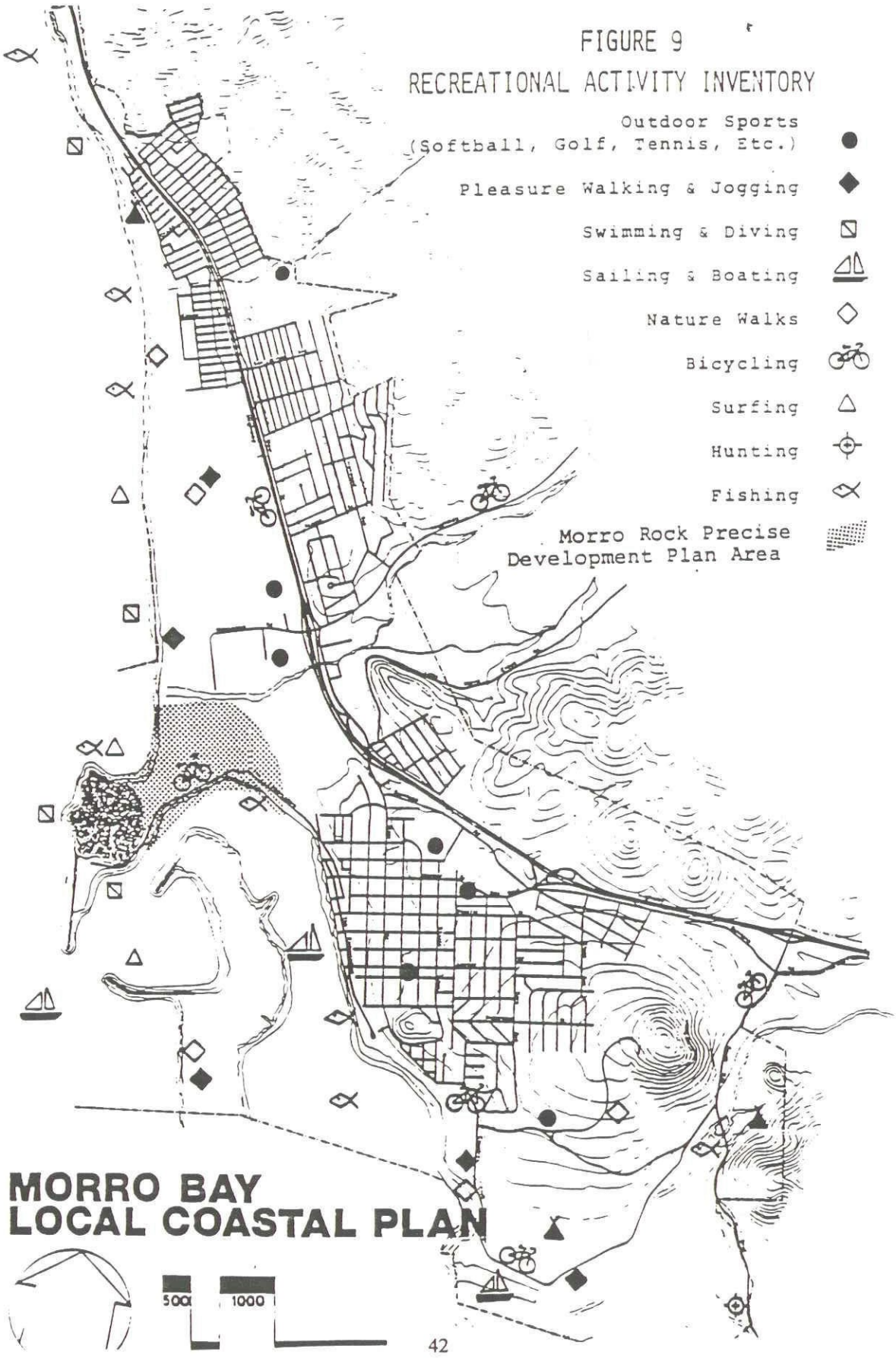


FIGURE 9
RECREATIONAL ACTIVITY INVENTORY
Outdoor Sports (Softball, Golf, Tennis, Etc.)
Pleasure Walking & Jogging
Swimming & Diving
Sailing & Boating
Nature Walks
Bicycling
Surfing
Hunting
Fishing
Morro Rock Precise Development Plan Area
MORRO BAY
LOCAL COASTAL PLAN
500
1000

(7) Opportunities to expand more formal access in Morro Bay's waterfront areas could be constrained by complications and legal settlements surrounding the City's Tidelands Grant Lands.

(8) Vertical access to the waterfront along the Embarcadero and Rock Park Tract areas is adequate, and is provided at all street-ends. Most of the developed areas are providing access to the City's residents and visitors. Among the City's project activities for access improvements, the Coastal Conservancy has given lower priority to sign improvements, the Coastal Conservancy has given lower priority to sign improvements to these street-ends.

(9) The Coastal Conservancy and Coastal Commission have adopted standards and guidelines for public access ways improvements which must be adhered to by the City of Morro Bay in access projects if Conservancy funds are used, and in order to receive Commission approval, City coastal permit issuance would be ultimately dependent upon these standards and guidelines.

(10) Uncontrolled and undirected shoreline access has, over the years, resulted in resource damage to the sand dunes paralleling the beach. Dune vegetation has been trampled and lost and the dunes themselves have eroded away. Fragile native plants and wildlife habitat have been lost. There is an urgent need to control and direct access, and restore, as far as possible, the former dune habitat.

## E. RECREATION ISSUES AND CONSTRAINTS

Morro Bay provides considerable acreage in public recreation use. Three state parks are within the City limits and the City has four public parks in addition to private recreational provisions. There are three issues and constraints with respect to provision of recreational opportunities for the public:

(1) The City is severely limited in funding to either provide additional public recreational opportunities or to conduct major improvements for existing facilities within its jurisdiction. The City, however, has placed priorities on land acquisition and improvements, and is participating in government funding programs.

(2) Opportunities to expand recreational opportunities in Morro Bay's waterfront areas could be further constrained by complications and legal settlements surrounding the City's Tidelands Grant Lands.

(3) Conflicts exist between the use of areas for recreational boating and commercial fishing. With regard to the siting of new developments, the Coastal Act provisions pertaining to priorities among uses dictate that some recreational activities must be subordinate to coastal-dependent uses. In addition, the bay has a limited boat carrying capacity due to the value of the tidelands as a bird sanctuary and sensitive habitat area.

## F. SPECIFIC RESOURCES, ISSUES AND CONSTRAINTS BY PLANNING AREA

### 1. Area - North Morro Bay

The specific areas in planning area 1 with access and recreational issues and constraints are the Chevron U.S.A. pier, Atascadero Beach State Park, Beachcomber Drive, and Hatteras Street. There are other vertical accesses in this area which are sown on Figure 8.

a. *Chevron U.S.A. Pier: This privately-owned pier is at the extreme northern limits of the City and is now closed to public use. It offers potential for public access and pier-side fishing, however, it is also a potential site for offshore oil development and/or an oil spill control point. Because it is an energy dependent facility, recreational use takes second priority. Lateral access along the beach should be ensured across the Chevron lease if this is not precluded due to safety factors.

b. Atascadero Beach State Park: This long stretch of state-owned sandy beach contains a 104-space campground and offers full lateral access along 10,000 linear feet of ocean frontage.

c. Beachcomber Drive. This bluff-top road parallels the beach and forms the backdrop to Atascadero Beach Campground. It provides bluff-top lateral access as well as vertical access to the State Beach for pedestrians. Yerba Buena Street connects Beachcomber Drive with State Highway One and serves as the main vehicular access to Atascadero Beach campground.

d. Hatteras Street: This street was once the southern entrance to the Atascadero Beach campground. The terminus of Hatteras Street is now barricaded and serves only pedestrians from the surrounding residential neighborhood. Strong potential exists to make a pedestrian connection between the beach through the Hatteras Street terminus to the City's Del Mar Park, some 2,000 feet inland via an abandoned pipeline corridor.

### 2. Area 2 - Atascadero Beach

a. Cloisters Parcel: This state-owned, eight acre beachfront parcel is located at the west end of San Jacinto Street. It was once the site of the old, long-removed Cloisters Hotel, and has been used historically and extensively for public access.

b. Mixed Use Area G (2): This privately-owned 80-plus acre expanse of open land is situated between Morro Bay High School and Azure Street. The property is adjacent to existing developed parcels, being bounded on the south by Morro Bay High School, on the north by the existing Atascadero State Beach subdivision and the existing State Park, and on the east by Highway One and adjacent development. Water lines are in Azure Street adjacent to the property and an existing sewer line crosses the property. It also historically has been used for lateral and vertical access. It contains a large area of sensitive sand dunes abutting the eastern edge of Atascadero State Beach. The area has been, and continues to be, the subject of land and road development proposals that could affect public access to the dunes and beach. Planning for the area needs to ensure a balance between continuation of lateral and vertical access within and through the property, while at the same time conserving the sensitive plant and wildlife resources present.

3. Area 3 - Del Mar

No issues or constraints have been identified.

4. Area 4 - Morro Highlands

No issues or constraints have been identified.

5. Area 5 - Morro Rock

a. State Highway 41 Terminus: The terminus of State Highway 41 abuts a large sandy beach known as Morro Rock City Beach, and provides access to the scenic dunes that flank the road.

b. Coleman Drive Area: The area is bounded by Morro Creek, the PG&E Morro Bay Thermal Power Plant, Morro Rock and the bay, which offers extensive resources for public access.

The sensitive environmental habitat of Morro Rock is a constraint to future use and development of the area in the vicinity of Coleman Drive. Improved control of public access from the dirt road and parking area adjacent to Morro Creek is needed to reduce further potential for erosion of dune areas. Restoration of former dunes is needed in the area adjacent to the mouth of Morro Creek.

Opportunities may be available in the future to make several circulation system improvements in the Coleman Drive to enhance public access and recreation. However, because prior legal agreements have been made between the City and Den-Dulk, any road modification to Coleman Drive will need to be worked out cooperatively and with prior agreement of the private land owner. Potential improvements include realigning Coleman Drive away from the water's edge in order to provide more beach area, safer pedestrian access, and to enable better integration of Coleman Park and the shoreline. In addition, a pedestrian and bicycle bridge over Morro Creek would enhance lateral shoreline access.

c. Morro Rock: The landmark of Morro Bay, Morro Rock, is owned by the state, and access is available to the base of the rock via Coleman Drive.

6. Area 6 - Bay Front

a. Embarcadero Area: This heavily developed section of the City serves a mixture of fishing and tourist uses and contains a variety of public vertical and lateral accesses. In addition, some private buildings offer public access to the water's edge. There are eight underimproved, publicly owned street-ends which provide bayfront access. Stairways connecting the Embarcadero with the commercial areas above the bluffs that parallel the Embarcadero's eastern edge are present and offer unique opportunities for access in this most visited area of the City.

b. Tidelands Park: This largely vacant 1,200 foot stretch of waterfront at the southern end of the Embarcadero contains Morro Bay's only boat launch ramp. The Coastal Conservancy is assisting the City with funding for improvements. With additional

improvements, this area could become a quality waterfront park with major provisions for lateral access, fishing platforms, berths and side-ties for fishing fleet, etc.

7. Area 7 - Central Morro Bay

a. Rock Park Tract: This waterfront area has been developed with a mixture of land uses. Some of the long, narrow parcels stretching from the bulkheads and wharves of the waterfront to Main Street have made provisions for limited vertical access, while others have posted no trespassing signs for both vertical and lateral access. This area has limited potential to provide lateral access along the bay.

b. Vacant: The 11-acre bluff top privately-owned property is one of the last remaining vacant waterfront parcels and has a Coastal Commission permit for residential development with a requirement to dedicate to the City three acres of bluff top for use as a passive recreational park and accessway. To the immediate south in the State Park, the Golden Tee Restaurant encroaches over the bluffs and blocks lateral access towards the State Park, but vertical access is provided. Lateral access is available along Country Club Drive.

8. Area 8 - State Park

a. Morro Bay State Park: Forming the southern boundary of the City, the 1,452-acre state park contains a variety of access and recreation opportunities. Whites Point, the Museum of Natural History, Windy cove Beach, and Midway Marina offer substantial lateral and vertical access, while Fairbanks Point, just south of the Golden Tee resort, serves as a wildlife refuge which is restricted to access.

9. Area 9 - Harbor and Navigable Ways

a. North and South T-Piers: This heavily developed section of Morro Bay's waterfront offers vertical access to the waters of the bay via two large T-Piers, one of which has been closed to the public due to safety reasons until rehabilitation is completed. Lateral access is limited in some cases by waterfront developments that encroach over a revetment. The southern T-Pier is currently being restored with the assistance of the Coastal Conservancy.

b. Harbor: The harbor area offers a variety of public and private recreational uses in addition to the publicly-owned North and South T-Piers. Recreation uses include boating, bird and animal observation, swimming, fishing, and other water-related recreational activities. These recreational uses should be expanded as much as possible for increased public use while preserving wildlife habitat areas and maintaining the City's important commercial fishing and coastal-dependent industries.

10. Area 10 - Sand Spit

a. Sand Spit: Flanking the southern entrance to Morro Bay, the windblown northern edge of the sand spit is accessible from the City only by boat or swimming and is used extensively for nature walks and surfing. South of the part-City, part-privately owned portion of the spit located within the City limits is the State's Morro Bay Sand Spit Wild Area. This southern section is operated by the State as a limited access wild area and is part of Montana de Oro State Park.

## G. RECREATION AND ACCESS POLICIES

### 1. General Access and Recreation Policies

The following general access and recreation policies apply to the area of the City which is between the mean high tide line and the first public road. These policies are in addition to those listed by planning areas.

Policy 1.01. For new developments adjacent to the bayfront or ocean, public access from the nearest public roadway to the shoreline and along the coast shall be provided except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. For new development on properties adjacent to the mean high tide line, lateral easement dedications shall be from the mean high-tideline to the first line of vegetation.

Policy 1.02. No unrelated development shall be permitted in publicly-owned recreational areas except energy conduits and pipelines and other necessary ancillary equipment and related fixtures to serve coastal-dependent industrial uses when no alternate route or location is feasible.

Policy 1.03. In implementing all proposals made in this plan for expanding opportunities for coastal access and recreation, purchase in fee (simple) shall be used only after all other less costly alternatives have been studied and rejected as infeasible. Other alternatives may include purchase of easements, recreation preserve contracts, and mandatory dedication in connection with development.

Policy 1.04. Consistent with the provisions of Coastal Act Section 30212, dedicated accessways shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway. Whenever feasible in view of the availability of funds, the City shall acquire accessways in addition to those otherwise acquired as a result of mandatory conditions to development permit approvals.

Policy 1.05. Parking shall be provided in conjunction with new or improved vertical accessways whenever feasible and consistent with site constraints to ensure use of the accessway. The number of spaces shall be determined by the Planning Commission or Community Development Department and shall be based upon need, carrying capacity of the public recreation area to which access is provided and environmental constraints and safety conditions.

Policy 1.06. All accessways shall be properly signed and should conform to Coastal Conservancy/Coastal Commission access standards and guidelines.

Policy 1.07. Consistent with Coastal Act Section 30211, development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization. Such access shall be protected through permit conditions on permitted development, including easements dedications or continued accessway maintenance by a private or public association. Existing identified trails or other access points shall not be required to remain open.

provided that they are consolidated or relocated to provide public access on the same site and provides the same or comparable access benefits as existed before closure and meets all other applicable access and recreation policies of the LUP.

Policy 1.07A. In reviewing all new development requests, provision shall be made for adequate off-street parking in order to serve the needs of the development. Once an approved parking management program for the City providing off-street parking resources has been developed and implemented as a part of the LUP, new development shall be allowed to satisfy parking requirements through participation in such a program. If the program includes an in-lieu fee system, the new development shall provide an in-lieu fee of an amount equal to the purchase of land and construction of the number of spaces needed to serve the development's needs.

2. Policies by Planning Area

The following policies are specific to access and recreation uses by planning area. The planning areas are shown on Figure 3 in Chapter I "Introduction." Figures 8 and 9 show the general location of access and recreation areas discussed in the following policies. These policies implement the public access and recreation policies of the Coastal Act which require that maximum shoreline access shall be provided in new developments except where it is inconsistent with the protection of coastal resources.

Area 1- North Morro Bay

Policy 1.08. With the exception of the Chevron U.S.A. Pier which is a coastal-dependent industrial use, the City shall designate the sand area west of State Highway One between the mean high tide line and the first line of vegetation as open space/recreation use.

Policy 1.09. As a condition to the approval of any development permit on the Chevron U.S.A. property the City shall require clear dedication of a lateral access easement along the sand area and under the pier. The lateral accessway shall be a minimum of 25 feet of dry sandy beach at all times of the year, or shall include the entire sandy beach area if the width of the beach is less than 25 feet.

Policy 1.10. As a condition to the approval of any development permit the City shall require State Department of Parks and Recreation to submit a master plan for the development of Atascadero State Beach, which shall include the following improvements:

a. The design and construction of two stairways to the state beach off Beachcomber Drive, one below the bluffs between the Beachcomber Drive, one below the bluffs between the Beachcomber Drive terminus with Yerba Buena Street and another at a proper location between Unnamed Creek and the Orcas Street drainage.

b. The design and construction of a small parking area on the state-owned coastal bluff-top parcel just below Hatteras Street.

c. The repair of barrier rails to prevent bluff erosion and other maintenance improvements to the state park.

d. The redesign and construction of a new barricade at the Hatteras Street terminus to allow for pedestrian access to the state beach.

Policy 1.11. As a condition to the approval of any development permit, on the property owned by Texaco, Inc., the City shall require the following improvements:

a. Improved pedestrian and vehicular access from Main Street to Del Mar Park. A recommended location for access is via an easement located south of Unnamed Creek.

b. Development, if needed, of additional parking along the west boundary of Del Mar Park; the number of which shall be determined by the Planning Commission and shall be based on park use and need for parking.

c. A setback buffer area shall be established for new developments adjacent to Unnamed Creek. The width of the buffer area will vary depending upon the specific impact of the proposed development, but in no event shall be less than a width of 50 feet along each bank of the creek.

Policy 1.11A. As a condition to the approval of any subdivision or permit on the site of the Point Motel and the adjacent parcel to the north, a plan for shoreline access parking, paths, benches, stairways and overlook shall be submitted for review and approval. This plan shall include landscaping and facilities design details. Construction of these facilities with the exception of a stairway to the beach, shall be provided by the developer as a condition of subdivision or conditional use permit approval which ever is first, or may be assigned, upon its agreement, to the California Department of Parks and Recreation.

Required access and overlook improvements shall include: public parking lot; hard surface path suitable for pedestrians, wheelchair and bicycle access use, parallel to the Highway One fence. This path would extend to a wheel chair turn-around, bike rack and overlook. The overlook shall include benches and, perhaps, signs identifying landmarks along the coastline and/or explaining natural or cultural features along the headland. An unpaved walking trail shall extend along the bluff top, parallel to the beach, north of the housing. The scenic easement area shall be landscaped with an emphasis on native species.

As a condition of approval of any subdivision or permit on the site, an irrevocable offer of dedication shall be made for an easement for public access over the entire sandy beach and over a vertical accessway, bluff top pathway and overlook sites and the hard surface path. The easement shall

include the area from the southerly end of Lot 1 between the Point Motel and the Highway One fence extending in a northwesterly direction to the top of the bluff and seaward to the mean high tide line in the area designated in the North Point Specific Plan as "Public Access Easement". The public access easement must extend from the Highway One exit parallel to the Highway One fence and lead to a public access parking area located north of the proposed residential development. The hard surface path must extend from this public parking area along the blufftop lateral to the shore and reach the overlook sites and vertical access stairway which shall be maintained in open space. Offers for these easements for those public accessways and related facilities may be contingent on acceptance by a responsible public agency and the assumption of liability and maintenance obligations by said agency. In lieu of this, the property owner may offer to transfer the area which would be covered by the easement, in fee, to a responsible public agency.

Area 2 - Cloisters

Policy 1.12. As a condition to the approval of any development permit, the City shall require the State Department of Parks and Recreation to submit a master plan for the development of the recently acquired "Cloisters" park parcel, which shall include, but not be limited to the following improvements:

a. Improved vertical public access located on the south side of the park parcel located so as to preserve as much as feasible of the tide and submerged lands in their natural state.

b. Provision for off-street parking. Parking lot improvements to be sized as related to the scale of park development and public use to be accommodated.

c. Sand dune protection and stabilization program. Consistent with the protection and stabilization of the existing dunes on the parcel, the proposed park development shall include provisions for overflow camping use between May and September of each year.

d. View corridors and visual protection consistent with the provisions of Coastal Act Section 30251 and Policy 12.01 of this LUP.

Mixed Use Area G (2)

Policy 1.13. The area has been, and continues to be, the subject of land and road development proposals that could affect public access to the dunes and beach. Planning for the area needs to ensure a balance between continuation of lateral and vertical access within and through the property, while at the same time conserving the sensitive plant and wildlife resources present.

a. Two vertical accessways to the beach shall be provided, one each on the north and south portions of the parcel. The southerly accessway shall be developed only in the event the southerly portion is developed for residential purposes. The accessway shall be of sufficient size to

guarantee accommodation of existing and projected intensity and kinds of use, but in no case shall the accessways be less than 10 feet in width. Specific access requirements shall be designated as part of the permit application process and shall be based on historical and projected use (Refer to Policy 1.07, for general criteria related to prescriptive rights questions.) Lateral accessways shall be provided according to the location of historically used portions of the site and projected future use by residents, and shall include the provisions of continuous lateral access across the site. Access easements may be located in view corridors.

b. Public parking shall be developed and provided adjacent to the eastern end of the vertical accessways. The number of parking spaces for each accessway shall be determined at the time of development review, and in no case shall it be less than 15 spaces.

c. If a north-south collector street is required to serve future development within the area, it shall be located on the eastern edge of the site, and shall include Class I bicycle paths based on the standards contained in the Circulation Element of the General Plan.

d. Improvement of public access and parking shall be completed prior to final project approvals of development projects on the site.

Policy 1.14. The City shall make every effort to have the California Department of Transportation design and construct one or more crossings of Highway One at grade in order to facilitate safe and convenient movement of residents across that man-made barrier.

Area 3 - Del Mar

No access and recreation policies are required.

Area 4 - Morro Highlands

No access and recreation policies are required.

Area 5 - Morro Rock

Policy 1.15. The area located west of the Embarcadero alignment projected north shall be designated as open space/recreation.

Policy 1.16. The dunes area north of Atascadero Road (State Highway 41) and west of the High School shall be designated as environmentally sensitive habitat. Portions of the area suitable for passive recreational use shall be designated open space/recreation.

Policy 1.17. Until the PG&E property is needed for coastal-dependent energy industrial uses, interim commercial/recreational fishing and boating uses and access uses shall be allowed as provided for in Policy 5.02. Preference shall be given to dry dock storage and to overflow camping facilities. When PG&E property is needed for coastal-dependent energy industrial uses, a vertical (east-west) public access path for pedestrians and bicyclists no less than 10 feet in width shall be required as a condition of development, consistent with public safety needs and the need to protect the operations of the new facilities. The exact location of the accessway shall be determined during project review for development permit approval. A location paralleling the creek shall be allowed, provided the path does not encroach into environmentally sensitive habitat areas of buffer zones.

Policy 1.18. The City-owned property located south of State Highway 41-Atascadero Road on the south side of Morro Creek shall be designated for use by the commercial fishing industry for a storage/haul-out/boat construction facility or similar use, or for public and private open space recreational uses and facilities.

Policy 1.19. With the cooperation and assistance of other public agencies, and at such time as funding is available, the City shall undertake construction of a pedestrian and bicycle bridge over Morro Creek mouth as a means of enhancing lateral shoreline access and recreation opportunities.

Policy 1.20. In reviewing the development proposals along the bayfront, the City shall apply the following standards and make the necessary findings to assure consistency with LUP and Chapter 3 Coastal Act policies:

(1) Each application for new development or lease which would result in an increase in intensity of use, change of use, or expansion of an existing structure seaward or an increase in height shall include a physical provision for continuous lateral access along the bayfront portion of the parcel. Developments which require this access provision are defined as improvements which would result in a change in use, an increase of 10 percent or less where an improvement of the structure had previously been undertaken, increase in height by more than 10 percent of an existing structure and/or any significant non-attached structure such as garages, fences, shoreline protective works or docks.

(2) Each applicant for development as defined in part (1) above shall be required to provide lateral access unless the applicant can demonstrate based on engineering analysis that all or a portion of such access is physically infeasible and there are no design alternatives capable of overcoming topographical or site constraints that jeopardize public safety and fragile coastal resources.

(3) If continuous lateral access across the bayward portion of the parcel is found to be feasible due to topographical or site constraints as defined in part (2) above, the applicant shall contribute an in-lieu fee (equivalent to the cost of construction of an accessway along the bayward edge of the structure proposed) to the City. Fees shall be used to coordinate the bayfront lateral and

vertical access program, and shall be used to link lateral access where feasible and to improve vertical access provisions.

(4) Applications for coastal-dependent development where provisions of continuous lateral access would conflict with the day-to-day operations of the facility(s) shall be conditioned by the City to make maximum provisions for public viewing areas and/or walkways in suitable locations on the development site.

(5) Lateral access may be achieved in the following manner:

a. in the form of open or enclosed walkways a minimum of 8 feet wide across the bayward side of the proposed development;

b. exterior decking and/or boardwalks extending bayward a maximum of 12 feet which provide for public access along the bayfront;

c. designated breezeways and/or walkways within the structure provided such breeze ways are located as close as possible to the bay and are designed to provide the most direct, convenient connection between adjacent existing or potential lateral accessways; exterior access is preferred over interior access.

Policy 1.21. The City shall require provisions of vertical access to the bayfront. Requirements for vertical accessways may be modified so as to provide adequate vertical access in the area (i.e., a minimum of one every 300 feet and/or every street stub) linking the vertical accessways with lateral access provisions along the bayward sides of structures where feasible.

The City shall pursue funding sources, and/or designate as part of its long term capital improvements program, the construction of public stairways within the existing public street rights-of-way at surf Street, Dunes Street, Driftwood Street, and Anchor Street.

Policy 1.22. The City shall develop a parking management district for the Bayfront planning area which is coordinated with other parking management districts proposed within the City. A parking management plan shall be developed prior to district formation. The plan shall include the feasibility of:

a. Parking fees or time limits on parking
b. Landscaping and small park areas
c. Redevelopment of existing parking areas to increase use
d. Provision of additional parking areas
e. Provision for recreational vehicle only parking areas
f. Provision of motorcycle/bicycle parking areas
g. Pedestrian access from parking areas and location of public service facilities
h. Street-end parking as per Policy 1.24.

Policy 1.24. The public restrooms now located at the Morro Bay Boulevard street-ends shall be relocated to a more suitable location prior to redevelopment of the street-end. A possible relocation would be to the Centennial Park or to a park area developed in conjunction with the parking management district.

Policy 1.25. New developments on bluff tops shall not exceed a height of 14 feet above the existing bluff top. In addition, new developments shall be designed in such a manner as to avoid alteration of bluff faces, and where feasible given physical constraints, shall be designed to step down bluff faces.

Policy 1.26. Lateral public access along the waterfront revetment shall be provided in all new developments, rehabilitation or addition projects consistent with Policy 1.20, with public safety needs and the need to protect public rights, rights of private property held by leaseholders, and natural resource areas from overuse.

Area 7 - Central Morro Bay

Policy 1.29. The City will take the following actions to enhance access on the fisherman's fuel dock property:

a. The City will initiate proceedings to remove the makeshift barrier between the existing coffee shop and bulk head in the area south of the existing Walton lateral access.

b. As a condition to any improvement or expansion of the fisherman's fuel dock, the City will require filing of a deed restriction and posting of access that would guarantee public access over the road leading from the City's easement to the fuel dock and land area.

Policy 1.30. The City shall develop a parking management district for the Central Morro Bay commercial business area. A parking management plan shall be developed prior to district formation.

Policy 1.31. The following conditions shall be required as part of a development permit on the Stocking Property (APN: 66-391-05):

(1) The development shall include a public recreation area comprising approximately 3.18 acres (31% of the total site) located between the bayfront and any major site access road. The recreation area shall include a bicycle and pedestrian path along the southern perimeter of the property which is a minimum of 15 feet wide, a parking area with a minimum of 10 spaces, access stairs to the bay in the least environmentally sensitive location, viewing deck, restrooms and picnic area(s) including tables, benches and fire rings. The siting of recreational amenities shall be subject to review and comment of U.S. Fish and Wildlife and Department of Fish and Game. Buffers to protect sensitive habitat policies contained in the LUP.

(2) A signing plan to advise the public that the site is available for public recreational use. The signs shall be lowscale and utilize natural materials.

(3) The applicant for property development shall record an irrevocable offer to Grant a Fee Interest to a public agency or to a private association with the City having right of first refusal, for the recreational area described in item (1) above. The City shall exercise its right of refusal within three years of the offer. If said right of refusal is not exercised within three years, it shall be made available to other public agencies or private associations approved by the Coastal Commission. Such Grant of Fee interest shall be free of prior liens or encumbrances.

Area 8 - Morro Bay State Park

Policy 1.32. As a condition to the approval of any permit applications for developments within Morro Bay State Park, the City shall require the State Department of Parks and Recreation to develop a master plan for the Morro Bay State Park. The master plan shall be consistent with the provisions of Chapter 3 of the Coastal Act and shall include the following specific provisions:

a. Designation of the State Park lands as open space/recreation land uses.

b. Improvements to the existing circulation system including:

(1) Retention and improvement of the existing park entrance road through the park which connects South Bay Boulevard with Main Street.

(2) Provision of a bicycle and jogging trail adjacent to the park entrance road from Main Street to South Bay Boulevard.

(3) An improved, more clearly defined, three-way intersection at the South Bay Boulevard park entrance.

(4) Retention and improvement, without expansion, of the existing marina development at Midway Marina as a recreational boating facility.

c. An implementation plan for the utilization of reclaimed water for irrigation.

Policy 1.33. The City shall designate Fairbanks Point, Windy Cove, the Black Hill Natural Area, Chorro Creek and the Morro Bay estuary as environmentally sensitive habitat areas. These designations are reflected on the LUP land use map.

## Area 10 - Morro Bay Sandspit

Policy 1.43. The privately-owned parcels on the sandspit shall be designated as environmentally sensitive habitat with passive recreational use allowed consistent with resource protection policies contained in the LUP and Coastal Act.

Policy 1.44. The city shall request that an appropriate state agency acquire the privately-owned parcels on the sandspit.

Policy 1.45. The City shall request that the state initiate a program to stabilize and revegetate the northern section of the sandspit in order to reduce sedimentation of the harbor occurring from windblown sand.

# IV. VISITOR-SERVING FACILITIES

## A. INTRODUCTION

Visitor-serving commercial establishments within the coastal zone, in conjunction with the attractive shoreline, provide numerous opportunities for public recreation and access. These opportunities for public recreation and access. These opportunities for use and enjoyment of the coastal area should be enhanced through adequate provision for visitor-serving facilities.

Visitor-serving development includes hotels, motels, campgrounds, restaurants and recreational vehicle parks along with commercial/recreational developments such as shopping and amusement areas which provide services for visitor tourists. These visitor facilities, together with public parks and beaches provide major opportunities for public access and recreation in the coastal area.

## B. COASTAL ACT POLICIES

In order to insure that opportunities for all persons are provided for recreational use and enjoyment within the Coastal Zone, the Coastal Act of 1976 mandates comprehensive policies regarding visitor-serving uses. The major policies are as follows:

PRC Section 30212.5 Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

PRC Section 30213 Lower-cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. Neither the commission nor any regional commission shall either (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

PRC Section 30220 Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

PRC Section 30221 Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be

accommodated on the property is already adequately provided for in the area.

PRC Section 30222 The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

PRC Section 30223 Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

PRC Section 30250(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

## C. VISITOR-SERVING RESOURCES, ISSUES AND CONCERNS

The majority of the visitor-serving facilities are located along State Highway One, Morro Bay Boulevard, and between Harbor Street and Pacific Street along the Embarcadero and above the bluff line. The City's major industry is tourism, and as a result, emphasis is placed on the provision of those services required by tourists of all income categories. This is evidenced by the provision of campgrounds, RV parks, low cost hotels and resort motels, a variety of gift shops, take-out and sit down resort restaurants.

The following description summarizes the visitor-serving facilities in the City. Support information is contained in Appendix D.

### 1. Overnight Accommodations

Morro Bay offers a wide range of accommodations, most of which are affordable to families of low and moderate incomes. The City in 1980 had 33 motels containing about 750 rooms. Overnight rates ranged from $16.00 to $45.00 (in 1980 dollars) a night, double occupancy. In addition, there were seven travel trailer (RV) parks containing about 350 overnight spaces. Full hood-ups and services were available at all of the travel trailer parks. Overnight rates ranged from $6.50 to 8.00 (in 1980 dollars) per hook-up.

Both the Atascadero Beach State Park and Morro Bay State Park have overnight campgrounds; in 1980, Morro Bay State Park had 135 campsites. Overnight rates were $4.00 to $5.00 per site (in 1980 dollars) for eight persons.

The total of 1,191 overnight accommodations in 1980 could facilitate approximately 4,240 persons (112 persons in campgrounds, 1850 persons in motels and 1,280 in RV parks)

During the busy three-day weekends and summer months Morro Bay has a shortage of accommodations; however, during the winter months occupancy rates are low. The capability of providing additional accommodations, realizing the slow winter months and resulting economic hardships on the part of motel/RV park owners, is an identifiable problem.

Overflow RV and camping accommodations for peak visitor periods is one practical solution currently under investigation by the City. Motels will be constructed as economic conditions allow as long as sufficient space exists.

2. Restaurants

In 1980 the City contained 24 restaurants, which offer a wide variety of different types of foods at various costs. These restaurants collectively could accommodate approximately 1,795 persons at one time. Many of the restaurants are located along the Embarcadero, which provides a scenic view of the bay, coastline and Morro Rock.

## D. OTHER VISITOR-SERVING FACILITIES

The category of visitor-serving facilities is broad and contains land uses which are oriented to the services of visitors. These uses are distributed throughout the City but are particularly clustered at the State Highway One, State Highway 41 intersection and the Bayfront-Central Morro Bay Planning Areas near the harbor. Services in 1980 included service stations (there are 24), gift shops (about 16), grocery and convenience stores (about 14), liquor stores (about 4), and a range of services including ice cream parlors, a theater, bait and tackle shops, hardware stores, clothing stores and many other services which could serve both the visitor and the resident.

## E. EXISTING RECREATIONAL AREAS

There are four major areas in Morro Bay which provide recreational and beach access opportunities for visitors and residents. Most of the recreational activities the City offers are free, including the use of the beaches, harborfront, and by, for a variety of active (e.g. fishing) and passive (e.g. bird watching) recreational pursuits. The following are descriptions of each facility, plus the recreational and visitor-serving opportunities per facility. The four areas are:

(1) The Embarcadero/Morro Rock
(2) Morro Bay State Park
(3) Atascadero State Beach
(4) Montana de Oro State Beach

1. The Embarcadero/Morro Rock

The "Embarcadero" area of the City of Morro Bay is the hub of activity for visitors by providing a variety of recreational opportunities, coastal access areas and numerous visitor services. Within the span of waterfront development, visitors may experience interesting small retail store complexes, a variety of restaurants, commercial boating and fishing. Visitors can also stroll along pedestrian walkways which provide in active recreation such as window shopping, conversing and sightseeing. The entire "Embarcadero" area provides visitors and residents direct exposure to the bay, Morro Rock and a working fishing harbor.

Morro Rock is a major landmark and provides a visual focus for the entire area. By providing access for autos, pedestrians and bicycles through a land causeway, visitors as well as

residents can enjoy picnicking and other passive activities and view of the ocean, or a panorama of the bay and coastline.

2. Morro Bay State Park

Morro Bay State Park is the largest park facility within the Coastal Zone. The park encompasses approximately 2,102 acres with 39,515 linear feet of bay frontage. Within the park, there are 135 overnight campsites which could accommodate approximately 550-600 overnight guests. Also within the park are 50 picnic or day-use-only sites, as well as approximately 2 miles of nature trails for hiking and walking. Morro Bay State Park, sited in a beautiful wooded setting, provides a variety of visitor recreational opportunities, such as:

A. 18-hole golf course
B. State Museum of Natural History
C. Salt Marsh - Wildlife refuge area
D. Black Mountain natural area
E. Campgrounds
F. Boating facilities

Between 1976 and 1977, the Park had over 1.8 million visitors, an increase of about 350,000 people since the 1971 and 1972 visitor period. The State Department of Parks and Recreation anticipates a steady increase in use, principally because of its location halfway between San Francisco and Los Angeles. According to the Department, the peak period of visitor use is May through September. During this major peak period, campsites and day use facilities are usually at capacity.

3. Atascadero State Beach

Atascadero State Beach, located in the northern sector of the City of Morro Bay, has approximately 75 acres of public beach area. With its 104 campsites, Atascadero State Beach provides a major visitor-serving and recreational location. The park accessible via the intersection of Yerba Buena Street and Highway One. Along the, 950 feet of ocean frontage, visitors may enjoy camping, surfing, fishing, beach activities, picnicking, walking and jogging.

The number of visitors during the 2976 and 1977 season was about 222,000, an increase since the 1979 and 1971 season of about 100,000 visitors. It is reasonable to assume that this facility receives overflow from Morro Bay State Park during busy weekends. Visitor use has declined since 1976; its peak use was 529,438 in 1973. Assuming that the facilities will remain in their current state and condition, visitor count will probably remain the same or drop slightly to 200,000 in the future. According to the State, the peak period of use is June through September, with July being the peak month.

4. Montana de Oro State Park

A small portion of Montana de Oro State Park is within the City limits, and comprises the southernmost boundary of the City along the sandspit. No facilities are provide; the park's facilities are located in the park proper, about seven miles south. Use of the sandspit is limited to claming and passive recreational uses. The sandspit is an important part of the scenic viewshed enjoyment of visitors, and its open space qualities are preserved as a result.

## F. RESOURCES BY PLANNING AREA

The visitor-serving resources are identified specifically in the North Morro Bay planning area, the Bayfront planning area, the Del mar planning area and the Morro Bay State Park planning area. The visitor services within the planning areas have been given in the previous discussion. The development potential is given as follows for these specific planning areas.

1. Planning Area 1 - North Morro Bay and
   Planning Area 8 - Morro Bay State Park

The state parks in these two planning areas are a very important part of the visitor's attraction to Morro Bay, and they should be improved and expanded consistent with the preservation of the habitat and scenic characteristics of the City. The following improvements and expansions are recommended.

   1. Additional camping spaces at Morro Bay State Park
   2. Facilities improvement at Atascadero State Beach
   3. Provision of overflow RV Spaces at both State Park facilities
   4. Acquisition of the privately-owned parcels on the sand sit and adjacent to Montana de Oro State Park in order to ensure its open space preservation use (see Policy 1.44 in Shoreline Access and Recreation, Chapter 111).

2. Planning Area 1 - North Morro Bay and
   Planning Area 2 - Del Mar

The north Main Street area is a commercial strip extending 1.5 miles from Atascadero Road (Highway 41) to Zanzibar Street, near the northern boundary of the City. This area, encompassing approximately 50 acres, includes 20 parcels of undeveloped land. These parcels comprise approximately 14 acres and range in size from 1/10 acre to 10 acres.

Although this area has potential for visitor-serving development, it does have some major problems. Overall single lot sizes are small with shallow depth. Approximately 80 percent are 1/4 acre or less. Another major problem is limited access. The freeway (Highway One), which handles most traffic through this area, has caused the commercial area to be somewhat isolated from most visitor traffic flow. Additionally, many of the existing commercial sites in this area are old and in need of maintenance. Therefore, visitor-serving commercial uses in this area should be clustered at the State Highway One-State Highway 41 intersection and should serve those travelers passing through the City.

The intersection west of State Highway One and State Highway 41 also offers the potential for increased visitor-serving uses. This area contains vacant acreage which could be developed into visitor services, particularly motels. When Embarcadero Road is connected to State Highway 41 this will become a secondary entrance to the City. Visitor services currently exist in this area.

### 3. Planning Area 6 - Bayfront

In terms of potential development and expansion of visitor-serving facilities, the City encourages the bluff area, bordered by Front Street and Main Street, which extends to both Olive and Surf Streets. This area, currently providing zones for motel/hotel uses, visitor-serving commercial uses, eating and drinking establishments as well as recreational vehicle parks, encompasses an area of approximately 80 acres, with approximately nine acres currently undeveloped. These nine acres are composed of thirteen parcels ranging in size from 3.4 acres to 1/5 acre. Development of visitor-serving commercial facilities in the bluff district is encouraged because this area provides an important link between the downtown and Embarcadero.

## G. VISITOR-SERVING POLICIES

### 1. General Policies

Although he City has visitor-serving commercial facilities for all income groups and a variety of recreational opportunities, it is necessary to ensure that adequate facilities are provided to meet future needs. The following general policies apply to maintenance of adequate visitor facilities which have no adverse effect on community scale, preservation of the environment or public services. See Chapter III for specific area recreation policies.

Policy 2.01. Lower-cost visitor and recreation facilities for persons and families of low or moderate income shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.

Policy 2.02. Subject to the appropriate land use designation set forth herein, the use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Policy 2.03. Consistent with LUP Policy 7.06A, the Embarcadero between Beach Street on the north, Main Street on the east, Olive Street on the south and the waterfront area on the west, shall be considered a mixed commercial fishing and visitor-serving recreational use area. With regard to the siting of new developments, priority shall be given for coastal-dependent uses located on the west side of the Embarcadero.

Policy 2.04. The City will continue to encourage, protect, and maintain a variety of recreational activities, such as art shows, parades, group events, etc., in appropriate locations of the City.

Policy 2.05. Future demands of the tourist industry shall be provided for when considering new development in Mixed Use Areas A and C and in the Embarcadero. In addition, the siting of new developments shall be consistent with the Coastal Act, specifically including Coastal Act Sections 30222 and 30225.

Policy 2.06. The removal or conversion of lower-cost visitor-serving uses and facilities shall be prohibited unless the use will be replaced by a facility offering comparable visitor-serving opportunities. Demolition of lower-cost visitor-serving facilities shall be prohibited unless the City finds that the facility is structurally unsound and the cost of rehabilitation would make the existing use uneconomical, as defined in Phase III of the Local Coastal Program.

Policy 2.07. New hotel/motel developments within the coastal zone shall, where feasible, provide a range of rooms and room prices in order to serve all income ranges. Similarly, lower cost restaurants, or restaurants which provide a wide range of prices are encouraged. Consistent with Coastal Act Section 30213, the City shall in no event (1) require that overnight room rental be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private land; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Policy 2.08 In reviewing visitor-serving development in the Embarcadero as defined in Policy 2.03, the City shall find that provision of off-street parking is sufficient to serve the development's peak demands as defined in Phase III of the Local Coastal Program. Parking demands shall be satisfied by the provision of off-street facilities on the development site or within 300 feet. Once a parking management program for the Embaradero has been developed which provides off-street parking resources, and such a program is implemented, applications for development shall be allowed to satisfy their peak parking demands through participation in the program. If the program includes an in-lieu fee system, the applicant shall provide the City an in-lieu fee of an amount equal to the purchase of land and construction of the number of spaces needed to serve the development's peak needs. The City shall use the fees to provide for parking support in the Embarcadero.

# V. PUBLIC WORKS AND LOCATING AND PLANNING NEW DEVELOPMENT

## A. INTRODUCTION

This chapter describes the City's public works characteristics, and those services relating to locating and planning development. These two topics are discussed together because, in the case of the City of Morro Bay, they interrelate; the City's management of its domestic water facilities and wastewater treatment will determine how future growth will be accommodated in the City. The Coastal Act gives priority designations to coastal dependent industrial uses, agriculture and recreation and visitor-serving facilities for public services where existing or planned public works facilities can accommodate only a limited amount of new development.

While growth in Morro Bay has contributed to a fairly small average annual population increase over the past 20 year period, a renewed interest recently has been focused on sustaining the resources and infrastructure to support that population and the City's future potential.

In the past few years it was speculated that the City's reliance on a (presumed) limited and shallow groundwater basin had resulted in exceeding the (apparent) safe annual yield of the groundwater basins and water quality. These assumptions were later to be proven erroneous and without foundation. Studies completed by the City of Morro Bay, as part of its ongoing Water Management Plan, demonstrate through sound engineering evaluation that "overdraft" of the basins has not occurred, water resources are available to meet present and future demand, and satisfactory groundwater quality exists. Water Management Plan attention has now been turned to enhancing the City's ability to supply water and improve facility locations while maximizing their utility. Future needs of Morro Bay have also been anticipated by a planned wastewater treatment plant expansion (completion date in 1983).

As a result of previous decisions regarding water supply facilities and uninformed evaluations, Morro Bay has had to endure a history of water and building permit rationing and de facto moratoriums on new water and sewer hook-ups.

The City of Morro Bay has recognized the attraction that coastal areas have for increased development and understands the dynamics between growth and the public services and facilities needed to support growth or used to induce it. In order to assure a proper level of urban services and growth consistent with the Coastal Act's emphasis on the protection, enhancement and restoration of coastal resources, Morro Bay's Local Coastal Plan Work Program has taken the initiative to:

(1) Discuss and analyze Coastal Act Policies regarding public works facilities and new development in the Coastal Zone;

(2) Inventory ad describe existing and proposed water and sewage facilities, including importation and reclamation proposals;

(3) Determine current allocation of existing water and sewage services and project allocation of future water and sewage capacities among various types of uses in the Coastal Zone;

(4) Propose policies to ensure orderly growth of the community in keeping with available public services and works.

Given the City's normal urban service demands, the special attention Morro Bay has been given by the State Coastal Commission through its precedental "Filer" decision (creating a de facto building moratorium in Morro Bay), the Public Works Chapter may be the most important part of Morro Bay's Local Coastal Program.

## B. COASTAL ACCESS POLICIES

Recognizing the demands on the coastal area for public works-related developments, the Coastal Act contains numerous general and specific policies regarding public works. Although the Coastal Act emphasizes the protection, enhancement, and restoration of coastal resources, it also recognizes that public works development is necessary for the social and economic well-being of the state. Public Works facilities are defined in the Coastal Act as follows:

Sec. 30114. (a) "All production, storage, transmission, and recovery facilities for water, sewage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities."

The primary policy of the Coastal Act that guides public works development in the Coastal Zone is Section 30254 which appears below. The other sections of the Act relate to public works and environmental protection, preservation of agricultural land and location of new development.

Sec. 30240. (a) "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Sec. 30241. "The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands.

Sec. 30254. "New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the legislature that State Highway Route One in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent use, essential public services and basic industries vital to the economic health of the region, state or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Sec. 30231. "The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations or marine organisms and for the protection of human health shall be maintained, and where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams."

Sec. 30236. "Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversion of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansion and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all division of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands."

Sec. 30240. (b) "Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas."

Sec. 30250. "New residential, commercial, or industrial development except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land division, other than leases for agriculture uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(a) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(b) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors. (Amended by Cal. Stats. 1979, Ch. 1090)."

Sec. 30252. "The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development."

# RESOURCE INVENTORY AND CONSTRAINTS

An important factor in determining the type, location and intensity of land uses within the community is the capability of the City's water and sewage systems to accommodate new growth. The Coastal Act requires that new development be closely correlated with services capacity. Therefore, to implement the Coastal Act, this section will inventory existing service capacity as well as identify the opportunities and constraints to expand and enhance these services.

## 1. Water Resources

### a. Water Supply

Like many coastal communities, the City of Morro Bay is dependent upon groundwater for its primary water supply. This water is extracted from the adjacent Chorro and Morro Creek Basins (see Figure 20). The safe yield for these two basins was estimated in 1969 by the Department of Water Resources to be 1,700 acre-feet per year each. However, based upon recent engineering studies these figures proved to be too low.

The City also has an arrangement for water from Whale Rock Reservoir. This specific water is for emergency use, noting that the agreement with Whale Rock Commission must be renewed each year. This water source has only been used once by the City during the 1972 statewide drought and is not considered to be significant in the long term water management forecast.

Currently, the City has eight (8) wells in the Chorro Basin and another eight (8) in the Morro Basin. Due to high salt content, however, two of the Morro Basin wells are for emergency use only.

With the exception of total dissolved solids and one March 1981 well number 11A iron concentration, the groundwater from the two basins meets all acceptable water quality standards. The only treatment the water receives is chlorination. The City's water distribution system generally needs an accelerated maintenance schedule to maintain its condition and correct any leaks and/or low pressure situations.

### b. Water Demand

In response to droughts, water production in the two basins has fluctuated over the last ten years. Current groundwater production by the City totals 1,611 acre-feet per year. To accurately project future water demand, it is necessary to evaluate past and present water use. This is done by developing a water use factor from total water production and population. This factor, expressed in gallons per capita per day (*gpcd), incorporates all water uses within the community into one comprehensive number.

As given in Table 4 (and shown in Figure 10), individual water use in the City has declined markedly over the last decade, also in response to drought, water conservation and rationing measures. Based on these trends, the City's consulting engineers have assumed a 166 *gpcd figure (0.19 af/yr./person x 12,195 people; Brown and Caldwell, 1981).

FIGURE 20
MORRO, CHORRO AND LOS OSOS
HYDROLOGIC SUBAREAS

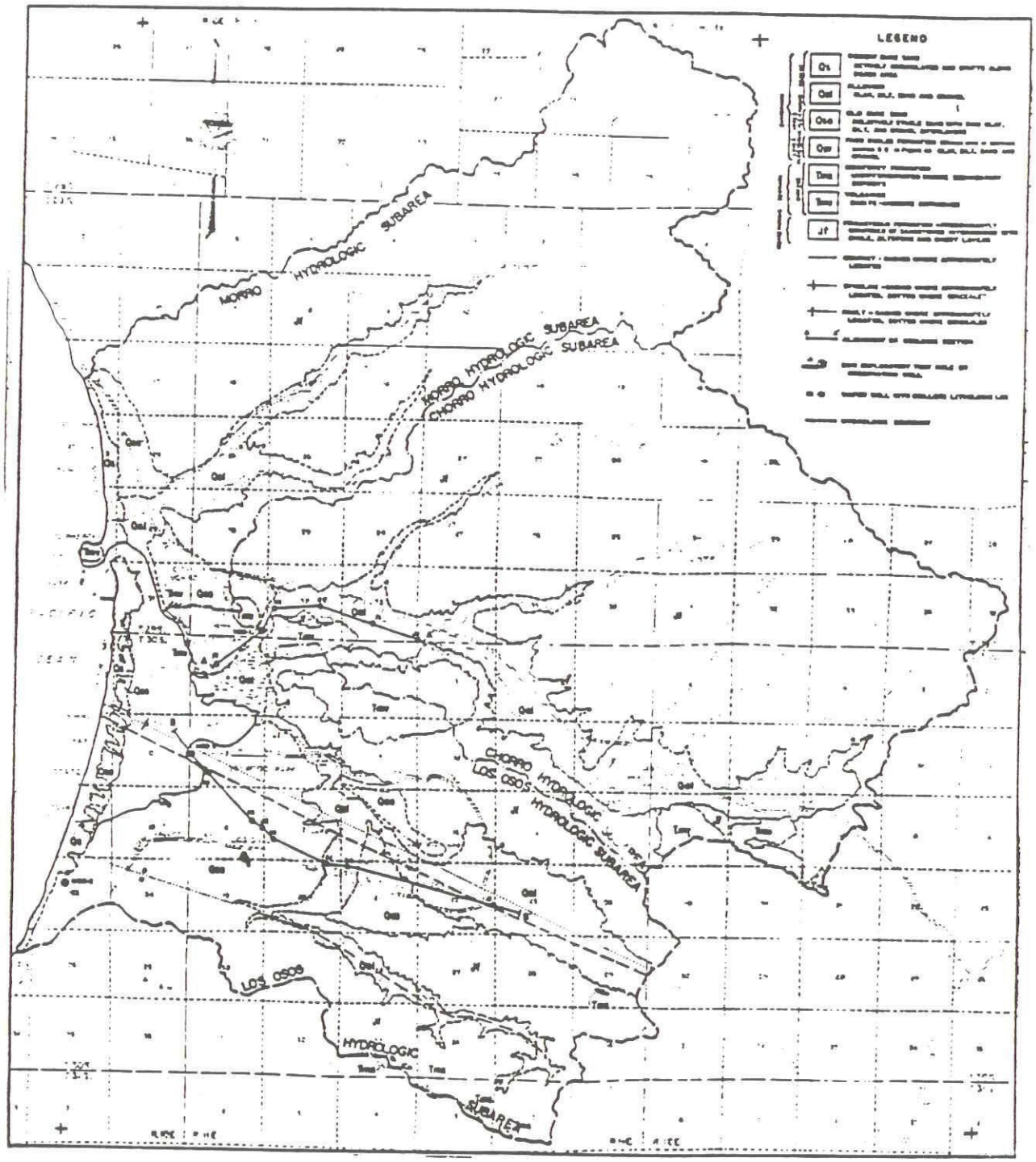


TABLE 4*
HISTORICAL URBAN WATER DEMAND

| Year | Urban Population | Total Water Production million gallons[a] | Water use Factor gcd[b] |
|---|---|---|---|
| 1970 | 7,109 | 500.01 | 193 |
| 1971 | 7,450 | 499.55 | 184 |
| 1972 | 7,514 | 503.62 | 184 |
| 1973 | 7,725 | 464.21 | 165 |
| 1974 | 7,942 | 483.01 | 167 |
| 1975 | 8,165 | 491.50 | 165 |
| 1976 | 8,394 | 513.07 | 167 |
| 1977 | 8,561 | 406.78 | 130 |
| 1978 | 8,729 | 465.92 | 146 |
| 1979 | 8,896 | 525.94 | 162 |
| 1980 | 9,064 | 524.90 | 159 |

[a] From City of Morro Bay, groundwater production records
[b] From total production, divided by urban population

*Revised from Brown and Caldwell, 1981 to reflect recent population information

The City's build-out population is estimated to be 13,500 people. Build-out water demand is therefore, estimated to be 2,565 acre-feet a year (0.19 af/yr./person x 13,500 people).

Anticipating that the "safe yield" of the two groundwater basins would be exceeded, the City adopted a program in 1977 of controlling new growth through issuing a fixed number of water equivalencies necessary for the historic annual development rate. The equivalencies were established by multiplying the number of building permits issued for each specific land use by its average water consumption and then equated to residential units. 161 water equivalencies were set to allow an annual growth rate of three percent, a rate which would not exceed the safe yield of the two basins until 1982. At this time, the city expects that Whale Rock Reservoir would be available to augment the water supply.

The water equivalency program is dependent on the ability of the groundwater basins to produce 1,7000 acre-feet per year. City water production records show however, that his level of production is not always achieved during drought condition due to mismanaged water

facilities. Additionally, the program needed adjustment to meet the requirements of the Coastal Act in the protection of priority land uses.

The Coastal Act requires that when existing or planned public works facilities can accommodate only a limited amount of new development, certain land uses shall receive priority. These land uses are in order of priority:

(1) Commercial fishing/agriculture
(2) Coastal-dependent industries
(3) Recreation/Visitor-serving uses
(4) Commercial
(5) Industrial
(6) Residential development

City records show no water supplied to agricultural land uses within City limits. The limited agricultural production is provided water from wells outside City limits. Past City records indicate that on the average coastal-dependent (commercial fishing and recreational boating) uses account for approximately two percent of the total annual City water consumption while visitor serving uses account for another 20 percent.

The Chorro and Morro Basins also support notable agricultural operation outside the city limits. While the major activity is grazing on some adjacent hillsides, crop production is found in the bottom lands of the two creeks. Here, irrigated crops are a major consumer of groundwater resources (see the Agricultural Component for a more detailed discussion). Additional rural land uses also rely on the two groundwater basins for water.

Since there has been no monitoring of rural or agricultural water use, until recently, estimating their past and present water demand is difficult. Using land use acreages, Brown and Caldwell (1981) estimates current agricultural extraction of groundwater from the two basins equals 1,7568 acre-feet per year with other rural land uses utilizing an additional 86 acre-feet. Table 5 gives the current groundwater production for the two basins for all land uses and the estimated year 2000 extractions. Figure 11 graphically shows the projected water demand.

TABLE 5

TOTAL PROJECTED WATER DEMAND
MORRO AND CHORRO BASINS

| | DEMAND IN ACRE FEET PER YEAR | | |
|---|---|---|---|
| USES | 1979 | 1990 | 2000 |
| City of Morro Bay | 1,614 | 2,053 | 2,268 |
| Rural Areas | 86 | 107 | 118 |
| Miscellaneous | 486 | 486 | 486 |
| Agriculture (outside city limits) | 1,758 | 1,865 | 2,155 |
| TOTAL | 3,944 | 4,511 | 5,027 |

Source: Brown and Caldwell, 1981.

c. Existing Water Problems

During non-drought years the City has no water problems that merit discussion other than repair and maintenance of the water distribution system. Absent implementation of a water management plan, the City's existing water production system will not be sufficient to serve existing customers. Recent droughts of the past decade have, however, displayed where improvements to the City's groundwater extraction system are needed. Deficiencies exist predominantly as a result of well location. Well placement in close proximity to the seawater/groundwater interface and placement of wells too close to one another are the primary causes of problems during non-drought years. Many of the Morro Basin wells pump groundwater in close proximity to the seawater/groundwater interface. During drought periods, lowering of the water table forces these wells to draw water from the seawater/groundwater interface. This situation is not indicative of seawater intrusion since the seawater/groundwater boundary has not moved inland but is rather a phenomenon known as seawater upconing. In addition, many of the City's wells are located too close to one another. Not only does this placement result in an added expense in terms of pumping costs, it creates a problem during drought years due to mutual interference of wells. Wells too close to one another accents the decrease of pumping level and during drought years when water tables lower, a further decrease in well pumping rates from those of non-drought periods occurs.

Due to a temporary decline in water levels during the recent 1976-77 drought and the belief that the published value of safe yield at that time was being exceeded, the California Coastal Commission felt the Chorro and Morro Groundwater Basins were in a state of overdraft. In addition, increases in chloride concentrations led the California Coastal Commission to believe that seawater intrusion may be occurring. As a result the California Coastal Commission on December 14, 1977 imposed a de facto building moratorium on the City. Unfortunately, this action was found by engineering studies to be premature and unsupported by the ultimate data conclusions.

d. Water Management Plan

The City's ongoing water management activities involve annual infrastructure improvements (i.e., water line, well pump and storage tank replacement). Indeed, Morro Bay has always had a "Water Management Plan", but in more recent times it has renewed efforts to better manage the resources available. This is illustrated by the February, 1981, study which addresses the steps to be taken to meet the City's water demand through the year 2000 (City Consultant Engineers: Brown and Caldwell; incorporated herein by reference). As a companion and further refinement of the 1981 study, a California Department of Water Resources report was commissioned for completion in 1982. As can be noted, the subject of water management is a dynamic process and information is constantly being collected to adjust future planned program activities. It is the commitment of Morro Bay to continue to monitor all data which will lead to Water Management Plan Refinements.

A summary of Brown and Caldwell's Preliminary Water Management Plan major conclusions are provided in the listing which follows:

1. Groundwater currently leaving the Chorro Creek Basin as subsurface outflow amounts to 2,090 acre-feet per year and groundwater currently leaving the Morro Creek Basin as subsurface outflow amounts to 3,400 acre-feet per year. With quantities of subsurface outflow as great as those shown for both basins, it is not possible for seawater intrusion to be occurring in either Chorro Creek or Morro Creek.

FIGURE 10*
URBAN UNIT WATER USE FACTOR

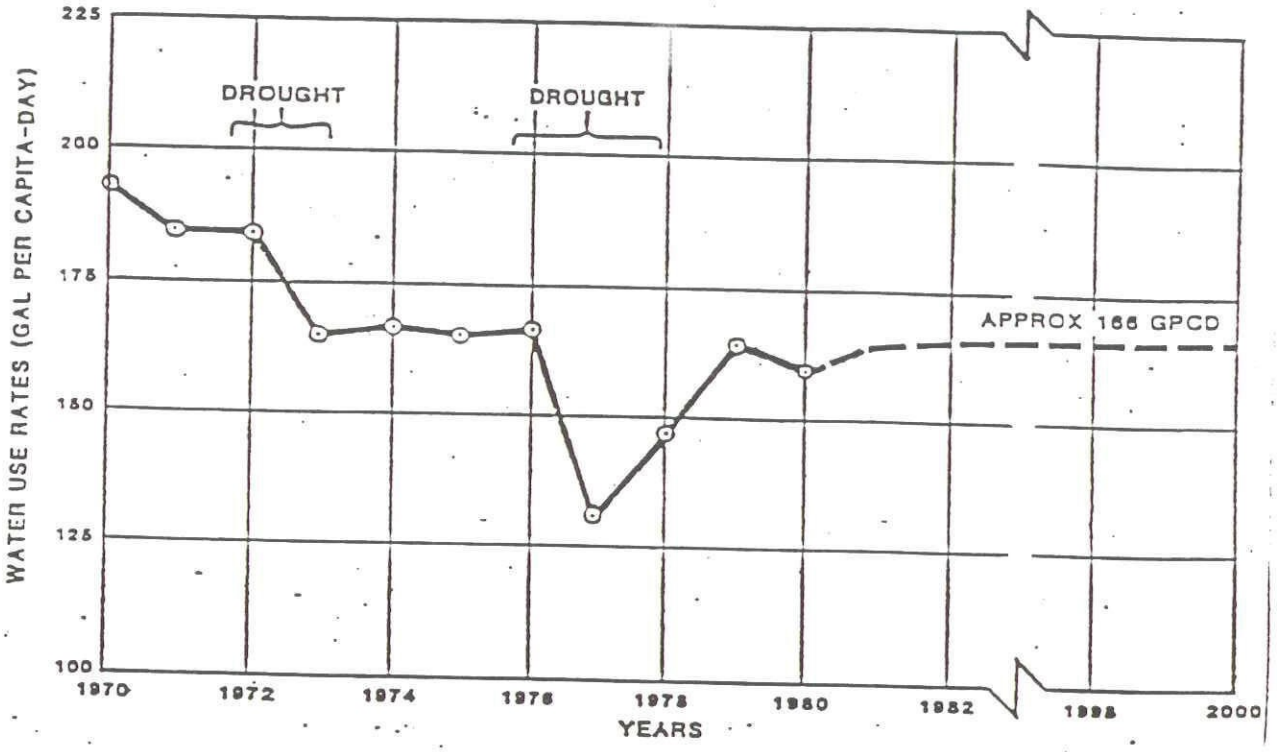
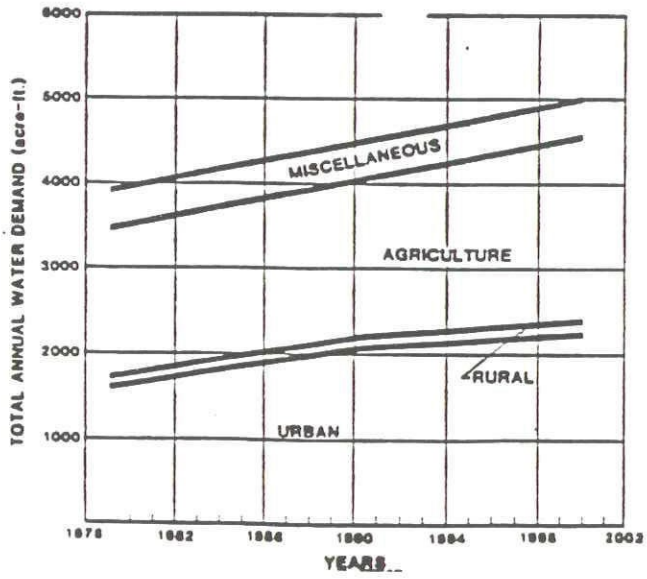



Fig. 4-2. Urban Unit Water Use Factor

*Revised from Brown and Caldwell, 1981 to reflect recent population information.

FIGURE 11
PROJECTED WATER DEMAND



2. Past estimates of safe yield for the study area were conservatively low.

3. Due to limited available data, a determination of safe yield for the basins is not presently possible.

4. The long-term yield of the two groundwater basins under a normal year is at least 3,944 acre-feet per year. The total current subsurface outflow of groundwater from both basins is approximately 5,500 acre-feet per year. Therefore it is believed that the long-term yield is much greater than the 3,944 acre -feet per year now being produced. However, all that can be stated with certainty, at present, is that the current long-term yield under normal year conditions is 3,944 acre-feet per year or greater.

5. In the past, the City of Morro Bay has experienced a deficiency in its ability to supply and distribute water, although water resources available have always been adequate.

6. Although incorrect, previous conclusions that Chorro Creek and Morro Creek Basins were in a state of overdraft may have been reasonable in light of conservatively low published estimates of safe yields.

7. The two groundwater basins within the study area are not now, and have not been, in a state of overdraft.

8. With proper management of available water resources, the long-term yield of the study area is adequate to meet the total water demand anticipated in the year 2000 under conditions of "normal year", "normal drought" and "extreme drought".

9. Groundwater quality is satisfactory for all current purposes in the basins.

10. Occurrence of high chloride water in wells located near the coast have coincided with heavy pumping in those wells and are the result of upconing of saline water from below the well mixing with fresh water in the vicinity of the well screen. This situation is not indicative of seawater intrusion into the groundwater basins, but is only a local condition reflective of well location and pumping patterns.

11. Higher than normal levels of chloride have been found in Chorro Creek Basin in City Well No. 12 located more than one mile inland from the coast, while wells between No. 12 and the coast did not show increases in chloride. Chloride levels alone, therefore, do not reliably indicate either seawater intrusion or upconing of saline water.

12. The proposed wastewater reclamation scheme would make up to 770 acre-feet of groundwater available for municipal use each year.

13. Recharge basins used to percolate storm water and other excess surface water would increase the long-term yield of the groundwater basins.

14. The City of Morro Bay has little or no control over basin discharges, irrigation practices, and crop selection within the study area.

15. Existing, unused wells may allow movement of poor quality water into fresh groundwater aquifers.

16. Water quantity and water quality can be enhanced by following a planned operational scheme in pumping the city wells.

17. City Well Nos. 1 and 2 are located too near the coast, resulting in operational and water quality problems.

18. The Preliminary Water Management Plan must include wastewater reclamation, recharge of storm water and excess surface water, a planned operational scheme for pumping existing wells, abandonment of Well Nos. 1 and 2, location of additional wells inland and continued study and data collection.

Seawater Intrusion: In February 1972, the California Department of Water Resources (DWR) published Bulletin 63-6: Sea-water Intrusion: Morro Bay Area San Luis Obispo County. The abstract to this document reads as follows:

ABSTRACT

Because the quality of groundwater has been degraded by the intrusion of seawater, several wells have been abandoned along the coastal margin of Morro, Chorro, and Los Osos Ground Water Basins in the Morro Bay area of San Luis Obispo County. Increases in chloride-ion content in groundwater have occurred primarily in response to the lowering of water levels to below sea level during periods of intensive pumpage. In localized areas, other probable sources of degradation are the natural intrusion resulting from a decline in recharge at dry periods, downward percolation of ocean water in tidal areas, and the dissolution of evaporites by downward percolating waters.

The onshore areal extent of sea water intrusion has been controlled by seaward underflow during periods of low pumpage. An undetermined amount of freshwater underflow is lost to the sea from the nondegraded aquifer systems underlying the Baywood Park-Los Osos community. further investigation is necessary to evaluate the freshwater potential in that vicinity and in the offshore extensions of those aquifers.

DWR bases evidence of seawater intrusion on high chloride-ion and total dissolved solids (TDS) concentrations. Concentrations of these constituents for various Chorro Basin wells is shown in Table 6. Well locations are displayed in Figure 12. For comparison purposes, DWR states that in nondegraded portions of the aquifer system, TDS content is as high as 800 mg/1 and chloride-ion concentrations as high as 120 mg/1. These increases are most likely attributed to irrigation return waters that have percolated to the groundwater. Increases above natural background levels are attributed to fluctuations in rainfall and increased drawdown during periods of lesser freshwater outflow.

# TABLE 6

## AVERAGE TDS AND CHLORIDE-ION CONCENTRATIONS IN GROUND WATER FROM ALLUVIUM, SEAWARD CHORRO GROUND WATER BASIN, 1951–70

In milligrams per liter

| Well | Date or year of sampling | Number of samples | TDS | Chloride ion |
|---|---|---|---|---|
| 29S/11E–31D1 | 3–25–64 | 1 | 706 | 165 |
| 29S/11E–31R1 | 11–19–70 | 1 | 2,226 | 1,008 |
| 29S/11E–32F1 | 10–30–62 | 1 | 960 | 248 |
| 29S/11E–32M1 | 6–16–55 | 1 | 927 | 170 |
| | 9–30–58 | 1 | 1,108 | 157 |
| | 1959 | 3 | 993 | 127 |
| | 1960 | 4 | 319 | — |
| | 10–30–61 | 1 | 5,257 | 2,404 |
| | 10–23–62 | 1 | 1,328 | 350 |
| | 1963 | 2 | 1,125 | 262 |
| | 1964 | 2 | 1,438 | 405 |
| | 1965 | 2 | 1,017 | 244 |
| | 9–27–66 | 1 | 1,110 | 273 |
| | 1967 | 2 | 1,010 | 235 |
| | 11–19–68 | 1 | 835 | — |
| | 3–20–70 | 1 | 920 | 185 |
| 29S/11E–32M2 | 1– 4–60 | 1 | 791 | 126 |
| | 3– 7–63 | 1 | 840 | 135 |
| 29S/11E–32M3 | 1951 | 2 | 415 | — |
| | 1952 | 5 | 770 | — |
| | 1953 | 2 | 424 | — |
| | 6–11–54 | 1 | 1,410 | 372 |
| | 1959 | 3 | 4,854 | 2,220 |
| | 1960 | 6 | 2,304 | — |
| 29S/11E–32M4 | 1960 | 4 | 221 | — |
| | 3– 7–63 | 1 | 990 | 134 |

FIGURE 12

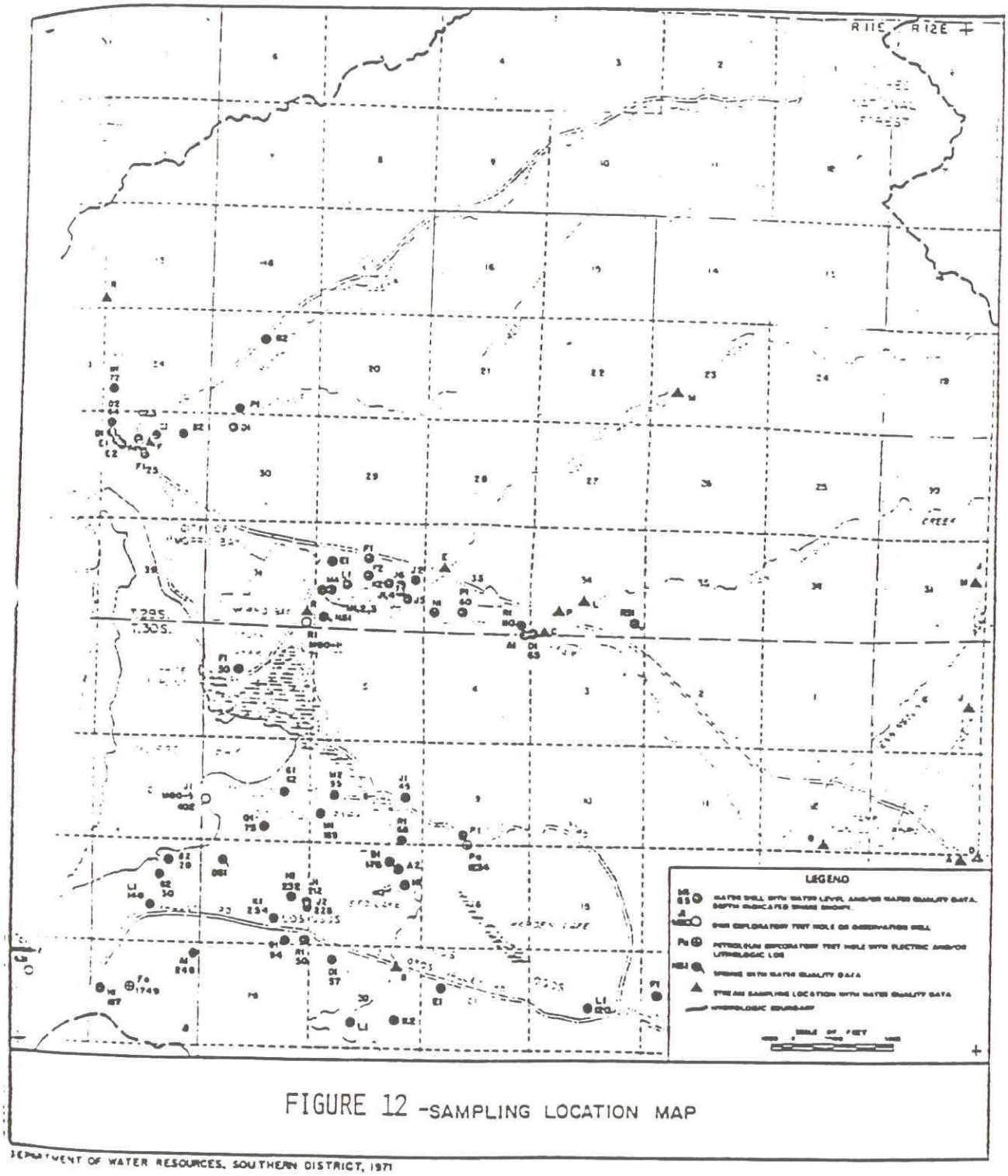



FIGURE 12 -SAMPLING LOCATION MAP

DEPARTMENT OF WATER RESOURCES, SOUTHERN DISTRICT, 1971

Concentrations of chloride-ion for various Morro Basin wells is shown in Figure 13. Background concentration for chloride is not discussed but can be assumed to be comparable to Chorro Basin (120 mg/1). Increases in chloride-ion above background concentrations are attributed generally to drawdown elevations below sea-level.

An important item is not discussed in this report and needs to be discussed in order to put statements of seawater intrusion into perspective. First, it is a fact that along coastal areas, groundwater is underlain by seawater. It is understandable that these wells do display high chloride-ion and TDS concentrations. This is merely a result of being in close proximity to an area where freshwater naturally overlies seawater. Chloride-ion and TDS concentrations will increase due to insufficient rainfall. Because of a lowered water table, there is not as much fresh water to draw from. Merely by pumping action, the well is forced to draw from saline water underlying freshwater. This situation is not indicative to seawater intrusion into the groundwater basins, but is only a condition reflective of well location and pumping.

Table 6 does not convincingly portray a picture of a seawater intrusion situation. The drinking water standard for TDS is 500 mg/1. Natural background concentration for TDS is 800 mg/1. Even a natural water state of TDS exceeds the standard because Morro and Chorro Basin water is very hard. Substantial increases in TDS occur mostly during periods of less rainfall. The drinking water standard for chloride-ion is 250 mg/1. Most chloride-ion concentrations are within the realm of this standard. Well 29S/11E-31R1 displays the result of the only high chloride sample during a normal rainfall year with a chloride concentration of 1,008 mg/1. The result of only one well cannot be construed to imply seawater intrusion. Two samples from two different wills show chloride-ion in the 2,000-ths. Note these two samples were taken during a period of extremely low rainfall.

Only chloride-ion concentrations are used to substantiate seawater intrusion in the Morro Basin. Only one well (29S/10EE-25D2) displays dramatic increases in chlorides. This well is located extremely close to the ocean and is most likely drawing from seawater naturally underlying freshwater.

As a result of the recent Brown and Caldwell study, seawater intrusion was further investigated. As a part of the preliminary water management investigation, the extent of seawater intrusion was studied in order to assess necessary mitigation measures. A summary of Brown and Caldwell findings is discussed.

The understanding of seawater intrusion is an important part of water management. One of the methods used in the February, 1981, study to evaluate seawater intrusion is a hydrologic budget. A hydrologic budget is an assessment of the inflow and outflow of water to a basin and like any budget is a step toward managing a resource. There have been some reports which suggested that Chorro Creek and MOrro Creek Groundwater Basins have been intruded by seawater. If this were true, the hydrologic budgets for both basins would show a value at zero for subsurface outflow, and would require a positive amount to be added for seawater intrusion inflow to allow a balance between inflow and outflow. The Preliminary Water Management Plan, however, shows values for subsurface outflow of 2,090 acre-feet per year for Chorro Creek Basin and 3,400 acre-feet per year for Morro Creek Basin. Therefore, it must be concluded that seawater intrusion is not occurring nor has it occurred in the past. An additional withdrawal of about 5,500 acre-feet per year would be required before seawater intrusion would be a factor in the combined hydrologic budgets.

FIGURE 13

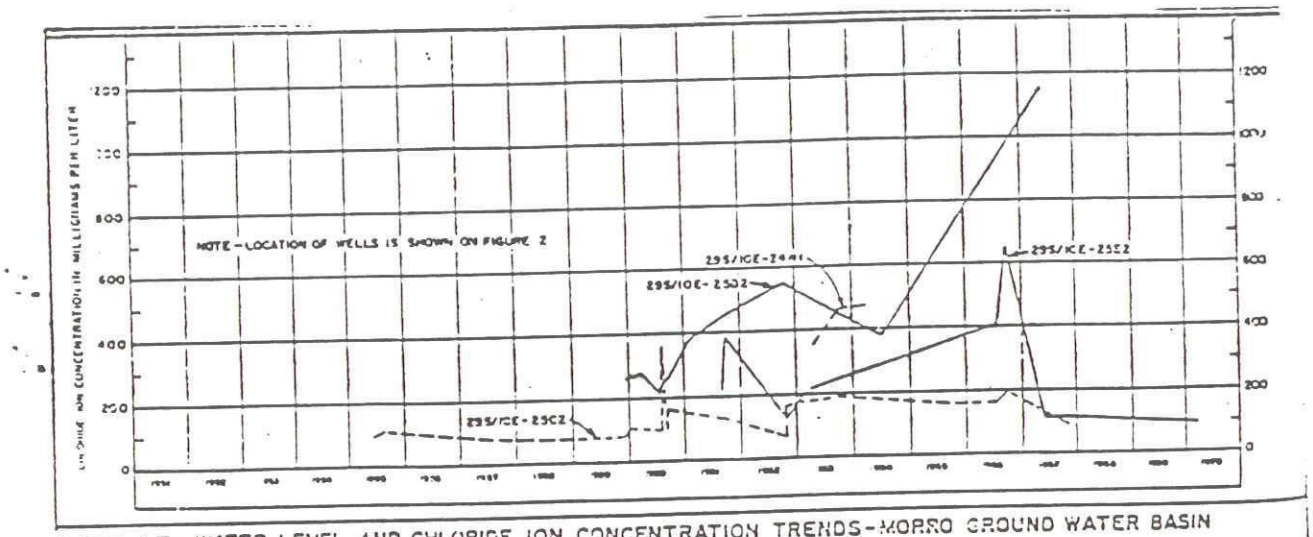



FIGURE 13- WATER LEVEL AND CHLORIDE ION CONCENTRATION TRENDS-MORRO GROUND WATER BASIN

DEPARTMENT OF WATER RESOURCES, SOUTHERN DISTRICT, 1971

Another tool used to evaluate the possibility of seawater intrusion is water quality investigations. Based on water quality analysis, it appears that groundwater quality is good. Except for the total dissolved solids (TDS) the mineral constituent concentrations all fall within the acceptable range of criteria for drinking water.

Most of the TDS values in the Chorro Creek Basin and Morro Creek Basin are attributable to the total hardness of the water and all the wells show concentrations which categorize the groundwater as very hard. The hardness of the groundwater is attributed to natural geologic conditions within the basin and there is little that can be done to lessen these values except for importation of water that is not so hard, blending with imported water or dilution with storm waters by artificial recharge. During the past drought period, increases in chlorides occurred in the Chorro Basin. With the exception of one well on one date, ground water quality has always met standards set for chlorides. Increases in chloride concentrations that occurred during drought periods may be due to wastewater discharges in the eastern portion of the Chorro Basin and/or from highly mineralized surface waters of San Bernardo Creek infiltrating into the groundwater. In addition, increases beyond standards set for chlorides occurred on numerous occasions in the Morro Creek Basin during the past drought. These increases occurred in wells located near the coast during heavy pumping. These increases appear to be due to the upconing of saline water, not seawater intrusion. Upconing of seawater occurs as a result of seawater, naturally underlying a groundwater basin, being drawn up by a heavily pumped well in a groundwater basin where water levels have dropped. In an upconing situation, seawater does not move inland to occupy an area once occupied by fresh groundwater as occurs in a seawater intrusion situation.

Regardless of the degree of concentration of the mineral constituents in seawater, the ratios of certain minerals remain nearly the same. This is true regardless of whether the sample was taken in the open ocean, or in some landlocked embayment where the seawater composition may be altered by inflows from the land, affected by products of decomposition or evaporated to some extent. Thus, when wells are intruded by seawater even though the concentrations of mineral constituents are lower than those found in seawater the ratios should remain the same.

Several methods have been used in the 1981 study to compare the composition of the groundwater produced in Chorro and Morro Basins with that of seawater. Table 7 shows the ratio of selected mineral constituents in groundwater in Chorro Creek Basin Wells and the ratio for seawater. The comparison indicates the relationship between the groundwater produced by the City's wells and seawater. Table 8 shows a similar relationship for the Morro Creek Basin wells. Also shown are the ratios for groundwater produced by wells in the Chorro Narrows. On only four dates have the ratios been higher than normal. Even though the TDS for wells in the Chorro Narrows consistently how high TDS values the ratio as shown does not clearly show a seawater-type composition.

There is a thick clay layer existing near the ground surface in the wid alluvial area just upstream of, and within, the Chorro Narrows. Mineral salts appear to have leached from the soil, or from surface water, and collected just above this fine-grained zone, moved downgradient to the well area and found entrance into the well through the gravel packs around the casings. Also, when water levels are drawn down following heavy pumping, poor quality water from fractures in the bedrock may be pulled into the well.

The available data shows that during the two normal droughts which occurred within the past ten years water levels were generally lower at the end of the fourth period. Normal precipitation and recharge to the groundwater basins in the years following the normal

droughts is more than adequate to replenish the lost storage and to allow the groundwater basins to regain their potential. Generally, this rejuvenation of the groundwater basins occurs within one year following such normal droughts.

Long-Term Yield: The capacity of the groundwater basins to supply water to meet anticipated demands must be established prior to consideration of management alternatives. Normally, the long-term yield of a groundwater basin is stated as its "safe yield" which can be defined as the amount of water which can be withdrawn from a groundwater basin, annually, without producing an undesired result. The key to establishing a value for safe yield is to acquire adequate data. In the case of the Chorro Creek and Morro Creek Basins, such data are not available. Therefore it is not possible to define the safe yield of either groundwater basin. However, based on available data, it is possible to estimate the yield that can be obtained from the aquifers in these groundwater basins under certain conditions. To avoid confusion, this estimate is described as "long-term yield," as opposed to safe yield. The long-term yield of both groundwater basins was estimated for certain specific conditions: (1) the "normal year"' (2) the "normal drought"; and (3) the "extreme drought." These terms are further defined in the following discussion.

Climatic Conditions for Estimating Long-Term Yield: In order to establish a basis for evaluating long-term yield over a normal climatic period, the "normal year" is defined, herein, as any year in which the precipitation equals or exceeds the 50-year mean, or any year followed by a year in which the precipitation either equals or exceeds the 50-year mean precipitation. This is due to the fact that the groundwater basins have demonstrated a rapid response to precipitations, in that water levels quickly rise back to their normal levels following one season of normal precipitation. Therefore, any seasonal depletion of storage during normal years would be replaced by infiltration of precipitation during the subsequent wet season.

For the purpose of this discussion, a "normal drought" is a frequently occurring period of years during which precipitation is below the 50-year mean. A review of the 110-year record of precipitation at San Luis Obispo indicates that a two-year drought period is such a frequent occurrence. During the last ten years two-year drought periods have occurred twice. The lowest annual rainfall on record is approximately seven inches. Occurrence of rainfall at this low level for two consecutive years has not occurred over the 110 year record. However, to be conservative, it is assumed that the normal drought consists of a two-year period with rainfall of seven inches per year.

Evaluation of the precipitation records at the City of San Luis Obispo indicates that the longest continuous period of annual precipitation below the 50-year mean is seven years. A seven-year period occurred between 1893 and 1900, and a similar seven-year period occurred between 1944 and 1951. The lowest average annual precipitation during any year of the most recent seven-year period was about 31 inches. Therefore, the extreme drought is herein defined as a seven-year period during which the average annual precipitation is 13 inches per year.

TABLE 7

**Comparison of a Ratio of Selected Mineral Constituents in Groundwater in Chorro Basin Wells to Seawater**

| Date | Well number | R, percent[a] | TDS, mg/l |
|---|---|---|---|
| 3/14/79 | Morro Bay No. 8 | 38 | 648 |
| 3/14/79 | Morro Bay No. 9 | 32 | 753 |
| 3/14/79 | Morro Bay No. 9A | 29 | 753 |
| 3/14/79 | Morro Bay No. 10 | 37 | 700 |
| 3/14/79 | Morro Bay No. 10A | 31 | 823 |
| 10/31/79 | Morro Bay No. 11A | 38 | 763 |
| 3/14/79 | Morro Bay No. 12 | 43 | 980 |
| 3/14/79 | Morro Bay No. 16 | 34 | 770 |
| 6/16/55 | 29S/11E-32M1 | 49 | 927 |
| 12/12/56 | 29S/11E-32M1 | 41 | 880 |
| 11/22/57 | 29S/11E-32M1 | 84 | 1,717 |
| 9/30/58 | 29S/11E-32M1 | 50 | 1,108 |
| 7/28/59 | 29S/11E-32M1 | 36 | 1,035 |
| 9/9/59 | 29S/11E-32M1 | 33 | - |
| 11/24/59 | 29S/11E-32M1 | 49 | 1,075 |
| 12/22/59 | 29S/11E-32M1 | 35 | 868 |
| 0/2/60 | 20S/11E-32M1 | 50 | 1,025 |
| 10/30/61 | 29S/11E-32M1 | 196 | 5,257 |
| 10/23/62 | 29S/11E-32M1 | 94 | 1,328 |
| 3/7/63 | 20S/11E-32M1 | 68 | 1,090 |
| 9/23/63 | 29S/11E-32M1 | 70 | 1,160 |
| 7/14/64 | 29S/11E-32M1 | 76 | 1,352 |
| 10/7/64 | 29S/11E-32M1 | 96 | 1,523 |
| 8/3/65 | 29S/11E-32M1 | 62 | 1,113 |
| 10/4/65 | 29S/11E-32M1 | 72 | 920 |
| 9/25/66 | 29S/11E-32M1 | 74 | 1,110 |
| 5/25/67 | 29S/11E-32M1 | 58 | 938 |
| 11/2/67 | 29S/11E-32M1 | 71 | 1,082 |
| 11/19/68 | 29S/11E-32M1 | 126 | 2,087 |
| 12/0/69 | 29S/11E-32M1 | 50 | 956 |
| 3/20/70 | 29S/11E-32M1 | 48 | 920 |
| 10/22/70 | 29S/11E-32M1 | 57 | 1,147 |
| 3/7/63 | 29S/11E-32M2 | 42 | 842 |
| 0/2/60 | 29S/11E-32M3 | 180 | 5,402 |
| 3/7/63 | 29S/11E-32M4 | 43 | 990 |
| 3/20/70 | 29S/11E-32N1 | 243 | 570 |
| | Seawater | 473 | 34,300 |

[a] $R\ percent = \frac{(mg/l\ SO_4 \times 0.0208) + (mg/l\ Cl \times 0.0282)}{(mg/l\ Ca \times 0.0499) + (mg/l\ Mg \times 0.0822)} \times 100$

TABLE 8

**Comparison of a Ratio of Selected Mineral Constituents in Groundwater in Morro Basin Wells to Seawater**

| Date | Well number | R, percent[a] | TDS, mg/l |
|---|---|---|---|
| 3/14/79 | Morro Bay No. 3 | 62 | 770 |
| 3/14/79 | Morro Bay No. 4 | 18 | 595 |
| 3/14/79 | Morro Bay No. 13 | 47 | 718 |
| 3/14/79 | Morro Bay No. 14 | 43 | 630 |
| 3/14/79 | Morro Bay No. 15 | 42 | 630 |
| | Seawater | 473 | 34,300 |

[a] $R\ percent = \frac{(mg/l\ SO_4 \times 0.0208) + (mg/l\ Cl \times 0.0282)}{(mg/l\ Ca \times 0.0499) + (mg/l\ Mg \times 0.0822)} \times 100$

Past Estimates of Safe Yield: Although the available data have been sparse, estimates of safe yield for the Morro Creek Basin and Chorro Creek Basin have been made in the past. The California Department of Water REsources (DWR), in its Bulletin May 18, 1958, estimated that the safe yield for each basin was 1,500 acre-feet per year. In a memorandum report by DWR to the Central Coastal Regional Water Quality Control Board, dated October 1969, DWR revised these estimates to 1,700 acre-feet per year for each basin. Neither of these reports gave any indication of the basis for these estimates.

Comparing the current groundwater demand of 3,944 acre-feet per year and the estimated total safe yield of these two groundwater basins of 3,400 acre-feet per year, as reported by DWR, it is understandable that the California Coastal Commission could consider the basins to be overdrawn requiring a restriction on further development in the City of Morro Bay. Supporting that decision was the assumption that seawater intrusion is a continual adverse condition affecting both the Chorro Creek and Morro Creek Basins. However, as the hydrologic budgets for both basins indicate, there is a positive subsurface outflow of freshwater from the basins amounting to 2,090 acre-feet per year for Chorro Creek Basin and 3,400 acre-feet per year for Morro Creek Basin. Therefore, it must be concluded that seawater intrusion is not occurring and has not occurred in the past.

Long-Term Yield, Normal Year: The current total water demand of 3,944 acre-feet per year is being met by the two groundwater basins from inflow sources only. This is evidenced by the fact that groundwater storage is not being depleted except on a seasonal basis. Therefore, the long-term yield under a normal year is at least 3,944 acre-feet per year. The total current subsurface outflow of groundwater from both basins amounts to approximately 5,500 acre-feet per year. Therefore, it is believed that the long-term yield is much greater than the 3,944 acre-feet per year now being produced. However, all that can be stated with certainty, at present, is that the current long-term yield under normal-year conditions is 3,944 acre-feet per year or greater.

Long-Term Yield, Normal Drought: As defined above, groundwater withdrawal during a normal year will not affect groundwater in storage, other than on a seasonal basis. Therefore, it can be assumed that at the start of any drought period the groundwater basins will be full and the groundwater in storage can be utilized during the drought to provide additional supplies. As described earlier the total quantity of recoverable groundwater from storage in Chorro Creek Basin is 7,000 acre-feet and the total quantity of recoverable groundwater from storage utilized only from the middle storage unit of MOrro Basin is 3,200 acre-feet. The total available storage is 10,200 acre-feet for both basins.

Since a two-year drought period will be followed by a normal year, the groundwater basins would be fully recharged the year following the two-year drought. Therefore, during the two-year drought for recoverable groundwater in storage can be utilized for water supply purposes much the same as water that might be stored in a surface reservoir can be utilized. The total groundwater storage in both basins, of 10,200 acre-feet, utilized over a two-year period would provide 5,100 acre-feet per year of water supply for consumptive use.

In addition, there will be approximately 1,315 acre-feet per year of groundwater available from inflow sources, and consequently the total available storage would not need to be temporarily depleted. Also, other groundwater basin management elements discussed below will be implemented. These management schemes will also offset the need for temporary groundwater depletion. The year 2000 water demand is estimated to be 5,027 acre-feet per

year. During a normal drought, however, 6,415 acre-feet of water per year is available for use.
Long-Term Yield, Extreme Drought Conditions: By similar analysis to that used for the normal drought, Brown and Caldwell determined that the lowest average annual precipitation during any 7 year period at San Luis Obispo was about 13 inches. This precipitation is approximately 61 percent of the 50 year mean precipitation at that station. Therefore, it is assumed that the current quantity of groundwater being supplied from inflow sources will be reduced under extreme drought conditions to 61 percent of that value, or 2,406 acre-feet per year.

The long-term yield under extreme drought conditions that can be expected without implementing any groundwater basin management techniques is the total increment of groundwater storage, 1,456 acre-feet per year, and the annual production available from inflow sources of 2,406 acre-feet per year. This amounts to 3,863 acre-feet per year from only these sources. It is obvious that this quantity has been sufficient to meet the past demands of water users, however, by the year 2000 when the projected demand will be 5,027 acre-feet per year, there will be an apparent maximum deficiency of 1,164 acre-feet per year. It is evident, therefore, that certain groundwater basin management elements must be implemented to provide an overall water resource management plan to meet the extreme drought conditions in the year 2000.

It is the intent of the City to adopt a water management plan. It is not the intent of the City to deplete water reserves because techniques to offset deficits are known and readily implementable through future water management activities. Groundwater depletion is only a problem if the situation is ignored and not addressed by management activities.

alternate Additions of Water Source: In addition to utilization of groundwater storage during drought periods, the City of Morro Bay shall develop additional sources of water from some of these potential sources as part of a water management plan:

(1) Implement the proposed wastewater reclamation program to provide an additional 770 acre-feet per year of water supply for agricultural and golf course purposes, thereby relieving the ground water basin of this demand. Although not presently contemplated, the reclamation program could be expanded to provide additional quantities of reclaimed wastewater.

(2) Provide recharge facilities to collect storm water which normally flows out to sea, for recharge to groundwater basin. Such recharge programs would allow storage of additional quantities of water in the groundwater basin each year.

(3) During normal and wet years, there is surplus water available from Whale Rock Reservoir which in many years is lost by spillage over the dam. In a normal year, any surplus water could be purchased by the City of Morro Bay and delivered directly to the City's distribution system. Alternately, the surplus water could be regularly delivered to recharge facilities for storage underground.

(4) The City of Morro Bay reports that the estimated leakage from its distribution system is approximately 15 percent of water supplied. The projected quantity of water to be supplied for urban purposes through the distribution system during build-out is 2,565 acre-feet per year. Through the City's system repair activities, it is reasonably

expected that this loss can be reduced by two-thirds, resulting in a gain of ten percent. This would produce a gain of about 260 acre-feet of usable water.

(5) During the drought year of 1977, as a result of conservation efforts by the City of Morro Bay, the unit water use factor was reduced to 131 gallons per capita per day. If such conservation measures are reinstituted and applied on a regular basis, not just during drought periods, the total urban water demand during build-out can be reduced by approximately 630 acre-feet per year. This alternative is not anticipated to be carried out on a long-term basis.

(6) Modify locations of City wells to allow additional groundwater extraction.

(7) During the next 20 years, it is conceivable that additional imported water sources may become available to the City of morro Bay. such projects include the Nacimiento Water Project, the State Water Project, and construction of local storage facilities. Such imported sources, when available, may also be utilized to meet any further demand which may occur beyond the year 2000.

Ability of Water Management Plan to Meet Water Demands: The 1981 study informs that it is possible to meet water demands of the year 2000, population of 12,195 person. Since water benefits derived from the various supplemental water sources is not quantified, however, it is difficult to assess the actual population beyond this figure that may be permitted. As a result of a preliminary evaluation of the various plan options, the City of Morro Bay is anticipated to be able to meet the 13,500 person build-out water demand even during extreme droughts (and even though the City is downstream of other water users.)

Compliance of Water Management Plan with Coastal Act: The implementation of these and other water management plan actions must be done in keeping with the provisions of the Coastal Act; specifically, consistent with those policies requiring protection of agriculture and environmentally sensitive habitat areas.

As part of the implementation process of the Final Water Management Plan, it will be necessary for the City to address environmental concerns in order to meet California Environmental Quality Act requirements. Among the items addressed will be: (1) the need for an adequate water supply for coastal-dependent activities such as recreation, commercial fishing, oyster farming and fish and shellfish processing; (2) the need of wetlands to be seasonally flushed of accumulated salts from sediments will be addressed; (3) the need for riparian habitat for an adequate groundwater supply will be addressed; (4) the dependence of an anadromous fishery on riparian vegetation for cooling and groundwater to maintain pools when surface flows cease; and (5) availability of sufficient water for agriculture.

2. Wastewater Resources

a. Wastewater Facilities

Wastewater treatment facilities are shared jointly by the unincorporated community of Cayucos and the City of Morro Bay, 40 to 60 percent, respectively. Each community operates its own individual wastewater collection system.

The Wastewater Treatment Plant provides secondary treatment to the effluent which is discharged through a 300-foot ocean outfall. The plan currently discharges an average of 1.6 million gallons per day (mgd). The City's wastewater collection system is at capacity in many portions of the community.
The total design capacity of the existing Wastewater Treatment Plant is 1.7 million gallons per day (mgd); therefore, Morro Bay's share (60 percent) is 1.02 mgd. When the treatment plant was designed in 1964, the capacity was based upon meeting the then current water quality standards. Since these standards are now much more stringent, the plant capacity was lowered in recent years to ensure adequate water quality. However, recent improvements to the plant have returned it to 1.7 mgd. Expansion of the plant to a 2.4 mgd capacity is planned for the near future. Morro Bay's share of the expanded plant (60 percent) would then be 1.44 mgd.

b. Wastewater Demand

In response to drought conditions and water conservation measures over the past decade, individual wastewater flow rates in the community have varied, as verified by the figures given in Table 9. In 1975, domestic and commercial wastewater use was an estimated 93 gallons per capita per day (*gpcd). This is projected to increase to 110 *gpcd by 1999. This table does not reflect current population projections. Table 10 gives current estimated flow rates.

As can be seen in Table 10, plant capacity will be exceeded in the year 2000 and if the plant was further expanded to 2.87 NGD as proposed, this plant expansion would not be sufficient to accommodate a build-out population.

3. Locating and Planning New Development

The Coastal Act includes policies requiring growth to occur in an orderly, well-planned fashion. Specifically, the Act states that new development shall:

(1) be located in or near existing developed areas;
(2) protect coastal resources; and
(3) give priority to coastal-dependent uses

The Act also recognizes that the provision of public services is a significant factor in the location, pattern, timing and density of new development.

Future growth in Morro Bay will be determined by the ability to provide service and by what the community views as a desirable environment. Build-out of the community under the City's adopted Land Use Plan (1976) would allow a total population of over 16,000 while the current Zoning Ordinance would only provide a population of 15,400 people. These figures are higher than previous estimates because they reflect the trend in the community of a higher number of persons per household. Under the proposed LCP Land Use Plan, total build-out within the community would be approximately 13,500 people.

As discussed elsewhere in this Plan, future water facilities will be sufficient to meet future water demands. These facilities will not, however, be available until funding becomes available for construction and construction has been completed. Therefore, additional population is contingent upon provision of additional water facilities. In addition, anticipated

wastewater treatment plant expansion will be capable of supporting a smaller population than build-out would allow. Thus, recognizing that future development in the community will be limited by the availability of public services, and to be consistent with the intent of the Coastal Act, it is necessary for the City to let priorities and guidelines for future growth.

To ensure the protection of Morro Bay's economic viability, specific land uses must be given priority in the allocation of public services. The Water Equivalency Ordinance should be amended to reflect the following priorities:

(1) Commercial fishing/agriculture
(2) Coastal dependent industries
(3) Recreation/visitor-serving uses
(4) Commercial
(5) Industrial
(6) Residential Development
    (a) infill areas
    (b) Areas contiguous to existing development
    (c) Other

These land uses will be allocated a number of equivalencies consistent to their existing levels of demand. Those equivalencies not utilized in one year will be transferred to other uses in the subsequent year.

4. Traffic

The City recognizes that the Morro Bay Boulevard, Quintana Road, State Highway One complex interchange/intersection does not operate efficiently. Caltrans has identified necessary modifications to improve safety and traffic flow. ("A Report on Traffic Engineering Services for the City of Morro Bay", April, 1978.)

## D. PUBLIC WORKS AND LOCATING AND PLANNING NEW DEVELOPMENT: GENERAL POLICIES

Policy 3.01. The City of Morro Bay shall approve future growth in conjunction with water and sewage treatment availability. Development shall be approved only if the City finds that sewer and water services are available to serve the proposed use. The City shall allocate water and sewer services to development based on Coastal Development Permit No. 4-81-309, as amended and approved by the Coastal Commission. The amount of water and sewer services to be allocated to new development shall be limited to the amounts of recovered water due to the water pipe replacement program, and/or to other concervation measures (e.g., retrofit of existing facilities with water-saving fixtures) approved in Permit No. 4-81-309, as amended. If the City develops additional sources of water and/or improves its water management so that additional water is demonstrably recovered, the City may submit a revised water allocation program as a subsequent amendment for Coastal Commission review and approval. Until a water management program which provides additional water for allocation is approved and amended into the LUP, the allocation program for future developments shall be as described in the findings and exhibits adopted by the Coastal Commission for Permit 4-81-309, as amended; which specifically includes the "Water Recovery Allocation Model and Percentage Allocation System", as well as the provision for distributing water conserved through measures such as the retrofit of existing facilities with water saving fixtures.

TABLE 9

SUMMARY OF PROJECTED
WASTEWATER FLOWS
FOR MORRO BAY/CAYUCOS

| CATEGORY | BASE UNITS 1975 | 1979 | 1989 | 1999 |
|---|---|---|---|---|
| Gallons per capita per day | 93 | 96 | 103 | 110 |
| Average Day (Maximum Month) in MGD | | | | |
| Domestic and Commercial | 0.98 | 1.19 | 1.65 | 2.11 |
| Industrial | 0.02 | 0.02 | 0.03 | 0.0[illegible] |
| Tourist | 0.61 | 0.63 | 0.68 | 0.7[illegible] |
| Total Average Day | 1.61 | 1.84 | 2.36 | 2.87 |

SOURCE: John Carollo Engineers, 1978

TABLE 10

SUMMARY OF CURRENT PROJECTED WASTEWATER FLOW RATES
MORRO BAY AND CAYUCOS

| CATEGORY | BASE UNITS 1980 | 1990 | 2000 | BUILD-OUT |
|---|---|---|---|---|
| Population | | | | |
| Morro Bay | 9,064 | 11,040 | 12,195 | 13,500 |
| Cayucos | 2,305 | 2,775 | 3,246 | 5,642 |
| Total | 11,369 | 13,815 | 15,441 | 19,142 |
| Domestic and Commercial Flow (gpcd) | 96 | 103 | 110 | 120* |
| Average Day Flow, MGS | | | | |
| Industrial | 0.02 | 0.03 | 0.03 | 0.03* |
| Tourist | 0.63 | 0.68 | 0.73 | 0.80 |
| TOTAL MGD | 1.74 | 2.13 | 2.46 | 3.13 |

*Estimated by City of Morro Bay
SOURCE: City calculations

Methods of obtaining additional water resources shall ensure protectection of the biological productivity of coastal waters. Accordingly, extractions of water from groundwater basins shall not exceed Basin Safe Yield except under a conjunctive use program. Determinations of Basin Safe Yield shall ensure that groundwater extractions, stream diversions, etc. do not exceed a magnitude when the biological productivity of coastal waters is adversely affected.

Residential priority for first three quarters shall be the following:

1. Low or moderate income housing
   (a) multi-family
   (b) single family
   (c) newly subdivided multi-family
   (d) newly subdivided single family

2. Market rate housing
   (a) single family (owner occupied)
   (b) single family (speculative built)
   (c) multi-family (rental no subdivision)
   (d) infill subdivisions

Residential priority in fourth quarter shall be the following:

1. Low or moderate income housing
   (a) multi-family
   (b) single family
   (c) newly subdivided multi-family
   (d) newly subdivided single family

2. Market rate housing
   (a) single family (owner occupied)
   (b) single family (speculative built)
   (c) multi-family (rental no subdivision)
   (d) infill subdivisions

Policy 3.02. In any system the City of Morro Bay uses for water allocation, the City shall insure the following uses receive priority for available water and wastewater treatment facilities:

Commercial Fishing / Agriculture
Coastal-Dependent Land Uses
Coastal-Related Land Uses
Essential Public Services and Basic Industries
Public Recreation
Commercial Recreation
Visitor-Serving Land Uses
Residential and other Commercial and Industrial Land Uses

Residential land uses shall be allocated water based on the following order of varying residential parcels:

(1) presently subdivided parcels within existing developed areas;
(2) presently subdivided parcels contiguous to developed areas or unsubdivided parcels within existing developed areas;
(3) unsubdivided parcels contiguous to developed areas;
(4) unsubdivided parcels isolated from either presently developed or subdivided areas.

The above noted priority list has been employed in the water allocation regulations contained in Coastal Permit No. 4-81-309, as amended. This policy shall not be construed to preclude projects, for which water has been credited through conservation measures (such as retrofit of existing facilities with water-saving fixtures), from being approved, provided that the regulations and procedures contained in Coastal Permit No. 4-81-309, as amended, are complied with.

Policy 3.03 The City may develop a specific, comprehensive, long-range water plan which will implement water management policies that will provide water service consistent with sound resource planning. New water and sewer services to previously unsubdivided areas shall not be approved until a Water Management Plan has been developed, adopted, and submitted for Coastal Commission review and approval as a subsequent amendment to the LUP.

Policy 3.04 Chapter 3 Coastal Act Policies shall be the basis for reviewing the adequacy of any Water Management Plan. A Water Management Plan shall ensure at a minimum, the following:

1. An adequate water supply for coastal-dependent activities such as commercial fishing, oyster farming, fish and shellfish processing, recreational boating and fishing and industrial energy development.

2. Continued protection of the Morro Bay wetland areas with assurances that the wetlands shall continue to be seasonally flushed of accumulated salts from sediments.

3. An adequate ground surface water supply to protect the biological productivity of coastal waters including riparian stream corridors upon which the anadromous fishery depends for viability.

4. Sufficient water for agricultural operations in the Morro and Chorro Valleys.

Once a Water Management Plan has been incorporated into the LUP, the approved elements of the plan shall be implemented with each project approval accompanied by findings that the resources listed above have been protected consistent with Chapter 3 policies contained in the Coastal Act. Upon implementation of the Water Management Plan, new subdivision in previously undeveloped areas may be permitted.

Policy 3.05 The City of Morro Bay shall adopt a five-year Capital Improvement Program which specifies maintenance, improvements, and extensions of water and sanitary sewer facilities, including recommendations of the Water Management Plan.

Policy 3.06 The City will continue a program of providing wastewater treatment facilities to accommodate the build-out population of 12, 195, determined to be the build-out figure in Coastal Development Permit No. 406-01, which permitted further expansion of the wastewater treatment facilities to 2.4 mgd.

Policy 3.07 Water-saving devices shall be required in new developments. These devices may include, but are not limited to the following:

(1) faucets with faucet aerators to help reduce the flow of water to 2 gallons per minute, or less;

(2) water restrictions on shower heads to restrict water to 3 gallons per minute, or less;

(3) water conservation toilets to restrict each flush to 3 gallons or less.

Efforts to conserve or reduce water consumption through the implementation of water-saving techniques shall be recognized by the City when determining priority of water use allotments.

## 3.08 WATER MANAGEMENT PLAN (Adopted 1995)

Determining the long term water source for the City of Morro Bay has been a topic of Debate for many years. Numerous consultant reports, project investigations and voter initiatives have not been able to forge a water policy. With the completion of the *Analysis and Recommendation for a Water Management Plan for the City of Morro Bay* as prepared by Boyle Engineering Corporation and with the passage of Measure G which mandates the use of State Water through the Coastal Aqueduct as an imported source of water, the City is now able to formulate the City's long term water management plant. The Plan is set forth below.

The City shall review the water management plan at least once every five years to ensure that water sources are adequate and to reflect any changes in climatic, hydrological, technological, or political conditions that could affect the City's long-term water supply, whether negatively or positively. As part of the five year review, the City shall prepare a report and submit a copy to the Executive Director for review. When necessary updates to the water management plan are identified through the five year review, or as necessary at the discretion of the City, the City shall update the water management plan by amending the Land Use Plan.

**The following programs will be implemented and/or continued in that State Water usage has been mandated by the people:**

1. The City will develop appropriate levels of water conservation needed based on water availability and quality.

2. The City should continue with voluntary water conservation unless average annual personal water use exceeds 130 gpcd, at which time an extensive consumer education program shall be implemented and if unsuccessful, more stringent measures shall be adopted.

3. The City shall continue the use of groundwater within the limits of the City's water rights and promote the continued conservation of all water use through existing programs and promote additional methods of conservation to the benefit of the consumers.

4. The City shall take all the necessary steps to obtain the City's rights to its groundwater within the Morro and Chorro Basins.

5. Even with delivery of State Water, use of reclaimed water is the City's second highest priority and remains a productive source of potential conservation for both large and small scale projects, respectively, and as a result, should be pursued when funded by a potential user. Required as part of a wastewater plant upgrade or permit condition or when it is shown as cost effective for City use. Staff is further directed to pursue small scale projects as both internal and external funding sources are made available.

6. The City shall continue its participating in the State Water Project, in particular, the Coastal Branch Aqueduct and local facilities.

7. The City shall apply for and obtain permits to allow operation of the existing desalination facilities as a source of routine replacement water. With the high energy consumption of desalination, it is expected that the facilities will be operated intermittently once State Water is available. The main purpose of the facilities will be to make up for shortfalls in State Water and/or groundwater during droughts and blending to meet the City Council's established **minimum**** water quality standards, so long as those standards are consistent with the State Department of Health Service potable drinking water standards.* The permits should allow use of the facilities at the discretion of the City, so that the City can utilize all of its water supply options without declaring a water emergency.

8. Once permits are obtained, and before State Water is available, the City should begin operation of the desalination facilities, to verify its performance and to allow goundwater basins to achieve the minimum water quality standards established by the City Council, so long as those standards are consistent with the State Department of Health Services potable drinking water standards.* Due to a settlement agreement between the City and the Cayucos Sanitary District, no discharge of brine waste from the desalination facilities into the jointly owned outfall shall occur.

9. The City shall monitor groundwater levels and quality. The desalination plant initially shall be operated as necessary to reduce groundwater pumping to ensure that

groundwater quality meets or exceeds established minimum water quality standards for a continuous period of not less than four consecutive months. Thereafter, the desalination plant shall be used as needed to ensure **the City's**** minimum water quality standards are met, as routine replacement, and to offset drought conditions.*

10. When State Water becomes available, the City shall conjunctively use State Water, groundwater, and routine replacement desalination water to meet its demands in an economical manner without causing adverse levels of sea water intrusion or exceeding minimum water quality criteria as defined by the State or a subsequent action by the City.

11. A replacement well or wells for Well No. 8 should be constructed, far enough from Chorro Creek that the pumped water will not be under the influence of surface water.

12. The City shall consider construction of a blending system to uniformly blend its water supplies within the City. Blending will greatly improve water quality, and will increase flexibility in which groundwater wells are pumped. Blending will also help the City meet stringent new water quality regulations currently being promulgated at the State and Federal levels.

13. If a permit is not received for operation of the desalination facilities as a routine replacement water source, the City should consider whether to continue to participate in Nacimiento Water Supply Project, as that project moves into the Phase 4, preliminary design and environmental review.

**Should the City be relieved of its mandate to participate in State Water by a subsequent vote of the people, then the following programs would be pursued:**

1. Immediate creation of a voluntary retrofit program throughout the entire City promoted and paid for the City, since Conservation is the City's number one priority.

2. The City shall continue the use of groundwater within the limits of the City's water rights and promote the continued conservation of all water use through existing programs and promote through a massive advertising campaign to encourage additional methods of conservation.

3. The City should continue with voluntary water conservation unless average annual personal water use exceeds 130 gpcd, at which time an extensive consumer education program shall be implemented and if unsuccessful, more stringent measures shall be adopted.

4. The City shall take all the necessary steps to obtain the City's rights to its groundwater within the Morro and Chorro Basins. The City's outstanding applications with the SWRCB, Division of Water Rights requested a total of 1723 AF.

5. A replacement well or wells for Well No. 8 should be constructed, far enough from Chorro Creek that the pumped water will not be under the influence of surface water.

6. The City shall consider construction of a blending system to uniformly blend its water supplies with the City. Blending will greatly improve water quality, and will increase flexibility in which groundwater wells are pumped. Blending will also help the City meet stringent new water quality regulations currently being promulgated at the State Federal levels.

7. The City shall establish incentives to increase the use of greywater for irrigation within he limits of the criteria as set forth by State Health. Should those limits make greywater use impractical within the City, staff is directed to pursue the necessary legislative option at the State level to set reasonable standards and limits on greywater use.

8. Upgrade a portion of the wastewater effluent (100-200 AF) to tertiary treatment and build pipelines to distribute to schools, parks and or farms for irrigation. All available options should be investigated as possible sources for water reclamation.

9. The City shall apply for and obtain permits to allow operation of the existing desalination facilities as a source of routine replacement water. With the high energy consumption of desalination, it is expected that the facilities will be operated intermittently. The main purpose of the facilities will be to make up for shortfalls in groundwater during droughts and blending to meet the City Councils' **minimum**** established water quality standards, so long as those standards are consistent with the State Department of Health Services potable drinking water standards.* The permits should allow use of the facilities at the discretion of the City, so that the City can utilize all of its water supply options without declaring a water emergency.

10. The City will continue to participate in Phase 4 design and environmental review of the Lake Nacimiento project. If it is determined to be cost effective, then participation through the construction phase of this project should be considered by the City.

* =language approved by Coastal Commission Staff
**=added by Coastal Commission Staff at time of approval

CITY OF MORRO BAY

# PROPOSED LAND USE PLAN*

# OF THE

# LOCAL COASTAL PROGRAM

*As adopted JUNE, 1981,

Incorporating Revisions of

JANUARY, 1982

SEPTEMBER, 1982

Certified by the Coastal Commission

OCTOBER, 1982

Prepared and Edited with Revisions by

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# LIST OF RESOLUTIONS AMENDING THE LOCAL COASTAL PLAN

| Resolution No. | Date Adopted | Description |
|---|---|---|
| 108-82 | 9/82 | 213 Beach St. change Service Comm. to Community Comm. |
| 10-83 | 1/83 | Beach St. area from Service Comm. to Med Dens. Residential |
| 29-83 | 2/83 | Land Use Design amendment to Area 3a,3b,4a,4b,6,7a,7b & 8 |
| 116-83 | 9/83 | Various land use designation changes |
| 138-83 | 11/83 | Zoning Map approval of LCP Certification |
| 13-84 | 1/23/84 | Various land use designation changes |
| 25-84 | 3/12/84 | Interpretation of water policies |
| 95-84 | 8/13/84 | Various land use designation changes |
| 106-84 | 8/27/84 | Amendment to Area 6 |
| 108-84 | 9/11/84 | Recreation Element |
| 9-85 | 2/25/85 | Amendment to Policies 3.01 & 3.02 Retrofit Program Water Policies |
| 101-85 | 10/14/85 | Policy 7.01 and various amendments to ZO Map |
| 47-87 | 4/13/87 | Policies 6.07 & 6.09 Measure B Williams Bro. Property |
| 95-87 | 8/10/87 | Map Amendment Parcel Map No. 79-278 |
| 51-88 | 5/23/88 | Amendment to Res 95-87 Map Only |
| 127-88 | 10/24/88 | Text and Map amendment for Area 2 |
| 143-88 | 12/12/88 | Amending language of 127-88 per CCC approval |
| 144-88 | | Accepting Res. 143-88 as modified by CCC |
| 145-88 | 12/30/88 | Accepting CCC Certification of 127-88 Area 2 |
| 146-88 | 12/30/88 | Rescinding Resolutions 143-88 & 144-88 and substituting Res. 145-88 |
| 05-89 | 1/9/89 | Accepting Certification and Amendments to Res. 47-87 |
| 06-89 | 1/9/89 | CCC Certification of Res 47-87 with modifications |
| 16-89 | | Accepting CCC Certification of Res. 95-87 Map Only |
| 33-89 | 3/27/89 | Amendment to Area 5 |
| 35-89 | 3/27/98 | Amendment Map (Measure D) Piney Way |
| 43-89 | | North Main Street Specific Plan |
| 77-89 | | Reformat General Plan - reference LCP policies within elements |
| 97-89 | 8/14/89 | Map Amendment - Annexation Gist (Zanzibar) |
| 126-89 | 10/30/89 | Area 2 |
| 112-90 | 9/10/90 | N. Main Street Specific Plan Map Area D revision |
| 11-91 | 1/28/91 | North Point |
| 17-91 | | Policies 9.04 & 9.07 Seismic |
| 64-91 | 6/10/91 | Measure H (Williams Property) Reduce commercial area |
| 14-92 | 2/10/92 | North Point Map Amendment to conform to CCC approval |
| 20-92 | 2/24/92 | Measure H |
| 08-95 | 2/14/95 | Water Management Plan |

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# VI. ARCHAEOLOGY

## A. INTRODUCTION

This chapter describes the methods to insure protection of archaeological resources within the City limits. The City may contain additional archaeological resources in areas where development has not yet occurred or in already developed area in the City. Most resources are not readily seen until grading and construction occurs. Many of the City's known sites have been discovered as a result of construction.

## B. GOVERNMENTAL POLICIES

There are several state policies regarding the preservation of, or interference with Native American Heritage. Except for the California Environmental Quality Act and the Coastal Act, none of the state policies refer to privately owned land. The policies are briefly described as follows:

### 1. The California Coastal Act of 1976.

The California Coastal Plan of 1976 recognized the need to provide protection for archaeological resources, noting that "archaeological sites resulting from ... thousands of years of human settlement along the coast are among the most fragile nonrenewable resources in the coastal zone" and that knowledge of prehistoric cultures "can be gained only from the detailed study of archaeological remains, the only source for more than 95 percent of California's cultural history."

This common concern for the protection of archaeological resources was reflected in the California Coastal Act of 1976 through PUblic Resources Code, Section 30244 which provides that, "Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required."

### 2. The California Environmental Quality Act (CEQA) of 1970

The California Environmental Quality Act (CEQA) requires environmental effects of significant projects and undertakings be avoided or mitigated. (Public Resources Code, Sections 21000, et seq.). This statute currently establishes one of the more important mechanisms by which many Native American heritage resources on both public and private land are identified and protected in California.

The mitigation requirements of CEQA apply only when it is determined that a proposed project may have a significant effect upon the environment. The criteria used in determining a"significant effect" includes the elimination of "important examples of the major periods of

California history or prehistory" (State EIR Guidelines, California Administrative Code, Title 1c, Division 6, Chapter 3). However, the guidelines do not include native American heritage, Indian cemeteries and cultural remains as specific topics of environmental concern. The guidelines additionally fail to list an agency of special expertise in that subject which might be consulted. To resolve these problems, the American Heritage Commission has begun working with the Resources Agency and the Office of Planning and Research in revising the EIR guidelines.

3. Public Resources Code

Section 5097.9 of the California Public Resources Code stipulates that it is contrary to the free expression and exercise of Native American religion to interfere with or cause severe or irreparable damage to any Native American cemetery, place of worship, religious or ceremonial sites or sacred shrine.

Section 5097.5 of the California Public Resources Code makes it a misdemeanor for a person to knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site situated on public lands, except with expressed permission of the public agency having jurisdiction over such lands. As used in this section, (Public Lands) means lands owned by, or under the jurisdiction of the State, or any City, County, district, authority or public corporations, or any agencies thereof.

Section 622 1/2 of the California Penal Code makes it a misdemeanor to disfigure, deface or destroy any object of archaeological or historical interest or value, whether situated on public lands or within any public park or place.

4. Health and Safety Code

Several statutes regulate exhumations, dissections, mutilations, removal, interment, collection by unauthorized agencies and individuals of historic and archaeological Native American remains.

Section 7052 of the California Health and Safety Code makes it a felony to mutilate, disinter or remove from the place in interment any human remains. This felony is punishable by up to 5 years in prison.

Section 8101 of the California Health and Safety Code requires up to six months in jail and/or $ 500 fine for obliterating or disturbing a grave. Other sections of the Health and Safety Code relate to Historic remains regarding death certificates, disposition permits, markers or location records and burial places (H & S 7054, 7500, 10375, 7114, 7052 and Government Code 27491). These laws require that the coroner's office be contacted in the event that human remains are uncovered.

as indicated above, these various policies do not apply to archaeological resources on private lands; nor do they provide adequate protection of archaeological resources from developments on publicly held lands.

## C. ISSUES AND CONCERNS

One of the basic issues raised in protecting archaeological resources is the conflict between the need to inventory existing and potential sites and the preservation of those sites once their location becomes public knowledge. Archaeologists avoid revealing site locations because of the temptation for many people to search for artifacts once a site is publicly known.

A second protection issue is that the location of known sites does not reflect the potential importance of portions of the coast that have not yet been surveyed (in fact, the majority of the coast.) This is an important issue when defining the types of projects that should require a preliminary survey of archaeological resources, because most known sites have been discovered as a result of development activity and public access.

In general, urbanization and uncontrolled public access appear to be the principal sources of destruction of archaeological sites. The direct threats posed by urbanization include: grading activities (both agricultural and construction related); residential and industrial construction; construction of roads and highways; water projects (eroding and burying sites); pipeline projects; off-road vehicles; recreational developments; natural forces (water and wind); and unauthorized collection of artifacts. One of the most significant indirect threats to the integrity of archaeological sites is public access. Vandalism has always been a source of site destruction and its probability increases with enhanced access to areas of archaeological significance. Any increase in temporary or permanent population in the vicinity of a site increases its vulnerability to disturbance. Construction of public roads that provide access to areas of archaeological significance or publication of known site locations can also increase vandalism.

Single-family residential development on individual building lots presents an important dilemma in determining the necessary scope of archaeological review. Under the California Environmental Quality Act (CEQA), single-family residences and residential projects of less than four units are exempt from environmental review unless archaeological resources are known to be on the property. Thus, the information necessary to locate structures to preserve archaeological resources may not be available or used. Proposed development on large lots will have some flexibility to enable clustering structures on the least damaging portions of a site.

## D. ARCHAEOLOGY POLICIES

Policy 4.01 Where necessary significant archaeological and historic resources shall be preserved to the greatest extent possible both on public and privately held lands.

Policy 4.02 The City shall establish and maintain an inventory of archaeological site records. A sensitivity map shall be developed based on available information on file with the California Archaeological Site Survey Office. This information shall be treated as confidential to protect the archaeological resources. Until the mapping has been completed, an archaeological reconnaissance performed by a qualified archaeologist and/or a review of record sites shall be required of all projects applying for a coastal permit.

Policy 4.03 An archaeological reconnaissance performed by a qualified archaeologist shall be required as part of the permit review process for projects with areas identified as having potential archaeological sites. An archaeological reconnaissance will be required for all projects requiring an Environmental Impact Report under CEQA.

Policy 4.04 where archaeological resources are found as a result of a preliminary site survey before construction, the City shall require a mitigation plan to protect the site.

Policy 4.05 Where archaeological resources are discovered during construction of new development, or through other non-permit activities (such as repair and maintenance of public works projects) all activities shall cease until a qualified archaeologist knowledgeable in Chumash culture can determine the significance of the resource and designate alternative mitigation measures. Development that impacts archaeological resources shall be required to mitigate impacts in one of the following manners:

a. Removal of artifacts
b. Dedication of impacted area as permanent open space
c. Coverage of archaeological site by at least 24 inches of sterile sand.

Policy 4.06 Any archaeological sites of state-wide significance shall be nominated for inclusion in the Registry of California Historic Landmarks. Those of national significance shall be nominated for inclusion the National Registry of Historic Place and the National Historic Landmark Program.

Policy 4.07 All available measure, including purchases, tax relief, purchase of development rights, etc. shall be explored to avoid development on significant archaeological sites. Where sites containing significant archaeological resources are already in public ownership including ownership of the City, the City shall encourage the retention of the site in public ownership and the protection of the archaeological resources. The transfer of City owned properties containing significant archaeological resources shall be accompanied by a deed restriction containing provisions protecting the archaeological resources on the site.

Policy 4.08 Activities other than development which could damage or destroy archaeological resources including, but not limited to, off-road vehicle activity and unauthorized collecting of artifacts, shall be prohibited unless specifically permitted by the permit issuing agency with provisions for adequately protecting any archaeological resources.

# VII. ENERGY/INDUSTRIAL DEVELOPMENT

## A. INTRODUCTION

A number of energy facilities are located in the City of Morro Bay and its surroundings, and recent signs indicate that the City will feel the pressure of more energy development in the near future.

As part of its Local Coastal Program, Morro Bay is required to address energy and other coastal-dependent industrial developments that may have a significant impact on the community. Existing facilities in Morro Bay which must be address include:

(1) Chevron Estero Bay tanker-terminal;
(2) Texaco fuel storage tanks;
(3) U.W. Navy marine terminal and storage tanks;
(4) Pacific Gas and Electric Fossil fuel thermal power plant, marine terminal and associated facilities.

In addition to these existing energy-related facilities, there is the potential that new energy developments may be located in the area; these include:

(1) Estero Bay super tanker port;
(2) Expansion of the PG&E power plant;
(3) Support facilities for Outer Continental Shelf (OCS) oil and gas development;
(4) New power plants.

## B. COASTAL ACT POLICIES

The Coastal Act contains general and specific policies regarding energy. Although the Coastal Act emphasizes the protection, enhancement, and restoration of coastal resources, it also recognizes that energy-related development is necessary for the social and economic well-being of the state. An "energy facility" is defined by Section 30107 of the Act as "any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy."

Energy development in the coastal zone is permitted based on Section 30001.2. The legislature finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, off-shore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state.

The Coastal Act policies addressing industrial development distinguish between coastal-dependent and other types of development. Energy developments are classified as a type of industrial development. According to the Act, coastal-dependent development or use is one which requires a site on or adjacent to the sea. Examples of coastal-dependent energy facilities include: separation and treatment facilities which support offshore petroleum development (for separation of water and gas from oil), marine terminals, and liquefied natural gas terminals.

Under Section 30255 of the Act, both industrial and non-industrial coastal-dependent development are given priority over other developments on or near the shoreline. In addition, the following Section of the Act establishes criteria and allowances for overriding considerations regarding conflicting policies for siting coastal-dependent industrial facilities.

Sec. 30260. "Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this Section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare, and (3) adverse environmental effects are mitigated to the maximum extent feasible."

This Section of the Act allows special consideration for industrial development that may not be consistent with other Coastal Act policies, yet may be necessary to provide for the public welfare.

The following Coastal Act policies relate to oil and gas development:

Sec. 30261. "(a) Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tank terminals outside of existing terminal areas shall be situated so as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and recovery equipment for oilspills, and (4) have onshore deballasting facilities to receive any fouled ballast water from tankers where operationally or legally required.

(b) Because of the unique problems involved in the importation, transportation, and handling of liquefied natural gas, the location of terminal facilities therefore shall be determined solely and exclusively as provided in Chapter 10 (commencing with Section 5550) of Division 2 of the Public Utilities Code and the provisions of this division shall not apply unless expressly provided in such Chapter 10."

The following Coastal Act policies pertain to siting thermal power generating plants.

Sec. 30264. "Notwithstanding any other provisions of this division, except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed in the Coastal Zone if the proposed coastal site has been determined by the State

Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined pursuant to the provisions of section 25516."

This Section establishes special consideration to coastal dependent energy development if other Coastal Act policies cannot be complied with and recognizes that the State Energy Resources Conservation and Development Commission (ERCDC) may decide to select sites in the coastal zone upon a showing that these sites have greater relative merit than available alternatives. This siting authority is limited within the coastal zone to areas not designated by the State Coastal Commission under Section 30413(b), which reads as follows:

Sec. 30413(b). "The Commission shall, prior to January 1, 1978, and after one or more public hearings, designate those specific locations within the coastal zone where the location of a facility as defined in Section 25110 would prevent the achievement of the objectives of this division; provided, however, that specific locations that are presently used for such facilities and reasonable expansion thereof shall not be so designated. Each such designation shall include a description of the boundaries of such locations, the objectives of this division which would be so affected, and detailed findings concerning the significant adverse impacts that would result from development of a facility in the designated area. The Commission shall consider the conclusions, if any, reached by the State Energy Resources Conservation and Development Commission in its most recently promulgated comprehensive report issued pursuant to Section 25309. The Commission shall transmit a copy of its report prepared pursuant to this subdivision to the State Energy Resources Conservation and Development Commission."

Though refineries are not necessarily coastal-dependent developments, their location in coastal metropolitan areas may put them in the coastal zone. The following Section of the Act establishes criteria for locating refineries in coastal areas.

Sec. 30263. "New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if: (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property."

The following provisions of the Act deal with the potential effect that new energy development may have on the coastal zone--air and water pollution that may result from oil and gas development, and the need to separate potentially hazardous industrial development from existing developed areas (see also Sec. 30233, Chapter XI):

Sec. 30232. "protection against the spillage of crude oil, gas, petroleum products, or hazardous substances, shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur."

Sec. 30250(b)..."where feasible, new hazardous industrial development shall be located away from existing developed areas."

Sec. 30253(3) "New development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development."

## C. GOVERNMENT REGULATION OF ENERGY DEVELOPMENT

Because energy facilities are generally considered to be of "greater than local significance, they are regulated by a large number of federal, state and local regulations, of which the California Coastal Act is but one. Local jurisdiction over energy-related development has been pre-empted by state and federal agencies over the last 20 years.

However, under Section 30519 of the Coastal Act, the permit authority over energy-related developments that the Coastal Commission now enjoys delegates to the City of Morro Bay upon certification of the City's Local Coastal Program. For those future energy projects not identified within the Local Coastal Program at the time of certification, an amendment to the Program may be requested if the purpose of the energy-related development proposal is to meet the needs of an area larger than the City.

Having discussed the existing basic responsibilities of the Coastal Commission as well as the future responsibilities for regulating energy-related development that will be shared or assumed by the City, it is now necessary to look into how specific types of energy-related facilities are regulated by a variety of government agencies.

### 1. Power Plant Siting

The State Energy Conservation and Development Commission is the sole permitting agency for siting thermal power plants exceeding 50 megawatts in the State. For every power plant proposed, three alternative sites must be evaluated, one of which must be in the coastal zone.

The construction or operation of new power plants and expansion or alterations to existing plants is, however, covered by Coastal Act Policy. The Coastal Act recognizes that power generating and other facilities which may be incompatible with coastal resource protection goals are necessary for the social and economic well-being of the state and nation. Section 3001.2 of the Act provides the basis for allowing this type of development in the coastal zone. This study will be discussed further under Pacific Gas and Electric's fossil fuel power plant.

### 2. Marine Terminals

The City of Morro Bay has jurisdiction over those portions of a marine terminal that are on land (i.e. pipelines, storage tanks and other associated facilities). Those portions of a marine terminal which are seaward of the mean high tide line are regulated by the Coast Guard and the State Lands Commission.

### 3. Pipelines

Technical performance standards for all oil and gas pipelines are governed by Federal regulations administered through the California Public Utilities Commission.

However, after certification of the LCP, pipelines will be reviewed for conformance with the Land Use Plan policies. But permits shall not be required for pipelines exempted from coastal development permits under Section 30610(d) of the California Coastal Act of 1976 as defined by the Interpretive Guidelines on Exclusions from Permit Requirements adopted by the State Coastal Commission on September 5, 1978.

### 4. Electrical Transmission Lines

The California Public Utilities Commission and the California Energy Commission are the agencies responsible for review and approval of all electrical transmission lines. This includes all technical, safety and environmental concerns. However, the Coastal Act does provide the City permit authority over proposed lines within the City. An exception to this permit authority is electrical transmission lines proposed as part of a new power plant with a capacity greater than 50 megawatts (Section 30264 of the Coastal Act.).

### 5. Outer Continental Shelf (OCS) Oil and Gas Development

Oil and gas development offshore is governed by State or Federal regulations, depending on whether the development is within the State's three mile limit.

Within the three mile limit, the State Lands Commission and the California Coastal Commission have jurisdiction over energy developments. Outside the three mile limit, the United States Department of the Interior through the Bureau of Land Management has the responsibility to oversee and regulate energy development.

Onshore facilities to support offshore energy developments fall within the jurisdiction of the City and Coastal Commission approval and may pre-empt the City's permit powers.

The City's permit powers and discretion for onshore energy developments on State Tidelands have been granted to the City. The State however has the use of these lands without local approval.

## D. EXISTING INDUSTRIAL AND ENERGY-RELATED DEVELOPMENTS

The Section inventories the existing industrial and energy-related activities and facilities within the coastal zone, as well as proposed plans to expand or modify these facilities. Figure 14 shows the location of these facilities. It must be realized that due to the dynamics of the energy situation, projecting energy demands and the necessary facilities over a long period is extremely difficult. Currently, none of the facilities discussed here are projecting expansion and when such expansions would be proposed, they will require an amendment to the Coastal Plan.

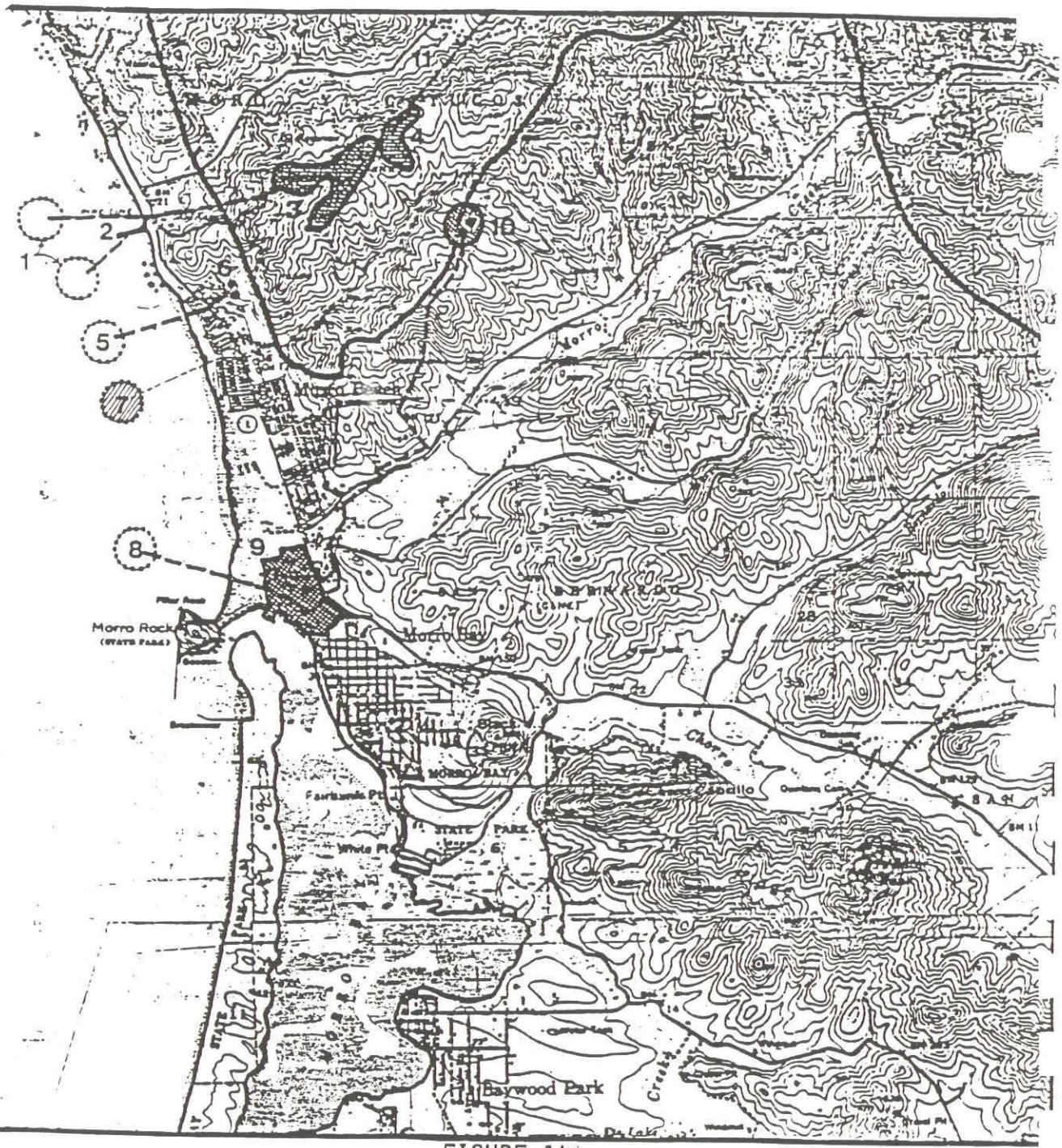



FIGURE 14
MORRO BAY ENERGY-RELATED FACILITIES

1. Chevron U.S.A. Marine Terminals and Pipelines
2. Chevron U.S.A. Pier
3. Chevron U.S.A. Oil Storage Tanks
4. Texaco Oil Storage
5. Navy Marine Terminal and Pipeline
6. Navy Jet Fuel Oil Storage Tanks
7. Former Texaco Marine Terminal and Abandoned Pipeline
8. PG&E Marine Terminal and Pipeline
9. PG&E Morro Bay Power Plant
10. PG&E Oil Storage Tanks and Pipelir
11. Chevron U.S.A. Pipeline from San Ardo and San Joaquin Valley

## 1. Chevron U.S.A. Estero Marine Terminal

Chevron U.S.A. has a tank farm and tanker facility at Estero Bay, located at the extreme northern end of the City near Toro Creek. This is a multi-company used coastal dependent industrial facility.

Existing facilities at Chevron's installation consist of two offshore marine terminals, a 1,200 foot long pier, pipelines, pump stations, sixteen (16) fuel storage tanks and accessory buildings. Although the majority of these facilities are located just outside the City limits, the pier and pipelines from the pump station cross the corporate boundaries of the City of Morro Bay. The areas west of the mean high tide are leased from the State Lands Commission.

The marine terminal facilities handle California crude oil produced in the lower San Joaquin Valley and the San Ardo oil fields in southern Monterey County. This facility is a crude oil storage and loading terminal. It does not process or refine the crude oils. Crude oil is transported to this terminal via pipeline and stored in hilltop tanks. The crude oil is then loaded onto ships which moor at one of the two marine terminals. Generally, three ships a week utilize the terminal loading facilities. One terminal can handle tankers of up to 30,000 deadweight tons (dwt) and the other up to 70,000 dwt. The average loading time is 12 to 24 hours.

Although this facility is owned and operated by Chevron, it is used as an exchange facility by several of the major oil companies, such as Mobil Oil Company and Texaco, Inc., in keeping with the Coastal Act Policy. These other oil companies are charged a fee for the handling costs incurred by Chevron.

Approximately 90,000 barrels a day are transferred through the pipelines to the storage tanks. Steam is used to heat the oil to facilitate movement through the pipeline. Tanks are sited on the hilltop in order to utilize gravity flow. Most of the total crude oil imported to this facility is provided by San Joaquin Valley fields. Crude oil is shipped primarily to ports in Los Angeles, San Francisco and Washington.

The pipelines which carry the fuel from the onshore storage facility to the ships are submerged beneath the tideline. The loading activities are performed underwater. The loading ship moors offshore in one of the designated mooring areas. The ships must mechanically maneuver a submerged hose (250 foot length) to connect to the ships storage area. All pipeline and loading controls are operated and controlled by the onshore terminal; once the hose is connected to the ship, the oil flow is released. Total control for the oil flow is maintained by the onshore terminal.

The pier structure, and particularly the old pipelines that travel along the top of it, are not presently utilized for loading operations because the loading pipelines are now beneath the water. The decaying pier is now used only for transporting crews to tankers, and Chevron has considered removing the pier or rehabilitating it for sport fishing and other public uses.

Chevron has a Spill Prevention Control and Countermeasure Plan (Spcc) for the Estero Hill plant tankage. This SPCC plan covers the hill storage facilities only. This plan is augmented by the Port San Luis and Estero Bay Oil Spill Cooperative which was formed in June, 1975, and involves a mutual agreement between Chevron, Union and P G & E. Membership by the U. S. Navy in the cooperative is pending. The cooperative has an oil spill contingency plan for loading lines and onshore facilities. Chevron U.S.A. also has the maintenance contract from the Coast Guard for oil offshore spillage clean up. The company belongs to the Clean

Sea Association of Santa Barbara which handles oil spillage operations. Clean Sea stores a boat and storage truck tank at the Estero Marine Terminal (for the transportation of spill waste) for the immediate use in the event of a small spill incident.

Although there are no pending proposals to expand Chevron's Estero Bay facilities, two major expansions have been proposed in the past consisting of a deep water monobuoy for super tankers, and a proposal to use the facilities for transport of petroleum from the Elk Hills Naval Reserve. In addition, Chevron has indicated that their facilities may be needed for OCS leases and for other coastal-dependent uses.

In February, 1975, Standard Oil Company of California proposed to add a deep-water berth and expanded onshore facilities at its (Chevron, U.S.A.) existing marine terminal at Estero Bay. These plans were suspended due to economic considerations in April, 1975.

In the mid-1970's, the U. S. Navy proposed the use of Chevron's Estero Bay terminal as a site to deliver crude oil from the Elk Hills Naval Reserve.

In February, 1975, Standard Oil Company of California proposed to add a deep-water berth and expanded onshore facilities at its (Chevron, U.S.A.) existing marine terminal at Estero Bay. These plans were suspended due to economic considerations in April, 1975.

In the mid-1970's, the U.S. Navy proposed the use of Chevron's Estero Bay terminal as a site to deliver crude oil from the Elk Hills Naval Reserve.

The Naval Petroleum Reserves Production Act of 1976 authorized the development of specified national petroleum reserves. The Act directs the Secretary of the Navy to ship at least 350,000 B/D from the Elk Hills Reserve in the San Joaquin Valley to unspecified marketing terminals. Three pipeline routes were considered: (1) Port Hueneme; (2) via Coalinga to Estero Bay; and (3) Avila Beach. Adverse impacts on air quality due to loading of crude at marine terminals eliminated these routes from further consideration.

It is not anticipated that Standard Oil will reconsider the Estero Bay site for a deepwater port within the time frame of the Local Coastal Program. However, if future plans are considered for a deepwater port or other expansion, an amendment to the Local Coastal Program would be required.

2. Texaco, Inc. Storage Tanks

Texaco, Inc., has a small amount of tankage and storage facilities located on North Main Street west of Del Mar School. A number of additional storage tanks are located in the hills adjacent to Chevron's storage tank area. These tanks, owned by Texaco, Inc. are located entirely outside the city limits, and as such they will be addressed in the County's Local Coastal Program.

At one time, Texaco did have a marine terminal for loading and unloading fuel for storage in the tanks, but decommissioned the terminal and pipeline in 1978. There have been no proposals to expand these facilities.

With removal of the marine terminal, expansion of this remaining facility seems unlikely. However, Chevron U.S.A. may utilize the Texaco, Inc. storage tanks in any expansion of its own facilities.

### 3. U.S. Navy Jet Fuel Marine Terminal

Another facility in Estero Bay within the corporate boundary of the City is the U.S. Navy jet fuel mooring facility and its associated storage tanks and pipelines located at Atascadero State Beach and the adjacent hillsides. Vessels unload jet fuel at the single five point mooring sporadically due to fluctuations in demand. Two storage tanks are located in the hillsides adjacent to residential areas in the City. An additional tank is used for water storage. The jet fuel is unloaded from the vessels and stored in the tanks where it is shipped through a 96-mile pipeline to Lemore Air Force Base. The fuel is then transported through the pipeline by an electrical pump.

Past proposals to expand the Navy's facilities have been limited to their proposed use of Chevron, U.S.A.'s facilities (see discussion under Chevron's Estero Marine Terminal), and no proposals have been made to expand the Navy's fuel storage facilities in their current setting. Due to the proximity of the Navy's fuel storage tanks to residential development, expansion of tankage on the 10-acre site would be unlikely. However, moving the existing tanks upland from the abutting residential ares could conceivably allow expansion of the tankage. Expansion or increased use of the marine terminal could pose air and water quality concerns and would require environmental determination and amendment of the Local Coastal Plan.

### 4. Morro Bay Power Plant

The Pacific Gas and Electric Company Power Plant has an existing plant within the City limits. Figure 15 shows the location of the plant and its support facilities. The power plant was constructed in two segments of two units each, one in the early 1950's and one in the early 1960's. The first two units are 163,,000 KW each and the second two are 338,000 KW each, for a total generating capacity of 1,002,000 KW net into the P G & E transmission system. This system extends from the vicinity of the Gaviota Pass in Santa Barbara County in the south, to the Oregon Border in the north. It also connects with neighboring utilities in Oregon, Nevada and Southern California.

The plant generates electricity from steam produced in boilers which consume about 34,000 equivalent barrels of fuel oil and/or natural gas per day at full turbine-generator capacity.

When steam is exhausted from the turbine, it must be condensed back into water in order for it to be re-used in the boilers. To provide sufficient water to accomplish this cooling, two pumps on each unit circulate the 50-55 degree Fahrenheit ocean water through the condensing heat exchanger for the associated unit where it turns the steam to water and increases its temperature up to approximately 75 degrees Fahrenheit. The No. One and Two unit pumps move 49,000 gallons per minute each, and the No. 3 and 4 unit pumps move 73,000 gallons per minute each, for a total of nearly 490,000 gallons per minute from the Morro Bay Harbor to Estero Bay at the base of Morro Rock.

One of the features of the plant is its ability to convert seawater to distilled water for use in its boilers which require distilled water of the highest purity. The Morro Bay Plant was the first plant in the United States capable of producing large quantities of distilled water from seawater. At maximum capacity under design conditions, the plant can produce over 250,000 gallons per day of distilled water.

Pacific Gas and Electric Company maintains an offshore terminal for unloading fuel oil to operate the plant. It is located 4500 feet offshore and was expanded from a five to seven point mooring in 1974. The maximum size vessel that can moor at this facility is 50,000 DWT.

Due to the fluctuation of ship availability and fuel demand, tanker deliveries are irregular and may vary from 15 to 30 tankers per year. The terminal includes five 165,000 barrel fuel oil storage tanks on the plant site. As a part of the marine terminal expansion in 1974, two 500,000 barrel storage tanks were installed north of Highway 41, about three miles from the plant site.

Long-range expansion plans for this facility include the construction of two additional steam turbine generators to the existing four generators. This addition would involve the construction of two additional exhaust stacks plus additional facilities for cooling the ocean water. One additional generator would cause the discharge water to rise about allowable levels. This would require additional cooling towers to bring the water back to an allowable temperature for discharge.

The power plant site covers 114 acres with 36.3 acres available for expansion onsite and an additional 50 acres available adjacent to the plant. According to a California Energy Commission report entitled "Feasibility of Expansion of Existing Coastal Zone Power Plants", the power plant site is the minimal adequate for expansion of small facilities whose location would not further affect the unique view corridor of Morro Rock and the report indicates that conversion is unfeasible due to a variety factors. The study does conclude that expansion is feasible for a small scale facility utilizing either steam turbine, the existing generating system, combined cycle or combustion turbine.

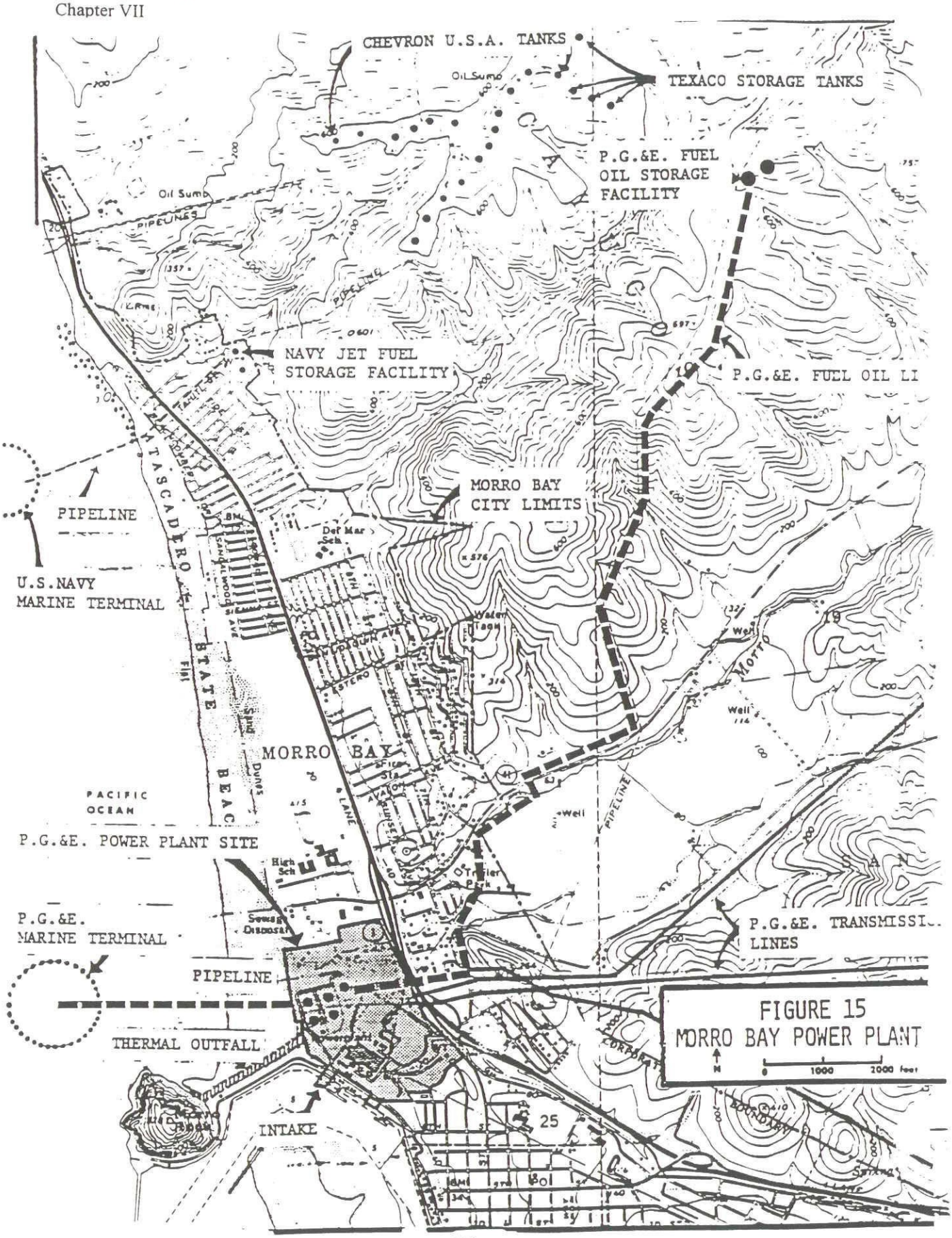
A combustion turbine power plant operates much like a steam turbine power plant except that the medium which flows past the turbine blades, causing them to turn, is the gaseous product of a combustion process. The turbine drives both the electric generator and also a compressor whose function is to compress input air to a relatively high pressure before it is mixed with gas or liquid fuel in the combustion chamber. The exhaust gases are released to the air after passing through the turbine. The efficiency of combustion turbine power plants (20 to 30 percent) is lower than that of steam turbine power plants, so operating costs tend to be high.

Gas turbines have some environmental advantages compared with steam turbine power plants. Since they do not employ a steam cycle, they do not cause heat addition to water. Exhaust heat may be vented from a short stack into the air, and being relatively small plants, they require little ground space. One major impact associated with these facilities is the large noise levels generated.

Combustion or gas turbine plants are generally utilized as speak load facilities to meet a load demand level occurring only at certain times.

A combined cycle plant combines the best features of gas turbines and steam power plants. The combined cycle plant uses the hot exhaust gas from a gas turbine to provide heat to a boiler for a conventional steam generator-turbine. The gas turbine and the steam turbine drive separate electric generators. The efficiency of this device is about 40 percent. Combined cycle plants ar generally utilized as base load facilities.

Another possibility for the power plant would be repowering. The Energy Commission (1979) identified the potential increase of efficiency for this plant as 15 percent (from 40 to 55 percent efficiency). Repowering of the existing facility would represent the process of converting the steam-turbine oil filed units into a more efficient combined cycle system by the addition of gas turbine generator units. Existing boiler units are replaced by waste heat recovery steam generators. The resulting repowered combined cycle plant, utilizing the existing steam-turbine generator unit provides a very substantial increase in the plant.


CHEVRON U.S.A. TANKS
TEXACO STORAGE TANKS
P.G.&E. FUEL OIL STORAGE FACILITY
NAVY JET FUEL STORAGE FACILITY
P.G.&E. FUEL OIL LI
MORRO BAY CITY LIMITS
PIPELINE
U.S.NAVY MARINE TERMINAL
MORRO BAY
PACIFIC OCEAN
P.G.&E. POWER PLANT SITE
P.G.&E. MARINE TERMINAL
PIPELINE
THERMAL OUTFALL
INTAKE
P.G.&E. TRANSMISSI.. LINES
FIGURE 15
MORRO BAY POWER PLANT
N
0
1000
2000 feet

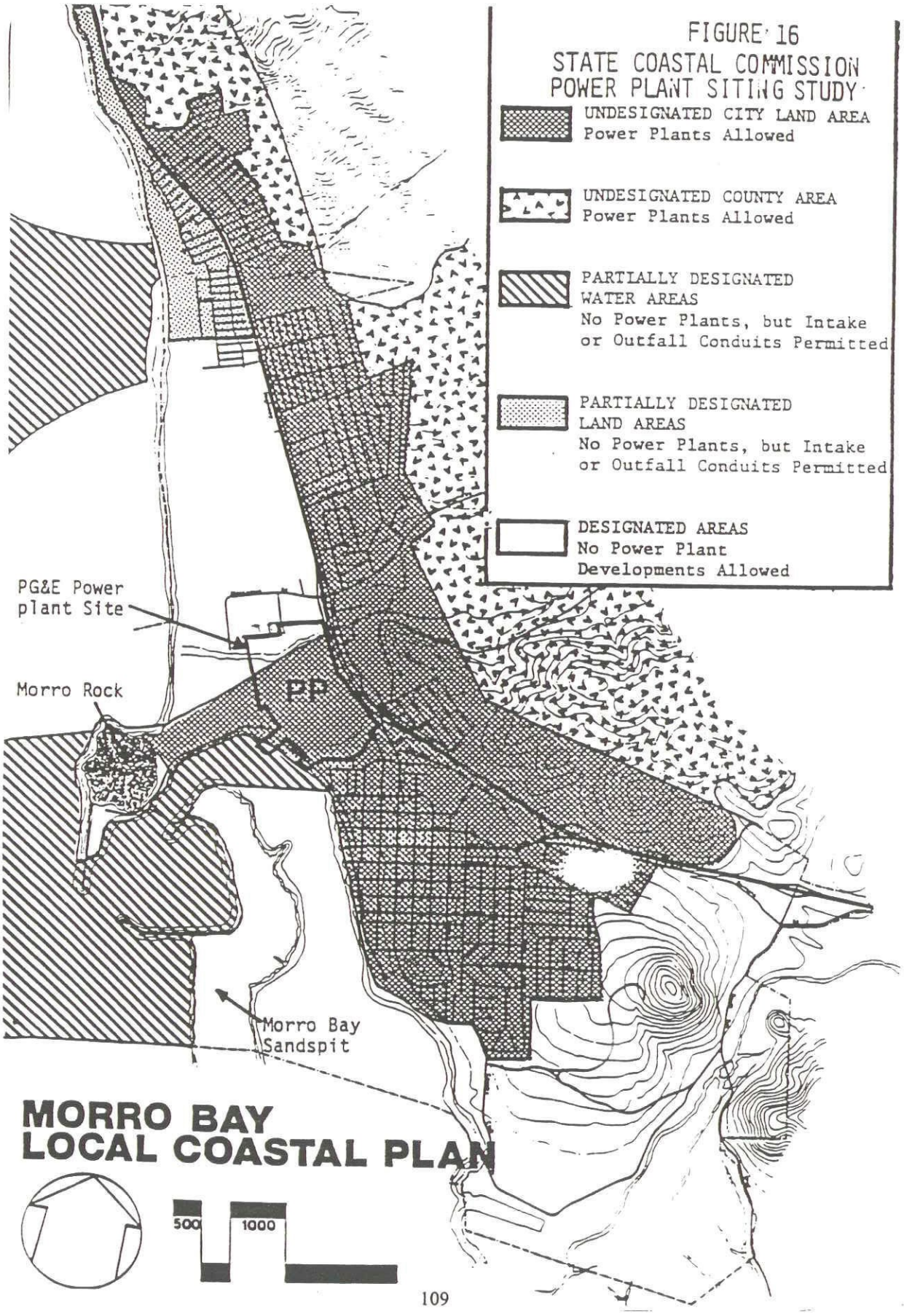


FIGURE 16
STATE COASTAL COMMISSION
POWER PLANT SITING STUDY
UNDESIGNATED CITY LAND AREA
Power Plants Allowed
UNDESIGNATED COUNTY AREA
Power Plants Allowed
PARTIALLY DESIGNATED
WATER AREAS
No Power Plants, but Intake
or Outfall Conduits Permitted
PARTIALLY DESIGNATED
LAND AREAS
No Power Plants, but Intake
or Outfall Conduits Permitted
DESIGNATED AREAS
No Power Plant
Developments Allowed
PG&E Power
plant Site
Morro Rock
Morro Bay
Sandspit
MORRO BAY
LOCAL COASTAL PLAN
500
1000

generating capacity and an improved plant generating efficiency. Repowering also serves to extend the operating life expectancy of the plant when compared to the prior existing steam generating unit.

The advantages of facility repowering are numerous. Repowering capacity can be added in a relatively short period of time, and can be added at a low cost. Repowering can be completed at existing plants with little environmental impact, but will require the conversion to clean burning fuels. The repowered plant will be competitively efficient with other types of more modern generating facilities and suitable for intermediate load operation. The new capacity can be added at existing stations, with minimum impacts to surrounding communities. The primary disadvantage to repowering is the utilization of older equipment which may be approaching the end of its practical physical life. Another potential for more efficient use of fuel at the power plant would be co-generation. Co-generation combines industrial use of steam with the production of electricity. One potential for the Morro Bay power plant is use of co-generation with aquaculture. The excess heat could be used to heat water to allow for the cultivation of warm water species.

It should be noted that determination of the feasibility of converting the power plant to alternate systems or repowering requires extensive onsite evaluations.

Expansion of the power plant in areas not designated inappropriate for power plant siting by the Coastal Commission (see following discussion) is controlled by the California Energy Commission. As such, the City of Morro Bay has no jurisdiction over plant expansion.

Expansion of the offshore marine terminal is also a possibility. Tankers of less than 70,000 dwt are decreasing while on the west coast those in the 70,000 to 99,000 DWT class are increasing. These larger tankers would probably require fewer deliveries, and due to the newer and better equipment, reduce the possibility of oil spillage. P E & E has recently received a permit to allow expansion of the Moss Landing Marine Terminal to handle tankers of up to 90,000 DWT. For P G & E to expand its facilities in Estero Bay, it would require an environmental determination, amendment of the Local Coastal Plan and Coastal Commission review.

## E. PROPOSED OR POTENTIAL INDUSTRIAL AND ENERGY-RELATED DEVELOPMENTS

### 1. Power Plant Siting Study Considerations

The Coastal Act requires the Coastal Commission to designate specific areas of the coastal zone that are not suitable for siting power plants. After these designations are adopted, the governing entity (the State Energy Commission) cannot approve a power plant located in a designated area. Figure 16 identified those areas designated as inappropriate for power plant siting within Morro Bay. In those areas of the City that the Commission does not designate, a power plant may be built or expanded without Coastal Commission approval.

A "partial designation" maya be given to areas where power plant siting is deemed unsuitable but underground facilities such as cooling water conduits are permitted.

Areas not recommended for designation may nonetheless contain valuable coastal resources and the City and the Coastal Commission can participate in the Energy Commission's power plant siting proceedings. This participation could include proposing modification to the proposed site and plant that would mitigate any potential adverse effects on coastal resources.

The Energy Commission must implement any recommendations made by the Coastal Commission unless those recommendations are found to cause more environmental damage or are not feasible.

As indicated by Figure 16, the area within the community not designated by the power plant siting study is the land immediately west of the P G & E power plant. This area covers about 50 acres and consists of portions of Atascadero State Beach, state tidelands and private holding (Den Dulk). This area was left nondesignated in the siting study to allow potential expansion of the power plant. However, based on the scale of expansion identified as being feasible by the Energy Commission for the power plant, sufficient acreage is available onsite. The study indicated acreage requirements for small scale plant expansion would not exceed ten acres (utilizing a once-through water cooling system). Even for large scale power plant expansion utilizing steam turbine, combined cycle or combustion turbine, land requirements would not exceed 33 acres, the amount available onsite.

The Morro Bay power plant site does have some constraints in terms of expansion. While cooling water is readily available, air quality standards may be a limiting factor. Environmental determination and an EIR would be required before expansion could occur.

The Coastal Act requires the Commission to "every two years revise and update the designations." These biennial revisions give the Commission an opportunity to examine the designations as more coastal resource date becomes available and may help to implement this City's Local Coastal Plan. This biennial revision also affords the City of Morro Bay the opportunity to recommend areas for designation. Specifically, the recommendations would address the need to designate the developed portions of the community as unsuitable for power plant siting, and would continue to stress expansion of the existing facilities in the existing P G & E owned properties.

2. Outer Continental Shelf (OSC) Oil and Gas Development

Increased demand for domestic fuel supplies has spurred the federal government to encourage oil industry development of Outer Continental Shelf oil and gas development. Currently, the Bureau of Land Management (BLM) has initiated proceedings towards a proposed lease sale for five basins off California's coast. The sale, known as Lease Sale #53, would include tracts totalling over 1,000 square miles off the San Luis Obispo County shoreline, as shown on Figure 17. In addition to Lease Sale #53, the BLM is initiating proceedings for other sales off California's central coast. Precise locations of the sales were not available at the time of writing of this chapter.

The tracts being proposed in 1980-81 for leasing off the County's coast are in what is known as the Santa Maria Basin. This is believed to be an offshore extension of oil bearing rock strata stretching from Point Conception north to Morro Bay. This basin, while comprising nearly half of the tracts in the total lease sale (115 out of 243), is estimated to contain over 70 percent of the recoverable oil and 404 billion cubic feet of gas.

While this estimate from the United States Geologic Survey (U.S.G.S.) is considered to be the most likely find, actual recoverable resources are possibly much higher or lower, though the likelihood of there being found no commercially recoverable oil or gas is quite small.

The process of recovering oil and gas from the Outer Continental Shelf requires considerable industrial activity on land as well as at sea. Offshore platforms must be constructed. Food, fuel and drilling supplies must be assembled and shipped to the offshore work site. The

workers from these activities need housing as well as community facilities and services. Estimating onshore impacts depends on whether or not recoverable resources are discovered, and if so, in what quantity. Until exploration is completed, the scale of onshore support requirements cannot be accurately predicted.

To meet the requirements of the National Environmental Protection Act of 1969, BLM was required to prepare an Environmental Impact Statement ((EIS) before leasing can occur. In the EIS for Lease Sale #53, the Bureau stated "There would be three (3) major onshore operations required in Humboldt Bay, San Francisco Bay and Morro Bay. The level of onshore facilities identified for Morro Bay "...could occupy approximately six (6) hectares (15 acres)" and would be used "...to store pipes and offshore drilling materials". Examination of service bases from other lease sales show that 15 acres may be the minimal size necessary for a base and, in fact, the area required could be considerably larger.

While identification of the City of Morro Bay as a service base site in the EIS does not preempt the City's authority to approve or deny such development, it does point out the desirability of

the harbor for such uses. The siting of service bases for OCS development is left to the oil companies. The oil industry prefers to locate services bases as close to their offshore operations as possible, due to the high cost of transportation. Consequently, final decisions on location may not be made until after the lease sale.

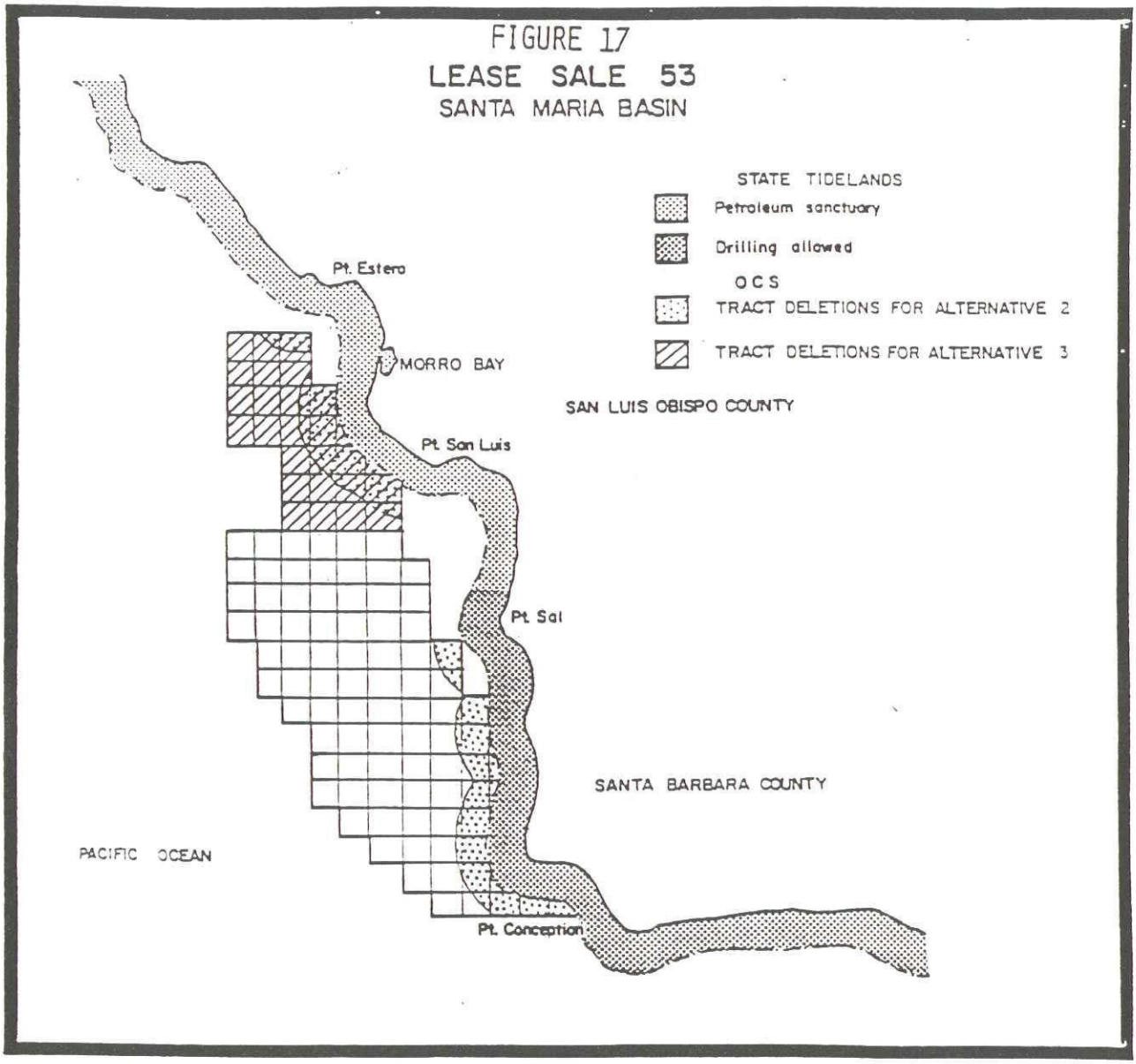
Besides proximity to offshore development, industry evaluates locations on the following factors:

(1) good truck and/or rail access;
(2) port facilities;
(3) available labor;
(4) skilled machine shop facilities;
(5) housing, medical and municipal facilities;
(6) environmental concern.

Since there is a shortage of suitable wharfage space, moorings and areas for expansion of commercial fishing industry, competition between commercial fishing and OCS related development will probably occur. From the oil industry's point of view, protected harbors which serve the commercial fishing industry are more desirable than pleasure boat marinas or cargo ports. However, construction and drilling boats associated with service bases are generally 180 to 220 feet in length and have a displacement of 15 to 20 feet. Presently, Morro Bay Harbor could not accommodate this type of craft unless there is a total overhaul of the harbor with a tremendous amount of dredging.

Wharfage requirement for a service base most likely would require a minimum of 200 feet of waterfront property. The only area for this would be the land between P G & E and Morro Rock in the Coleman Park area. But this area is critical to the City's plans to develop facilities to meet the needs of the commercial fishing industry and to improve the land area as a quality waterfront park and recreation area.

Other impacts that would result from locating OCS support facilities in the City of Morro Bay include:




*Note: State Lands Commission states that the petroleum sanctuary shown is a State Oil and Gas Sanctuary set up by the State Legislature (PRC§6871.2). Oil and gas exploration and/or production are prohibited except when drilling on an adjoining federal lease threatens to drain state resources.

(1) Displacement of commercial fishing industry: Due to the similarities in the requirements of commercial fishing boats and of those service vessels, and because the oil industry can afford to pay more for the services required by their boats than can the fishing industry, commercial fishing would tend to be displaced if a competitive situation arose.

(2) Displacement of labor force: Some portion of the previously employed labor force might be attracted to the new industries due to higher wages, perhaps resulting in the decline of traditional industries.

(3) Creation of new jobs: Employment for local and imported labor, generating local cash flow, induced and indirect employment, would be generated.

(4) Increased demand for housing: Housing demand from the OCS labor force would have a significant impact on the community's limited housing supply.

(5) Environmental impacts: Resulting oil spills and dredging may have significant impact on Morro Bay's wetlands.

Beyond the impacts that would be posed by the location of an onshore support base in Morro Bay, the development of tracts in the Outer Continental Shelf would have the following additional impacts on the community:

(1) Air Quality: San Luis Obispo County is an air quality attainment district and meets its air quality standards. OCS development is a problematic source of hydrocarbon emissions and may cause the County's air quality to exceed standards. Further information regarding impacts and mitigation measures which would reduce impacts is needed.

(2) Oil Spills: An oil spill in Morro Bay would have a devastating effect on the wetland and associated wildlife species, including rare and endangered bird species. An oil spill on the beaches may severely reduce tourism, vital to the City's well-being.

(3) Visual Impacts: The siting of oil platforms offshore may impact coastal views. These visual concerns must be balanced, however, with the nation's increased need for domestic fuel supplies.

Personnel employed in commercial fishing and support industries may be recruited by the oil industry. This could lead to a decline in the industry. Other than these, however, personnel for OCS development will most likely be recruited from other areas due to the requirement for skilled help. While the percentage of new personnel (non-local to those hired who are local) ranged from 31 percent to 85 percent (Department of the Interior, 1978), it must be noted that the lower numbers come from areas, unlike San Luis Obispo County, with an already established oil industry.

With the existing limit of new residential development in the community due to the water moratorium, housing for OCS support personnel may not be available. Typically, employment is greatest during the development phase of OCS because facility construction requires a large labor force.

Later, when oil and gas production becomes the primary activity, employment typically declines rapidly. The primary concern for the community would be the City's ability to accommodate housing, public services, and other secondary impacts of service base development.

Environmental impacts stemming from service base (and other facilities) development would be of the same nature as any other comparably scaled development, except for those stemming from harbor expansion or oil spills. Coastal wetlands and associated wildlife are extremely sensitive to dredging, the resulting increased turbidity and sedimentation and oil from spills. The preliminary draft EIS indicated damage to a wetland from an oil spill may last for up to ten (10) years.

Alternatives to locating a service base in Morro Bay would either be the Chevron Estero Bay tanker-terminal, Port San Luis or the proposed service base at Gaviota. The proposed base at Gaviota could potentially accommodate the heavy industry requirements of OCS while smaller scaled facilities could be sited at a location within the County.

To conclude, accurate identification of specific onshore OCS-related facilities and their potential impacts on the community is not possible until the exploration phase is over. Short of this, projections of recoverable resources and facility requirements can be made. These projections or scenarios are currently being developed by the County through a Coastal Energy Impact Program (CEIP) grant. Identification of potential offshore development and onshore facility requirements will allow proper planning for impact stemming for OCS development in the event Lease Sale #53 and other subsequent sales occur and commercial development begins.

## F. POLICIES ON ENERGY-RELATED DEVELOPMENT

### 1. General Policies

Policy 5.01. The City shall designate the existing P G & E parcel and the Chevron pier parcel as coastal-dependent industrial uses. Any proposals for energy dependent industrial uses within zones designated for general industrial development will require an amendment to the land use plan consistent with Section 30515 of the Coastal Act. Power plant expansion on P G & E owned property shall have priority over other coastal dependent industrial uses. Power plant expansion shall be limited to small facilities whose location would not further affect the views of Morro Rock from State Highway One and high use visitor-serving areas, consistent with Policy 12.11.

Policy 5.02. Interim uses shall be allowed in areas designated coastal-dependent industrial uses until the existing owners have an approved coastal-dependent industrial development. Interim uses shall be limited to projects which have relocatable (not permanent) structures, are subordinate to the character of the visual setting, and are limited to the following uses:

(1) Visitor access, paths, lookout points, etc.
(2) RV parks
(3) Parking
(4) Picnic areas
(5) Campgrounds

(6) Restrooms and service facilities
(7) Playgrounds
(8) Temporary boat storage
(9) Temporary boat repair area
(10) Ancillary uses for the above
(11) Other uses serving visitors or commercial fishing which do not require permanent structures

Policy 5.03. The Morro Bay Wastewater Treatment facilities shall be protected in their present location since an important operational element, the outfall line, is coastal-dependant.

Policy 5.04. In the areas designated for industrial land uses, coastal-dependent uses shall have priority over non-coastal-dependent uses.

Policy 5.05. In areas designated for coastal dependent industrial uses, any proposed service bases or proposed additions or modifications of the existing marine terminals and associated facilities (including storage tanks) and oil separation, treatment and processing facilities shall be subject to review and approval of the following:

a. Phasing plan for the staging of development indicating the anticipated time table, and site plans for project initiation, expansion possibilities, completion, consolidation possibilities and decommissioning.

b. Oil spill contingency plan indicating the location and type of cleanup equipment, designation of responsibilities for monitoring, cleanup, waste disposal and reporting of incidents and provisions for periodic drills by the operator as requested by the County, to test the effectiveness of the cleanup and containment equipment and personnel.

c. Submission of the advantages and disadvantages of the proposed expansion and possible alternatives in terms of air quality, oil spill probability, frequency of vessel trips and loading/unloading time.

d. Submission of an examination of the effects the expansion has on the related transportation processing system.

e. Upgrading of the existing facilities in terms of reducing overall air pollutant emissions, assuring the adequacy of screening from public view including the use of decorative walls, fences, and landscaping, etc.

f. Preparation of an Environmental Impact Report.

g. Availability of adequate water, wastewater services and other public services either provided by the City or applicant.

Policy 5.06. The routing of any new pipelines or transmission lines shall utilize whenever possible existing pipeline or transmission line corridors.

Policy 5.07. Except for those pipelines and transmission lines exempted from coastal development permits under Section 30610 (d) and (f) of the Coastal Act as

defined by the State Coastal Zone Conservation Commission's interpretive guidelines adopted September 5, 1978, the City shall review and approve all proposed plans for the expansion of transmission lines and pipelines in and through City boundaries.

Policy 5.08. The City will require that new pipelines and transmission lines are installed with suitable mitigation measures such as erosion control, revegetation, and other measures necessary to protect all scenic resources and habitat values.

Policy 5.09. The City shall participate in the biennial review of power plant locations by the Coastal Commission and make recommendation where amendments, alterations, or conditions are needed.

Policy 5.10. The City shall request CEIP or other available state or federal funding to assist in the evaluation of OCS development with respect to socioeconomic and environmental concerns at such time as private industry proposes specific OCS-related development within or adjacent to the city limits.

Policy 5.11. Due to the presence of sensitive wetlands and endangered species habitat and the City's status as a Bird Sanctuary, the City will advocate that the Coastal Commission change the recommendation of its Power Plant Siting Study to designate all areas within the City limits except the site presently occupied by the P G & E Power Plant, as unsuitable for power plant siting, and designate the City's primary coastal-dependent permitted use as commercial fishing and recreation.

Policy 5.12. Due to limited available space, constraints of the harbor, the sensitivity of the Morro Bay Estuary, the needs of the commercial fishing industry, and the needs of tourism and recreation near the bay, Morro Bay opposes the development of a major OCS onshore support base and other competing support facilities within the City limits.

Policy 5.13. The City wishes to go on record as opposing the leasing of OCS lease tract #53.

Policy 5.14. In the event the Federal or State government mandates that minor OCS support facilities must be accommodated here, such facilities may be allowed as a conditional use in the City provided that:

a. The facilities shall not interfere with public shoreline access or access to Morro Rock.

b. The development shall financially participate in the programs to stabilize the dunes between Morro Rock, the P G & E power plant, and Morro Creek. Any Coastal Conservancy funding expended on dunes stabilization should be reimbursed commensurate with the benefit received.

c. The development shall involve construction of waterfront facilities that can be shares or used by the commercial fishing industry.

d. Any storage areas shall be inconspicuously located and extensively screened from public view with heavy landscaping.

e. All heavy equipment or large quantities of bulky supplies shall be stored and transported from other existing service bases or the proposed Gaviota supply base.

f. Development will be required to fully assess and mitigate the effects of a partial crew base on Morro Bay's economy and housing supply.

g. Any such development shall procure and furnish any water supplies needed for their operation and maintenance and for the maintenance of their personnel without impinging on Morro Bay's available supply and without cost to the City.

h. Any such development shall likewise procure and furnish any sewer capacity needed for their operation and maintenance and for the maintenance of their personnel without impinging on Morro Bay's existing capacity and without cost to the City.

I. Any such development shall agree to reimburse the City for the cost of police, fire, public works and other City services made necessary by reason of the development.

2. Specific Planning Area Policies

The following policies apply to specific industrial land use areas within the North Morro Bay, Del Mar and Bayfront Planning Areas.

Area 1 - North Morro Bay

Policy 5.15. In addition to the requirements set forth in the applicable general policies, any proposals to improve, upgrade, or expand Chevron, U.S.A.'s facilities shall be conditioned to allow for public access provided that access will not endanger the public or interfere with industrial operations.

Policy 5.16. At such time as Chevron U.S.A. no longer requires the existing property for petroleum operations, the City requests that a State or County agency or the City be offered the right of first refusal to acquire the pier and pier property for recreational purposes.

Policy 5.18. Should it become necessary for the U.S. Navy to expand its jet fuel storage operations in Morro Bay, existing tankage and new facilities shall be located if possible at or adjacent to either the Chevron, U.S.A. site or at a site in the hills behind the City of Morro Bay, subject to appropriate measures to mitigate impacts to view and other resources.

Area 2 - Del Mar

Policy 5.19. Any proposals to reactivate or improve Texaco, Inc. facilities shall be limited to those uses which are compatible with existing surrounding residential development and which do not represent a physical expanding of the previously existing operations such as office space.

Area 3 - Bayfront

Policy 5.20. Any expansion of the P G & E power plant shall give priority to the options that would best utilize available on-site space. Additionally, no dunes areas should be disrupted unless there is no other less environmentally damaging alternative. P G & E shall contribute to the dunes stabilization program and reimburse their pro rata share of any Coastal Conservancy (or City) expenditure for dune stabilization in this area.

Policy 5.21. As a condition of any expansion of the P G & E power plant, the City will require substantial landscaping and screening to mitigate the visual impacts of existing and future facilities; with particular emphasis on screening the facilities located between the power plant and Highway One.

Policy 5.22. The City shall insist that the present operation and any further expansion of the P G & E Plant conform to the standards of the Federal and State pollution control requirements and emission levels be maintained.