

Public Comments received at Planning Commission Meetings/submitted for Planning Commission Meetings

1		Parking	Government Affairs Committee (GAC)	Streamlining process is good. Fewer required hearings and discretionary reviews	Noted
2		Parking	GAC	Implement paid parking where designated.	Noted
3		Parking	GAC	Reduce parking requirements in the downtown.	Noted. Parking requirements have been reduced, including for example change of uses and required restaurant parking.
4		Use Matrix	GAC	There needs to be a use matrix that shows which zones permit which uses, and under what types of permits.	This is included in the use tables for each district
5	17.06.30	Development Standards; Max Height	GAC	Maximum building heights seem arbitrary and unrelated to actual building height increments. Height standards should apply on all four commercial corners of the same intersection for consistency.	PC reviewed and concurs with current policy language
6	17.06.30	Development Standards; Setback adjacent to residential	GAC	Setback adjacent to residential should be a function of commercial building height and the permitted height of permitted or existing structures next door.	These setbacks are brought forward from current code language. PC reviewed and concurs with current policy language.
7	17.06.30	Development Standards; Required Building Location in CC Zone	GAC	Having a "set-to" line in the CC district is good. Most existing structures are. The regulations appear to allow 60 percent of the building within 10 or less. A better "set-to" line may be better.	PC reviewed and concurs with current policy language
8		Minor Use Permits	GAC	Minor Use Permits (those permits that can be approved by the CD Director) should have standard conditions of approval so that they become more routine and cookie cutter. Explain the rationale for making them "use permits" at all.	Standard conditions of permits are included on all permits. Use permits are required to allow the use to fit into the zone.
9			GAC	Develop an open site plan review process to provide feedback to applicants within a week after application, with all departments participating.	City already encourages applicants to submit preliminary plans prior to full application to receive early staff comments.
10		Land Use Regulations; Residential in Commercial Zones	GAC	Mixed Use Residential uses should be a minor use permit in commercial zones, and subject to some sort of administrative design review. Delete requirement for conditional use permit and hearing. Or make them subject to administrative hearing. Or, develop design guidelines, and if the structure complies, it is approved.	PC reviewed and prefers discretionary review process for this.
11		Land Use Regulations; Residential in Commercial Zones	GAC	Requirement for residential to be "above or behind" is often impractical. There needs to be an outlet to a public way, and a "presence" on the main street. See units with "vestibules", "elevator lobbies", etc. If necessary, limit the amount of street frontage for these access points, or that an Hcap unit can be located on the ground floor. Agree with the necessity for a "retail street frontage".	PC reviewed and concurs with current policy language
12		Land Use Regulations; Drive Throughs	GAC	Why no drive throughs in DC Zone. Seems like a natural. Only in North Morro Bay?	PC discussed this issue as part of their review and directed that drive-throughs only be allowed in the Quintana area.
13	17.29.030	Minor Use Permits	GAC	"Generate substantial public controversy" should not be a reason to refer to PC. This is too open-ended and arbitrary. Some explanation of the rationale for minor use permit would be useful such as "to confirm conformance with existing city regulations, polices and design guidelines". Consider an administrative hearing for some items that can be appealed. Can a minor use permit be appealed otherwise? What are the required/expected approval time lines for a Minor Use Permit?	Staff ability to refer to PC as needed is important. Minor Use Permit are appealable. Approval timeline is approximately 4-8 weeks which includes noticing timing.
14	17.29.030	Conditional Use Permits	GAC	This section should include an explanation of why some items need to go to the PC and why some may not. Overall size and impact of the project? Desire to make it "discretionary". If projects are otherwise in conformance with zoning, LCP and GP, why would they need to go to the PC. Explain, otherwise everything goes to PC.	CUP section is in 17.40 and describes the use permit process and what they are used for. PC reviewed the allowed use tables under each district.
15	17.29.030	Required Conditions/Conditions of Approval	GAC	If the required conditions of approval are the same for a Minor Use Permit and a Conditional Use Permit, why can't they all be Minor Use Permits?	Conditions of approval are not always the same. Refer to Chap. 17.40 for difference between MUP and CUP.
16	17.29.090	Appeals	GAC	Does anyone have standing to appeal? Resident? Non-resident? City property owner? Per the definition an "aggrieved person" has to have lodged an objection or made known their objection prior to the hearing. See comments on Minor Use Permit.	The Appeals process is 17.36.140. Aggrieved person is defined in the definition section.
17	17.27.040	Non-Conforming Structures	GAC	Applaud the change so that there can be additions to non-conforming structures as long as the new construction does not increase the degree/severity of non-conformity.	Noted.
18	17.10.90	Drive Through Facilities	GAC	The setback of the drive through entrance seems arbitrary. The normal requirement is for a minimum about of vehicle stacking, and the stacking area does not conflict with parking lot.	The setback requirements are from intersections and other driveways related to safety. Circulation plan required to ensure safety.
19	17.10.160	Outdoor Dining	GAC	Are there design guidelines for outdoor dining?	Not yet
20	17.28.040	Parking: Commercial Uses	GAC	Parking at 1/300 SF appears to be adequate, but there should be a varying requirement for CC and waterfront. CC has many pedestrian oriented trips, and joint trips.	No parking is required in the WF district. Refer to 17.27.040.A1
21	17.28.040	Parking: Eating and Drinking	GAC	Parking at 1/100 SF appears to be excessive. This probably applies to a freestanding fast food or other high volume free standing use, but not to restaurants that are part of commercial districts or shopping centers.	Yes Parking has been revised. Refer to revision in Table 17.27.040
22	17.28.040	Parking; Waterfront District	GAC	If no onsite parking is required in the Waterfront District, how is that parking need to be met?	Waterfront is mostly built out. City previously utilized historic parking credits. Removing requirement for parking will have negligible impact. Public parking spaces are provided at various City lots in the vicinity
23	17.28.040	Parking: CC, DC zones and Shopping Centers	GAC	Why not have just one parking ratio for CC, DC and shopping centers. Then, there is no fuss about use changes over time.	There is no parking requirement for use changes over time.
24	17.28.050 (F)	Parking Reductions	GAC	The parking reductions cited here should be formulaic and not arbitrary as they appear to be written.	Staff disagrees that these are arbitrary reductions. PC has reviewed this policy and concurs.
25	17.28.060	Parking Management Plan Area	GAC	Please provide this map. It is important. It also should not be up to the PC to allow in lieu payments or not. In lieu payments would also be for all or some of the required parking. Should the parking requirement be the same for all uses (waterfront, downtown, etc.) as can be justified, but uses in specific zones may satisfy that requirement by payment of fees for offsite parking lots. All commercial uses create a need for parking. Is the City obligating itself to provide the parking where it is being waived?	This map will be included. PC has expressed desire to maintain control over inlieu fee payments.
26	17.29.080	Glare	GAC	Glare should be defined in terms of lumens, foot-candles or the visibility of the luminaire light source across a property line. "Significant" and "direct" are not definable terms.	17.14.090 Visual Resource Protection includes exterior lighting requirements
27	17.38.030	Design Review Authority	GAC	Is design review considered subject to CEQA? See recent court case.	Design review itself is not subject to CEQA. CEQA does not apply to ministerial projects.
28	17.38.030	Design Review Authority	GAC	Non-residential design review for PC seems very low. If a 4,000 SF existing building, that means a 400 SF addition has to go.	PC reviewed this and discussed in detail. And agreed with this policy.

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Draft Section No.	Topic	Commenter	Comment	Edits Made?	Staff Comments/Response and Updated Section No.
29	17.38.030	Design Review Authority	In areas with adopted architectural or Specific Plan guidelines, should PC approval be required? See adopted Waterfront/Downtown Plan.		This could be the case, but current specific/master plan design guidelines are too general.
30	17.38.080	Design Review: Sustainable Design	What are sustainable design features. Are these LEED features, or CalGreen features already required by the building code? Is there a performance standard for this?		Sustainable design features could be all of these things. PC has previously asked for sustainable design features to be incorporated.
31	17.38.080	Design Review: Dark Sky Principles	"Dark Sky Principles" need to be defined, especially how they relate in commercial districts with commercial signage, required street and parking lot lighting, etc. This seems noble, but too vague.		PC asked for Dark Sky principles to be added. Will review options to add definition.
32	17.53.030	Clinics/Medical-Dental Definition	What is the difference between a "medical office" and a "clinic". Do we care?		They are referenced separately in the Code.
34	17.18.030	Mixed Use District	Residential appears to be allowed in all commercial districts per Table 17.08.030, but the VSC and NC zones are the only specified in the Mixed Use District section. Please reconcile. Prefer residential in all districts as stated in Table 17.08.030.		We will look to resolve this conflict with Table 17.08.020 between MUP and CUP requirements. Chapter 17.16 as an MUR overlay should say that a MUP is required in order to allow residential development.
35		CG Zone District	There does not appear to be a CG (Measure D) Zone District. "Uses allowed in Measure D are included in the zoning code" according to the GP. Policy LU-4.2 refers to the zoning ordinance defining "clearly incidental".		The permitted uses in the CF district are noted at 17.11.030.
36		CG Zone District	What are the prospects for growth beyond current development footprint in the rest of the CG Zone?		Unclear what's being requested.
37		Residential Development	City allocation under the new Regional Housing Needs Allocation (2020-2030) is 390, or about 40 per year. New residents with disposable income are important to the business community both as customers and employees/workforce. City should prioritize residential development for economic, business and social reasons. What level of mixed use/multi-unit residential is permitted by right?		We are working on by-right housing policies and objective design standards.
38	17.08.20	Uses not allowed on MB Blvd	Uses not allowed on MB Blvd - unclear what is not allowed, mixed use?		Refer to bottom of table for specific limitations. Footnote #3 identifies what uses are not allowed on Morro Bay Blvd.
39	17.09.20	Colleges and Trades Schools in ICD Zone	Colleges and Trade Schools and Instructional Services are not permitted in Land Use Classification ICD - is this detrimental to the development of a wind turbine training ground or future Cuesta/Cal Poly wind energy learning institution?		ICD zoning only applies the Cayucos Sanitary District parcel near Toro Creek which is in process of being detached from the City.
40	17.09.20	Recycling in ICD Zone	Recycling facilities not permitted - venture that removes plastics from ocean recycled into some other material .		ICD zoning only applies the Cayucos Sanitary District parcel near Toro Creek which is in process of being detached from the City.
41	17.09.20	Food preparation ICD Zone.	Food Preparation not permitted, would this prevent development of some sort of commercial canning or industrial seafood venture? Or, is Food Preparation for a restaurant use?		ICD zoning only applies the Cayucos Sanitary District parcel near Toro Creek which is in process of being detached from the City.
42	17.11.20	CF Zone Permitted Uses	The conundrum of Measure D. Is this an attempt to apply prescriptive language and to what end? Inability to enlarge or expand existing operations (restaurant retail and commercial recreational fishing) on a Tideland Lease diminishes drive to maintain a structure or operation and grow a business. ED unfriendly		Policies have been revised to allow existing non-conforming to be reconstructed and relocated. Refer to 17.11.030.A.2b. This was reviewed by joint committee of HAB and PC.
43	17.11.20	CF Zone Permitted Uses	Uses which clearly support "Ocean to Table" retailing and restaurants would appear to support the commercial fishing industry, as much as the industrial and support facilities. How can we allow those uses to expand, rather than whither?		No consensus between HAB and PC. Findings previously have been determined on a case by case basis.
44	17.11.20	CF Zone Permitted Uses	Is there an understanding of the terms "incidental" and "primarily". Is this the actual text of Measure D, or what has been added and refined.		Clearly incidental and primarily are words that are included in the text of Measure D.
45	17.11.20	CF Zone Permitted Uses	If restaurant and retail uses are going to be displaced longer term, should there be a similar prohibition on commercial fishing support facilities south of Beach Street or outside the Measure D area on the Waterfront to encourage these uses to relocate and uses to sort themselves out?		No desire by HAB or PC to ban commercial fishing facilities south of Beach Street.
46	17.11.20	Houseboats	Non-seafaring vessels not allowed by muni code per Harbor Dept? Why is this in the document. Are they permitted if with CUP. Why PC approval?		They are allowed with CUP approval.
47	17.11.20	Seafood processing and retail uses in WF Zone.	Seafood processing and retail and wholesale seafood markets feels like a good fit for CF area		Agreed
48	17.11.20	Expansion of Commercial Fishing	There is a reference to "reasonable expansion" of commercial fishing industry. This sounds like an appropriate GP policy but probably does not belong in the zoning code. What are the prospects for expansion of the commercial fishing facilities? Adequacy of existing CF area.		Identifying prospects for expansion is outside of the scope of the Zoning Code.
49	17.24.030	In Lieu Housing Fees	How do these line up with region?		It's being looked at as part of the update of the fee structure.
50	17.24.030	In Lieu Housing Fees	Suggest that there be a re-look at fee structure and effectiveness. Why should this not apply to all development projects? Residential projects do not create the demand for affordable housing and the nexus here is weak. Consider applying across the board at a more manageable level for all uses. The current approach seems like a completely ineffective one.		It's being looked at as part of the update of the fee structure.
51	17.28.040	WF Parking	Waterfront District - On site not required. Predating this document did or did not pay in lieu? Is this a complete change in policy and how interacts with projects underway? Coastal Commission demanding parking on "managed retreat" for projects like Rose's use change (hotel rooms requiring parking up the bluff)		The use change by Rose's did not trigger an increase in required parking. Parking provided was desired by the Applicant.
52	17.31.140	Nonpermanent Vendors	Food Trucks? Can take up to 3 parking spaces provided that's not more than 25% of total parking spaces available?		Correct. Updated section number is 17.30.140.
53	17.31.160	Outdoor Dining	Attempt at encouraging development of outdoor dining areas. Support.		Noted. Updated section number is 17.30.160.
54	17.31.170	Outdoor Displays and Sales	Approximate cost to display outside is special use permit \$1500-2000 and does not expire? (How) Will this be enforced?		Correct, these permits do not expire. Enforcement matters would be handled the same as any other permit. Updated section number is 17.30.170.
55	17.36.40	Review of Applications	30 days to determine completeness, is state maximum. Suggest that this be reduced locally to provide better responsiveness, or at least such a policy be established. Also suggest a shorter site plan review process.		Will consider.

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56	17.36.40	Review of Appeals	GAC Appeals should be heard at the soonest possible date unless waived by the applicant. Appeals should be on the next available hearing date that is available with the hearing notices. Ordinance specifies 60 days for appeal determination. Suggest 30 days.		Timing is predicated by existing Council agendas for available hearing space. Also, appeals typically include issues that require a response from Applicant which dictates allowing time for a response prior to appeal hearing.
57	17.36.110	Permit Expiration and Extension	GAC Permits and approvals. Building permit issued or city business license pulled = permit or approval is inaugurated and have 2 years before expires if not inaugurated or extended. Is 2 years too long? Why would a project take this long, Coastal?		We regularly get requests for permit extension based on Applicant's ability to carry forward the project and coordinate with hired architect/engineering services.
58	17.38.030	Review Authority	GAC How does this relate to PC wish to do commercial design guidelines. Would that effort be redundant/superfluous, and add review time? B 2. Director discretion on what appears before commission outside of criteria in section A		Unclear what's being asked. PC is interested in commercial design guidelines as guidance for commercial development not as a method for by-right development.
59	17.11.020	Land Use Regulations - Permitted Uses	Embarcadero Master Leaseholders group (EML) "or moved" language added - EML concerned with limitations for projects with including this language. See section 17.28 - parking concerning calculations.	Yes	PC specifically requested that "or moved" be added. Removed parking requirement. Refer to 17.11.030.A2b
60	17.11.020	Land Use Regulations - Conditionally Permitted Uses	EML Add aquaculture?	Yes	Aquaculture added. Refer to 17.11.030.B2a
61	17.11.020	Land Use Regulations - WF District Conditionally Permitted Uses	EML Does this need to be here with the CF District in place? Does not seem appropriate for areas south of Beach Street. Reference to section that says "ensure new recreational boating facilities will not preclude reasonable expansion of commercial fishing facilities and other coastal dependent uses"		No change. Carry forward from current Zoning code.
62	17.11.030	Development Standards - Conformance with Harbor Master Plan	EML Why is this Conformance with Harbor Master Plan section in here? What purpose does it serve in this section? Would it be better to put in the WMP?	Yes	Deleted this section. This was also requested deleted by Coastal staff. Refer to 17.11.040.B
63	17.11.040	Supplemental Regulations - Architectural Treatment	EML This section on Architectural Treatment seems as though this should be in the WMP instead.		No change. It's appropriately located here since the WMP is outdated; and will need to update Waterfront Master Plan in the future.
64	17.11.040	Supplemental Regulations - Development Priorities, WF District	EML Paragraph C Development Priorities: What are the constraints and priorities that could be determined by the City?	Yes	This section deleted. Refer to 17.11.050.
65	17.14.060	Development Within Coastal Commission Permit Jurisdiction - Concept Plans	EML No more Precise Plan?	Yes	No. This section was deleted because of the goal to minimize the number of hearings previously. A minor or major modification process is added that would capture projects where big changes are made by Coastal Commission on their CDP. Refer to deleted 17.14.070
66	17.14.060	Development Within Coastal Commission Permit Jurisdiction - Conformance Review	EML Why the requirements for another hearing? What if there are no changes or minor modifications done by Coastal Commission? Why not have an exception for minor or no changes?	Yes	This section deleted. Refer to 17.11.070.
67	Chapter 17.19	Waterfront Master Plan (-WMP) Overlay District (IP)	EML What will be in this section? When will we see it? his section is likely to have more comments when we see the complete version.		Chapter 17.17 is the WMP Overlay district. This section directs one to refer to the Waterfront Master Plan for proposed development.
68	17.25.020	Applicability	EML Includes Embarcadero? LCP - replacement of shoreline protective devices should not apply to Embarcadero. Target Rock to Tidelands Park	Yes	This is now in 17.14.100. Applicability section revised to state this does not apply to Embarcadero. 17.14.100.C.2
69	17.25.040	Shoreline Development - Applicability	EML Embarcadero included?	Yes	This is now in 17.14.100. Applicability section revised to state this does not apply to Embarcadero. 17.14.100.C.2
70	17.25.040	Shoreline Development - Geologic Report	EML Same comment		Same as above. Does not apply to Embarcadero.
71	17.25.040	Shoreline Development - Shoreline Development - Non-bluff Coastal Setbacks	EML Non-bluff Coastline setback section?. Any impact to waterfront projects?		Does not apply here.
72	17.25.040	Shoreline Protection Restrictions	EML How does this impact redevelopment on the Embarcadero? This doesn't include Visitors Serving Uses - Embarcadero	Yes	A portion of this section deleted and edited to refer back to the LUP Hazards policies (which exempts the Embarcadero area). Refer to 17.14.100.
73	17.28.040	REQUIRED NUMBER OF PARKING SPACES	EML Eating & Drinking Establishments. This is not consistent with 17.31.160(e). That section has 350 sq. ft. What about historic parking credits?	Yes	Edit to clarify parking requirement for outdoor seating is in excess of 350 square feet. Table found at 17.27.040. Regarding historic parking credit, parking would not be required on the waterfront.
74	17.28.040	Calculation of Required Spaces - Floor Area	EML See parking calculations for sample projects.	Yes	17.27.040 Gross floor area changed to total floor area. Our understanding of this issue relates to seating for restaurants. One option for PC to consider would be to just require parking for restaurant seating area which is current practice. We will make edit since calculation inadvertently didn't consider current code practice of seating area only.
75	17.28.040	Calculation of Required Spaces - Employees	EML Explain this? Where is the code section where this would apply?		This refers to uses which are parked by # of employees (Refer to 17.27.040) such as family day care or emergency shelters.

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76	17.28.050 Parking Reductions - Harbor, Port, Marina Facilities	EML	Should "Waterfront" be included here?		Updated section number reference is 17.27.050. Waterfront not included because it is not a use but items in this definition are uses that are found on the waterfront.
77	17.28.050 Parking Reductions - Intensity of Use	EML	How does this work with parking calculations and requirements? Parking calculations are based upon square footage?		Updated section number is 17.27.050. No conflict. This is just a definition. Does not equate to parking requirements.
78	17.28.050 Parking Reductions - Lot Width	EML	Doesn't seem to address seawalls		We can keep this as is. Definition of seawalls is in the coastal exemption section and allows one to maintain them without needing a CUP from the City.
79	17.23.060 Fences and Freestanding Walls	Betonte	Resident doesn't agree with limiting side fences to less than 6 feet. Add: Height may be allowed up to two feet for residential corner side and as long as there is no posing safety hazard.		Noted. PC listened to public comment and directed no change.
80	17.23.020/ 17.23.150 Storage units	Garcia	Would like Accessory structures (storage) to be smaller than the 120-sf storage space.		Noted. PC listened to public comment and directed no change.
81	17.30.040 ADU	Garcia	Would like the new zoning ordinance to limit ADU's in certain areas of the city (North Morro Bay).		Noted. PC listened to public comment and directed no change.
82	17.38.080 Design- stormwater run-off	Garcia	Add more detail regarding stormwater run off design.		Structures less than 120sf do not require a building or planning permit.
83	17.24.030 In-Lieu Fees for Affordable Housing	Ingraffia	Language change: Wants the document to state that funds will be used for "for Morro Bay" instead of "in Morro Bay." Commissioner also wants all major developments to have an attached fee.	Yes	<b>Chapter 17.24 includes edits with updates to inclusionary housing, fees, density bonus provisions, and applicability. This was work done with Housing Element Implementation grant funding.</b>
84	17.25.060 Irrigation Specifications	Ingraffia	Wants to ban of installations of spray irrigation in "Commercial and residential areas"		The Landscape Ordinance (17.25) contains significant water conservation requirements as well as is compliant with State law , Water Efficient Landscape Ordinance (WELO).
85	17.30.160 Design Guidelines	Ingraffia	Wants to see design guidelines for dark sky and outdoor dining features.		The zoning code contains guidelines for lighting in and around ESHA as well as visual resource protection policies. Refer to 17.14.090.B. Lighting and illumination standards are also under 17.23.080 and in the Parking Ordinance at 17.27.
86	17.23.020 Accessory Units (Storage)	Ingraffia	Wants to decrease the size of Accessory units (that are used for storage) and require PC approval for storage units up to 120sf at the property line.		generated based on the number of small lots in town. Cost recovery to process this would be between \$2500-\$3000 for an application and would therefore be cost prohibitive for applicants.
87	17.14.090/17.23.060 Fences and Freestanding Walls	Ingraffia	Comment Fencing height: Does not support gates in front and gates at side setback could be effective. Low front yard fences provide a more welcoming atmosphere.		Noted.
88	17.30.220 Housing	Ingraffia	Wants the document to address agricultural employee housing and balance competing interests		Farmworker housing allowed pursuant in 17.30.110 consistent with State law.
89	17.53.050 Telecommunication Facilities.	Ingraffia	Agrees with requirement for co-location and third party technical study.		Noted. <b>This section is now in 17.30.250</b>
90	17.23.020 Accessory Structures	Ingraffia	Language Comment: Zoning Ordinance only mentions one ADU per lot. However, law states that two ADU's per lot are allowed. Shouldn't the new Zoning ordinance reflect this change.		Language is included for junior accessory dwelling units. Refer to Chapter 17.53.
91	17.14.080 Environmentally Sensitive Habitat	Novak	Clarify or Include: Steps that would warn marine wildlife with low noises before full-power noise levels/Constuction projects start. Requests that section be modified to add "with appropriate type of equipment"	Yes	We can edit this.
92	17.14.080 Environmentally Sensitive Habitat	Novak	Commenter describes what should be included in a Wildlife Contingency Plan. And states that not all construction should be necessarily monitored and should only apply to noise generating construction. Requests word "all construction " be deleted or reference monitoring required for "noise-generating construction"	Yes	We can edit this.
93	17.14.080 Environmentally Sensitive Habitat	Novak	Add: construction can resume when otters (wildlife) are 100 feet from the project area.	Yes	We can edit this to reflect biological monitor authority to modify the radius on a case by case basis if animal deemed not in distress.
94	17.14.080 Environmentally Sensitive Habitat	Novak	Change the language: Add (CEMP) pre -construction survey to be completed 30-60 days period to issuance unless modified by Army Corps.	Yes	We agree with this edit and can modify this.
95	17.11.020 Waterfront and Habor Area District	Winholtz	Comment: Measure D of the new guideline does not reflect current guideline language (17.24.180)		Both the PC and HAB felt that the Measure D language needed some additional clarification.
96	17.16.040 ESHA Buffer	Winholtz	Buffer is cut in half in new zoning ordinance.		Buffers have not been reduced and the most recent draft version includes the wetlands buffer width requirement of 100 feet.
97	17.23.060 Fences and Freestanding Walls	Winholtz	Buffer is cut in half in new zoning ordinance.		PC discussed this. The change was made in response to PC direction and based on security concerns
Chamber/GAC Comments updated since 2019			Comment with Updated Remarks in bold:		Staff comments and Updated Section No.
98	17.08.030 Development Standards; Max Height	GAC	<b>Max height in CC Zone seems overly prescriptive and restrictive. ZO has been substantially reformatted so that section references no longer apply. Now 17.08.030. Max height of 37' in some portions of CC seems odd. Height should allow for one lower (retail/office) floor and up to two upper floors. Special standards to apply adjacent to existing residential).</b>		<b>PC vetted this at multiple meetings where this was discussed and this was the maximum height they were willing to accept.</b>

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99	17.08.030	Development Standards; Required Building Location in CC Zone	GAC	Front "set-to" line in the CC district is good. Most existing structures are. The regulations appear to allow 60 percent of the building within 10 or less. Use a required 0' Set-To Line for Main Street and Morro Bay Blvd.		Same as above, PC discussed this at multiple meetings and this was their direction.
100	17.080.030	Commercial Zone Development Standards	GAC	Is a minimum residential density of 15.1 units per acre in the CC (downtown) Zone practical? Does it apply to the size of the entire parcel, including areas used by non-residential uses. A large parcel with an existing building could not comply. What does "N/A" mean? No minimum? How is the density here both conducive to maximizing housing development and informed of current large commercial structures occupying lots?		Doing the math this should not be a hard threshold to meet. For a lot 4,250sf or less, that equates to minimum density of 1 unit. For lots between 4,250 and 7,100 the minimum density would be 2 units. 1 more unit is required for about every, 3,000sf of lot area over 4,250. The PC goal was to encourage more housing.
101	17.080.030	Open Space Standards	GAC	Please show options about how the open space standards can be achieved, especially in mixed use settings.	Yes	Staff is looking at revisions to this to require minimum of 50sf per unit (such as deck or balcony) otherwise as written it might discourage 2 bedroom units and encourages studios. Edits made at 17.08.030.
102	17.080.030; Zoning Map	Power Plant/Treatment Plant Properties	GAC	These properties are shown for Visitor Serving Commercial and for "Mixed Use Residential". Residential uses are not permitted per the environmental use restrictions per DTSC and/or the use restrictions in the PGE CCRs. Battery site should be modified now to show an industrial use. The City has more than adequate VSC land without the power plant site. See Chamber comments on the GP/LCP on this matter. How can this conflict between the designated land us here on the certified GP/LCP and the draft zoning code be resolved?		We are pursuing language revisions to allow the Battery project use on a limited portion of the site. Residential is not permitted in the tank farm area but would be allowed in other portions. It is possible to pursue removing the PG&E deed restriction.
103	17.080.040	Limitations on Location of Parking	GAC	It is unclear what this regulation means or is meant to achieve.		Objective is to not have parking spaces directly adjacent to the sidewalk. Exceptions allowed through Design Review process (Ch 17.38) where not feasible.
104	17.080.040	Rooftop Decks	GAC	Rooftop decks may be necessary to meet the open space requirements for mixed use projects. These should be subject to standard conditions, and approval allowed with a Minor Use Permit if not part of a Conditional Use Permit or other entitlement.		This is a very limited area that has residential uses above commercial uses and therefore justifying the CUP requirement.
105	17.080.08	Location of Residential Uses in Commercial Zones	GAC	The location of residential uses "above or behind" commercial uses may be impractical and unwarranted. Residential uses in commercial zones need to exit to a public way and can't exit through a business. Could it be more effective to specify a certain max percentage of parcel frontage as non-commercial or as residential?		This was reviewed by the PC and they supported this to ensure residential is above or behind consistent with our current zoning code. This would require that the residential use has a path out to the public way, and would not exit through a business.
106	17.080.08	Use Matrix	GAC	Is the use matrix in the commercial zones a complete listing of all possible uses, including specific uses in 17.30? What uses are not listed that are listed elsewhere in the ZO. Need a combined list of uses and zones similar to that used by other cities in the County. Are the uses provided in the various commercial and industrial zones consistent with those specified in the General Plan and EDSP.	Yes	Jurisdictions are moving away from the catch-all style of all possible uses. The new zoning code has been re-formatted to use a classification system which groups broader groups of uses based on common function or physical characteristics. We have created a master use table which has a complete list of all land uses regulated by the code and all districts where they are allowed. The master use table is on the Plan Morro Bay website.
107	17.08	DC Zone Permitted and Condition Uses.	GAC	Allow housing. Mixed use projects that place customers in vicinity of commercial spaces. Especially for South Quintana which will soon be done with the pipeline conveyance project disruption. Foster growth for existing retail businesses, some of which are new and recognize that there are existing residences among the commercial uses currently. How could this existing condition be expanded rather than curtailed.	Yes	In recent times, we have received complaints about noise in this Quintana area. Edits made to allow residential uses in DC zone. Refer to 17.08.020.
108	17.08	DC Zone Permitted and Conditional Uses.	GAC	Allow Drive Throughs with Minor Use Permit		PC reviewed this and expressed heightened concern for drive throughs in relation to community character and avoiding over-commercialization of chain restaurants. Drive through are allowed in Quintana area. Refer to 17.30.090.
109	17.08	NC Zone Permitted and Conditional Uses	GAC	Allow Drive Throughs. EDSP talks about pulling travelers off HWY1 into this district. Could spark Spencer's lot redevelopment. Drive through windows account for 35%-50% of volume for such uses.		PC reviewed this and expressed heightened concern for drive throughs in relation to community character and avoiding over-commercialization of chain restaurants. Standards are at 17.30.090
110	17.08	VSC Zone Permitted and Conditional Uses	GAC	Allow Drive Throughs with Minor Use Permit. Preserve existing uses (ex. What if Taco Bell burns down? Could rebuild as nonconforming structure and not expanded?) and definition in 17.30.240 beyond solar energy systems alone - add battery storage, something that would support offshore wind industry development.		Non-conforming non-residential uses would be required to permanently cease. The Taco Bell could re-build without the drive-through feature. Regarding battery storage, we are working on clarifying this.
111	17.08	RH Zone Permitted and Conditional Uses	GAC	Expand to allow commercial uses and mixed use development. Allow Food and Beverage Sales and General Retail, General Personal Services, Food and Beverage Tasting and Restaurants. Give people services that are in walking distance to their residence.		The RH zones are in areas adjacent to commercial areas that would provide services. The RH zone is intended to provide more housing opportunities and meet Housing Element goals. PC and GPAC had lengthy discussions related to this.
112	17.08	ICD Zone Permitted and Conditional Uses	GAC	The Zoning Ordinance includes the Industrial Coastal Dependent Zone, but none is shown on the Zoning Map. If it is a derelict zone, could it be deleted?		The ICD zone is in the north end of town near City limit line.
113		PD Zoning	GAC	The Zoning Ordinance includes the PD Zone, but none is shown on the Zoning Map. If it is a derelict zone, could it be deleted? The Zoning Code states that any properties designed PD shall be shown on the Zoning Map by the designation "-PD," followed by the number of the Planned Development based on order of adoption. If there are parcels in the community with approved PD zoning, these should be shown. If there are parcels that need to have PD zoning, they should be shown.	Yes	The PD process is a new feature in the Zoning Code and requires a minimum size of 1/2 acre or within the Waterfront Master Plan area. A traditional PD development would be for the type of rare project that doesn't quite fit within the Zoning Code. Not expected to have very many PD projects. We are looking into making this more clear. Design Review (Ch. 17.38) and Modifications (Ch. 17.42) chapters in new code address what is in the current PD overlay info at 17.40.030. It is not shown on the map until and upon approval of a "PD Plan" which is a type of permit and would require a Zoning LCP amendment to add the approved PD plan to the map. Refer to 17.18.050.

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114	17.080.08	Use Matrix "Waterfront Zone"	GAC	List the "Waterfront" WF zone as a commercial zone. Permitted and conditional uses should be similar to those in the VSC Zone on the other side of the Embarcadero.	Yes	This area is subject to the Waterfront Master Plan and overlay which requires compliance with the WMP. The Waterfront and Harbor Area Districts Chapter 17.11 was updated to include Land Use Regulations and Development Standards. These are also now in table format versus the paragraph format that is in the current code. Refer to 17.11.030 and 17.11.040.
115	17.080.080	Use Matrix; Medical Dental Uses	GAC	What would it look like if Medical and Dental business could be permitted on MB Blvd? More people on the streets, medical staff patroning businesses, expanded lunch options in the downtown? What was the PC discussion on discouraging such uses in the City's main commercial district, and is it still relevant?		PC discussed this at length and didn't want these uses on Morro Bay Blvd or Main St. going north.
116	17.09.030	Development Regulations for Industrial Uses	GAC	What industrial operations would require more than 30 feet that we would not be able to recruit. There is already very little industrial use designated in the city limits. What would a 50 foot height limitation rather than 30' look like?		PC discussed this at length especially in regards to community character. 37 feet was the tallest they were comfortable with and that was only for core downtown commercial area.
117	17.11.010	"Uses supportive of fishing industry"	GAC	There should be a definition provided of this important term/phrase. It should also address whether ALL of the businesses in a particular building must meet this definition, or whether the predominant share should be. Also see comments relating to uses that are "Clearly Incidental".		We formed a subcommittee with the HAB and PC to discuss this and review all components of Measure D. The language in the Zoning Code is the resulting effort of that subcommittee.
118	17.11.020	"Coastal Priority Uses and Embarcadero policies"	GAC	Where are these defined in the ZO? They appear to be random references to unknown documents or regulations.		We are looking into this to add a definition for coastal priority uses consistent with the language in Plan Morro Bay. This language came from Coastal Commission staff. Coastal staff asked that this section be clarified. Edits made to 17.14.040.A.
119	17.11.020	CF Uses	GAC	Are "fishing" and "swimming" uses within the CF zone a use that need to be controlled in the ZO?	Yes	We updated this to include a use table to clarify for the CF, H, and WF districts. Refer to Table 17.11.030.
120	17.11.020	CF Zone Permitted Uses	GAC	The conundrum of Measure D. Is this an attempt to apply prescriptive language and to what end? Inability to enlarge or expand existing operations (restaurant retail and commercial recreational fishing) on a Tidelands Lease diminishes drive to maintain a structure or operation and grow a business. ED unfriendly. Continue to advocate for needed flexibility to expand existing uses. Existing commercial uses should be found to "support the fishing industry" because they provide most of the funding for the Harbor Department, and GF that allows the waterfront to exist. Acknowledge that the fishing industry itself cannot feasibly carry the burden to improve and maintain the waterfront and to provide all of the needed operational revenue for the Harbor Department.		This was discussed by the PC/HAB subcommittee. Concurrence on this specific issue could not be reached.
121	17.11.040	"Waterfront Master Plan"	GAC	Reference is made to the "regulations and standards" in the "Waterfront Master Plan". There are few, if any, specific development regulations in the Waterfront Master Plan. This plan was adopted in the mid-90s and has many archaic development policies and concepts. The specific "regulations and standards" that need to be included in the Zoning Ordinance should be extracted and the reference to the Waterfront Master Plan deleted in the ZO.	Yes	We do have an implementation action from the GP/LCP to update the Waterfront Master Plan. We updated the Zoning Code to create a use table for the CF, H, and WF zone districts so that is included. Refer to Development Standards updated at 17.11.040.
122	17.26.050	Non-Conforming Uses and Structures	GAC	The proposed Zoning Ordinance and Zoning Map are creating a significant number of non-conforming uses and structures. Under 17.26.050 these uses could not be rebuilt. The City should identify these uses and parcels and provide notice to the property owners. Recommend that the City provide the broadest list of uses on a particular parcel within the guidance provided by the General Plan, and restrict uses only where there is a clear health and safety issue. Also recommend that all existing uses be grandfathered in, subject to documented and objective health, safety and neighborhood compatibility criteria.		Staff disagrees that the proposing Zoning Code will create a significant number of non-conforming uses and structures. Some uses and structure will be now made conforming. Also, existing uses will be grandfathered in.
123	17.40.100; 17.40.110	Other Master Plan Areas	GAC	The MC includes special regulations for the Beach Street Area and North Main. Like the Waterfront Master Plan, these are older plans that have few real development regulations. The applicable development regulations should be extracted and included in the ZO. At a minimum, the Zoning Map should show all of the special overlay districts. The special regulations should be integrated as a "special treatment area" or "overlay zone". All of the defined master plan areas, overlay areas, sign ordinance areas, etc. where special regulations should apply should be shown on the Zoning Map.		The specific plans have been removed and applicable development standards have been incorporated into the proposed zoning code.
124	17.11.050	Midway Marina Area	GAC	Where is the Midway Marina Area? Is it on the Zoning Map?	Yes	Midway Marina Area is what's known as the State Park Marina now. This has been deleted since it's outdated.
125	17.14.040	Land Use Plan	GAC	Is this a reference to the Land Use Element of the General Plan? Clarify reference.		Unclear what the issue is here. The LUP is part of the City's LCP. Plan Morro Bay is a combined General Plan/ Coastal Land Use Plan. The language is accurate.
126	17.14.050	Community Design	GAC	Are the "LUP Community Design Guidelines" referenced in the this section consistent with the ZO. ZO should provide a single reference for design regulations and standards and not create ambiguity or conflicting standards. 17.14.050 does not provide any material, substantive or quantitative guidance. Consider deleting this section as it does not provide any real guidance.		Because this section of the proposed Zoning Code is the City's Implementation Plan, this section could not be deleted as it relates to Coastal Act issues.
127	17.14.100	Define Embarcadero	GAC	Reference is made to certain regulations not applying "...in the Embarcadero". What geographic area does that include? Water side of Embarcadero Road?		This is a generalized term to differentiate area that are subject to shoreline protective standards.
128	17.14.100	Reference to 1.5 Safety Factor.	GAC	"New development must be set back equal to a sufficient setback to maintain a minimum factor of safety of at least 1.5 for a minimum of 100 years based on a site-specific geological or geotechnical engineering study." Please clarify the meaning.	Yes	This is Coastal Commission language regarding bluff setback analysis. It applies to minimal areas in the City. The edits made in 17.14.100 Hazards and Shoreline Protection were in response to Coastal Commission review and edits.
129	17.17.00	Waterfront Master Plan	GAC	Section 17.17 states that "All development within the Waterfront Master Plan (-WMP) Overlay District shall be in accordance with the Waterfront Master Plan." This master plan includes many derelict development concepts and many that the city has chosen to not implement (connection the Embarcadero to Atascadero Road, converting Embarcadero to one-way traffic, new boat/launch ramp in Measure D area, development of the dunes west of the power plant site). There are some design specifications Chapter 5-Design Guidelines in the Waterfront Master Plan that are appropriate for a ZO. However, most of the narrative is plan-level. Time to clean up and clarify what specific code-level references still apply, and how they are consistent or inconsistent other design regulations.		This is part of the LCP. It won't be changed until we update the Waterfront Master Plan.
130	17.29.00	Signs	GAC	Needs review by subcommittee. Also the various sign ordinance districts needs to be shown on the Zoning Ordinance Map, or in the Sign Ordinance itself.	Yes	The Chamber did review the sign ordinance previously. The map of the various districts in the Sign Ordinance chapter is shown at 17.29.040.
131	17.29.050	Embarcadero District	GAC	This is not shown on the Zoning Map. Where is it? Same as Waterfront Master Plan?	Yes	We created a map of the different districts in the Sign Ordinance. Refer to 17.29.040.
132	17.29.050	Sign Regulations	GAC	There is reference to the policies and guidelines in the Waterfront Master Plan and Downtown Waterfront Specific Plan. The ZO also includes quantitative standards for signs. Do the standards in the ZO fully represent the standards in the WMP and the DWSP? Are they overlapping? Are they inconsistent?		No inconsistency. We are unaware of any conflicts.

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	Draft Section No.	Topic	Commenter	Comment	Edits Made?	Staff Comments/Response and Updated Section No.
133	17.29.070	Sign Regulations	GAC	Reference to the "Quintana Road District". Is this the DC Use Zone. This is not shown on the ZO map.	Yes	We created a map of the different districts in the Sign Ordinance. Refer to 17.29.040.
134	17.30.220	Vacation Rentals	GAC	Hasn't the vacation rental ordinance already been adopted. How to these modifications and regulations fit with the recent amendment?		No substantive changes made. The edits shown were for cleanup and consistency with the Zoning Code document.
135	17.30.240	Morro Bay Power Plant	GAC	17.30.240 B is vague and may apply to any time of industrial scale renewable energy system. This section should be limited to performance standards for solar and wind appliances used for individual businesses and households.	Yes	This section does not apply to stand alone renewable energy projects. It refers to projects that are incidental to a primary use. For example, solar facilities or other smaller accessory facilities. This would also apply to residential and commercial uses by allowing property owners an ability to supplement an existing use or incorporate such facilities into their property.
136		North Main; Beach Street Specific Plans	GAC	There does not appear to be any reference to these documents that are in 17.40.10 and 17.40.11 of the MC. Are they proposed to be deleted in their entirety?		Yes we deleted them and incorporated the relevant policies.
137		Zoning Map	GAC	The Zoning Map includes the land use districts, and several Overlay Districts including the Coastal Zone, Cultural Resources, Cloisters, ESH (boundary and fill), mixed use residential, and Waterfront Master Plan. However it does not include other special overlay zones and special design districts including "Midway Marina", Beach Street, North Main Street, Downtown Waterfront Specific Plan, and others that are listed in the Zoning Ordinance. The Zoning Map should be used as the single initial source to inform the reader about applicable design regulations. As required by ZO, it does not include approved PDs.		We removed the Specific Plans. We cannot add the DWSP to the zoning map as that document is not part of the LCP or Implementation Plan.
138		Chevron RH Property	GAC	There are limited commercial offerings in northernmost part of North Main St. EDSP talks about pulling travelers off HWY1 into this district. Housing development is critical for the city and this is a large opportunity. Keep as RH, but allow and encourage mixed use and limited retail uses in RH zone, or change from RH to TMU or NC with MUR overlay. Prefer the former rather the latter to continue emphasis on housing for this parcel. City should more actively participate with the owner and developers to remove constraints to development.		GPAC and PC discussed this specifically the intent to have commercial "nodes" or aggregate commercial uses instead of dispersing throughout the length of North Main St. They wanted to maintain this area with high density residential as a critical need for the community.
139		Morro Elementary Site	GAC	Similar recommendation to Chevron parcel. Adding in retail to RH could allow for more flexibility in redevelopment. Placing customers in the vicinity of customer-facing businesses. This site has many opportunities and challenges which should be addressed by a City-led and initiated planning process that includes and physical development plan, utility (water, sewer, storm drainage and streets) assessment and solutions, an environmental document, and potentially a residential specific plan.		The GPAC and PC reviewed this and wanted this as high density residential. This is in an area that is surrounded by commercial. Residential is a critical need for the City and this supplies residential uses to the commercial.