

APPENDIX C

CITY OF MORRO BAY SCENIC HIGHWAY CORRIDOR PROTECTION PLAN

CITY OF MORRO BAY
Scenic Highway Corridor Protection Plan

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Regulation of Land Use (density and allowable land uses)

The City of Morro Bay is the only incorporated city and the most densely populated area along the route. The land use designations along the scenic corridor within the city limits include residential, commercial, industrial and agriculture, with a portion of the southern area of the City zoned Open Space Recreation. The City is almost entirely within the Coastal Zone. The City's land use regulations contained within its General Plan, certified Local Coastal Program Land Use Plan and implementing ordinances must be consistent with the California Coastal Act. The City's General Plan and Local Coastal Program Land Use Plan are contained in two (2) documents, with the policies and programs within the General Plan Elements mirroring those within the Local Coastal Program Land Use Plan. Morro Bay Municipal Code Section 17.24 (Primary Districts) contains the Zoning District standards for the land use designations. The district standards are attached as Exhibit "A".

o Site Planning (review authority for proposed developments)

All new development within the City of Morro Bay must receive an approved Coastal Development Permit prior to issuance of a building permit. The California Coastal Commission has direct permit authority up to the mean high tide line, with the remaining land within the Coastal Zone under the City of Morro Bay's permit authority. Developments within the Coastal Commission's appeal jurisdiction (generally those areas within 300' of the first public road or within 100' of an environmentally sensitive habitat area) are appealable to the Coastal Commission. Morro Bay Municipal Code Chapters 17.58 (Coastal Development Permits and Procedures) and 17.60 (Use **Permit Procedures**, Notices and Variances) require discretionary review of detailed land and site plans for new development that must be found consistent with the General Plan, Local Coastal Program Land Use Plan and the California Coastal Act. The review process for approving new development within the City of Morro Bay is as follows:

Administrative Coastal Permits: New residential construction on sites located outside of the Coastal Appeal jurisdiction and minor commercial construction require Administrative Coastal Permit approval. Administrative permits are issued directly by the Planning Department following the required ten (10) day noticing period, and are conditioned to meet all applicable codes and ordinances. Administrative actions are appealable to the Planning Commission within ten (10) days of the action approving the permit. The Planning Commission at a noticed public hearing hears appeals. Planning Commission actions are appealable to the City Council. The City Council has final permit authority over projects that are not appealable to the Coastal Commission pursuant to Coastal Act Section 30603.

2. Regular Coastal Permits: New residential construction on sites within the Coastal Appeal Jurisdiction and new commercial projects require Regular Coastal Permit approval. Regular Coastal Permits are reviewed by the Planning Commission at duly noticed public hearings. The Planning Commission reviews the project's compliance with General Plan, Local Coastal Program Land Use Plan and applicable Zoning Codes. The Planning Commission's action is appealable to the City Council and if the site is located within the Coastal Appeal Jurisdiction or meets the criteria with Coastal Act Section 30603, the Council's action is appealable to the Coastal Commission.

Applicable Zoning Ordinance Code Sections, General Plan and Local Coastal Program Land Use Policies and Programs which govern site planning within the City of Morro Bay are listed as follows, and attached as Exhibit "B":

Morro Bay Municipal Code Chapter 17 (Zoning Ordinance) Section 17.48.190: Protection of Visual Resources and Compatible Design. Visual Resources and Scenic Highways Element Policies and Programs: a. Policy VR-1; b. Policy VR-2, Programs VR-2.1 and VR-2.2; c. Policy VR-3, Programs VR-3.4, VR-3.5, and VR-3.6. Safety Element Policies and Programs: a. Policy S-6, Programs S-6. 1, S-6.2, and S-6.3; b. Policy S-7, Programs S-7. 1, S-7.2, and S-7 * 3. Local Coastal Program Land Use Plan Policies Chapter X Hazards a. Policies 9.04, 9.05, 9.06, 9.07, 9.08, 9.09; Local Coastal Program Land Use Plan Policies Chapter XIII Visual Resources: a. Policy 12.04, 12.06, 12.07, 12.08, 12.09, 12. 10 and 12.11

Prohibition of off-site outdoor advertising, and control of on-site advertising

Morro Bay Municipal Code Section 17.68 contains the City's sign regulations which prohibits new billboards within our City limits and governs the size and height of on-site outdoor advertising visible from the highway. Section 17.68 is attached as Exhibit "C".

Control of earthmoving and landscaping (grading ordinances, landscaping requirements)

Grading within the Coastal Zone is considered "development" under the Coastal Act and requires a Coastal Development Permit. General Plan Safety Element Program S-6.2 states that plans for development shall minimize cut and fill operations. Plans showing excessive cutting and filling shall be modified or denied if it is determined that the development could be carried out with less alteration of the natural terrain. Program S-6.3 states that all development shall be designed to fit the site topography, soils, geology, hydrology, and other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. To accomplish this, structures shall be built to existing natural grade whenever possible. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. S-7.1 notes that for permitted grading operations on hillsides, the smallest practical areas of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. Local Coastal Program Land Use Policies 9.05, 9.06 and 9.07 mirror the General Plan programs. These programs and policies are attached as part of Exhibit "B".

*** Design and appearance of structures and equipment (utility structures, etc.)**

Morro Bay Municipal Code Section 17.48.050 sets the standards for undergrounding of utility lines and states "all utility service lines to all new development, except single family residences, on vacant lands (including the demolition and replacement of individual structures), and to major redevelopment projects, shall be undergrounded. For any project 1.5 acres or larger, all electric distribution and communication lines located on or immediately adjacent to the project site shall be undergrounded in accordance with the applicable rules and regulations of the California Public Utilities Commission." Morro Bay Municipal Code Section 17.30 (Special Uses) requires a Special Use Permit for locating public utility facilities with special findings that address the routes of all new lines. This section states that the routes of all new lines shall, to the maximum extent feasible, avoid important coastal resources such as recreation and environmentally sensitive areas, including the undergrounding of utility facilities. Local Coastal Program Land Use Plan Chapter VII (Energy/Industrial Development) Policy 5.08 states "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.