

Chapter 17.46 AMENDMENTS TO THE GENERAL PLAN, ZONING CODE, AND ZONING MAP

Sections:

17.46.010 Purpose.

This chapter establishes a process for consideration and review of general plan and zoning amendments. More specifically, the purpose of this chapter is to:

- A. Establish procedures for making changes to the general plan to address changes in applicable law and problems and opportunities that were unanticipated at the time of general plan adoption or the last amendment.
- B. Establish procedures for making changes to the text of this title or to the zoning map whenever the public necessity, convenience, general welfare, or good zoning practice justify such amendment, consistent with the general plan.

(Ord. No. 662, § 2, 12-13-23)

17.46.020 Applicability.

The procedures in this chapter shall apply to:

- A. All proposals to change the text of the general plan and the maps that illustrate the application of its provisions, and
- B. All proposals to change the text of this title, a zoning district classification, or a zoning district boundary line shown on the zoning map.

(Ord. No. 662, § 2, 12-13-23)

17.46.030 Initiation.

An amendment to the general plan, zoning code, or zoning map may be initiated by any qualified applicant identified in Section 17.36.020, Application Forms and Fees, or a motion of the city council.

(Ord. No. 662, § 2, 12-13-23)

17.46.040 Application requirements.

Applications for a general plan or zoning amendment shall be filed with the director in accordance with the provisions set forth in Section 17.36.020, Application Forms and Fees. In addition to any other application requirements, the application for a general plan or zoning amendment shall include such additional information and supporting data as considered necessary to process the application.

(Ord. No. 662, § 2, 12-13-23)

17.46.050 Maximum number of general plan amendments.

Except as otherwise provided by applicable law, no mandatory element of the general plan can be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time, as determined by the city council. Each amendment may include more than one change to the general plan.

(Ord. No. 662, § 2, 12-13-23)

17.46.060 Review procedures and public notice.

- A. **Staff Report.** The director shall prepare a report and recommendation to the planning commission on any application for an amendment. The report shall include, but is not limited to, a discussion of how the proposed amendment complies with the purposes of this chapter, a determination as to whether the proposed amendment is consistent with other plans that the city council has adopted, and an environmental document prepared in compliance with the California Environmental Quality Act.
- B. **Public Hearing Required.** All amendments shall be referred to the planning commission, which shall hold at least one public hearing on any proposed amendment.
- C. **Public Notice.** At least ten days before the date of the public hearing, the planning division shall provide notice consistent with Section 17.36.060, Public Notice. Notice of the hearing also shall be mailed or delivered at least ten days prior to the hearing to the San Luis Coastal Unified School District and any other local agency expected to provide essential facilities or services to the property that is the subject of the proposed amendment.

(Ord. No. 662, § 2, 12-13-23)

17.46.070 Planning commission hearing and recommendation.

- A. **Planning Commission Hearing.** The planning commission shall conduct a public hearing in conformance with Section 17.36.070, Conduct of Public Hearings.
- B. **Recommendation to Council.** Following the public hearing, the planning commission shall make a recommendation on the proposed amendment to the city council. Such recommendation shall include the reasons for the recommendation, findings related to supporting the recommendation, and the relationship of the proposed amendment to applicable plans, and shall be transmitted to the city council in the form of a council staff report, prepared by planning staff, with a copy of the approved minutes from the planning commission meeting.

(Ord. No. 662, § 2, 12-13-23)

17.46.080 City council hearing and action.

- A. **City Council Hearing.** After receiving the report from the planning commission, the city council shall hold at least one duly-noticed public hearing. The notice shall include a summary of the planning commission recommendation. If the planning commission has recommended against the adoption of such amendment, the city council is not required to take any further action unless an interested party files a written request for a hearing with the city clerk within ten days after the planning commission action.

(Supp. No. 22)

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- B. **City Council Action.** After the conclusion of the hearing, the city council may approve, revise, or deny the proposed amendment. If the council proposes any substantial revision not previously considered by the planning commission during its hearings, the revision shall first be referred back to the planning commission for report and recommendation, but the planning commission shall not be required to hold a public hearing. The failure of the planning commission to report within forty-five days after the referral, shall be deemed a recommendation to approve and the amendment shall be returned to council for adoption.

(Ord. No. 662, § 2, 12-13-23)

17.46.090 General plan consistency required for zoning amendments.

The planning commission shall not recommend and the city council shall not approve a zoning amendment unless the proposed amendment is found to be consistent with the general plan.

(Ord. No. 662, § 2, 12-13-23)

17.46.100 Voter Approval Required to Change Land Use Designations for Specified Parcels

On November 5, 2024, Morro Bay voters approved a ballot initiative (Measure A-24) to amend the City of Morro Bay General Plan / Local Coastal Program in order to prohibit, unless approved by voters, any changes to the land use designations of Visitor Serving Commercial and/or Commercial/Recreation Fishing, for Specified Parcels as shown in Measure A-24, Exhibit B – Parcels/Areas Affected by this Initiative. The Specified Parcels generally include approximately 103 acres of real property, including the harbor east of Morro Rock, 63 acres of former power plant portions along sides of Embarcadero Road from Beach Street to Atascadero Road, and along Coleman Drive. As required by A-24, any request to change the land use designations of Specified Parcels shall require voter approval, in addition to the applicable procedures in this Chapter.

(Supp. No. 22)