

CALIFORNIA COASTAL COMMISSION

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Wile



February 14, 1997

FROM: TAMI GROVE, DEPUTY DIRECTOR
 DIANE LANDRY, LCP PLANNING MANAGER
 JOY CHASE, STAFF ANALYST

DKL
2/14/97

SUBJECT: CITY OF MORRO BAY MAJOR AMENDMENT #2-96 TO THE LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN for public hearing and Commission action at its meeting of March 11-14, 1997 to be held at the Carmel Mission Inn, 3665 Rio Road, Carmel, CA 93923

SYNOPSIS

The City of Morro Bay is requesting that its Local Coastal Program Implementation Zoning Ordinance be amended. The City has organized and submitted the amendment request in accordance with the standards for amendments to certified LCP's (Coastal Act Section 30514, California Code of Regulations 13551 through 13553). The City Council held noticed public hearings. In addition noticed public hearings at the Planning Commission level were held. This amendment request was filed on December 20, 1996 pursuant to Section 30510(b) of the Coastal Act and Sections 13553 and 13555 of the California Code of Regulations (CCR's). Due to staffing constraints and the timing of the submittal, at Commission staff request, the City of Morro Bay requested and the Commission approved in January an extension to the 60 day time limit for action on the implementation amendment submittal. Excerpts from the City's amendment submittal are attached as Exhibits.

Staff has used the Land Use Plan as the standard of review for the Implementation Plan amendments pursuant to Section 13542(c).

SUMMARY OF PROPOSED IMPLEMENTATION (IP) AMENDMENTS AND STAFF RECOMMENDATIONS

The City of Morro Bay in Amendment Submittal #2-96 proposes to amend:

Part A. Zoning Ordinance Chapter 17.36 P-D Planned Development Suffix Zone District, Section 17.36.040, General development standards to require that "for those areas of the City which are covered by the Waterfront Master Plan, all new development projects requiring discretionary permits (Conditional Use Permits, Coastal Permits, etc.) shall be consistent with the Design Guidelines contained in Chapter 5 of the Waterfront Master Plan." See Exhibit A.

Part B. To Add Chapter 5 of the Waterfront Master Plan, the Design Guidelines, to the Implementation Plan. See Exhibit B.

The amendments are consistent with the provisions of the Land Use Plan regarding visual resources and the staff recommends approval as submitted.

STAFF RECOMMENDATION

Staff recommends adoption of the following resolution.

I. APPROVAL OF MAJOR AMENDMENT 2-96, IMPLEMENTATION PLAN AMENDMENT PART A AND PART B AS SUBMITTED.

MOTION I:

I move that the Commission reject Major Amendment #2-96, Part A and Part B, to the City of Morro Bay Implementation Plan as submitted.

Staff recommends a NO vote which would result in approval of the amendment as submitted. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present can result in rejection of the amendment.

RESOLUTION I:

The Commission hereby approves Major Amendment #2-96, Part A and Part B to the City of Morro Bay Local Coastal Program Implementation Plan on the grounds that the amendments conform with, and are adequate to carry out the provisions of the Land use Plan as certified. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of this implementation measure will have on the environment.

II. RECOMMENDED FINDINGS

The Commission finds and declares as follows:

1. VISUAL RESOURCES

Proposed Amendment: The City of Morro Bay proposes to amend Zoning Ordinance Chapter 17.36 P-D Planned Development Suffix Zone District, Section 17.36.040, General development standards to require that

"for those areas of the City which are covered by the Waterfront Master Plan, all new development projects requiring discretionary permits (Conditional Use Permits, Coastal Permits, etc.) shall be consistent with the Design Guidelines contained in Chapter 5 of the Waterfront Master Plan"

The Chapter 5 Design Guidelines provide detailed instructions on developing plans for development which protect public visual access to important scenic sites and provide for a consistent visual character for the waterfront area. Chapter 5 of the Waterfront Master Plan will become a part of the Local Coastal Implementation Program.

The Waterfront Master Plan covers four areas along the waterfront: Area 1: Morro Rock/Coleman Park; Area 2: T-Piers/Fisherman Working Area; Area 3: Embarcadero: Beach Street between the bluff and waterfront; and Area 4: Tidelands Parks. It includes five zoning districts: CF-PD Commercial/Recreational Fishing/Planned Development which promotes commercial and recreational fishing; C-VS/PD Visitor Serving Commercial/Planned Development which is a tourist oriented district; WF/PD Waterfront/Planned Development which provides for a continued mixture of visitor commercial, recreational and harbor dependent land uses; OA-1PD and OA-2/PD Open Space/Planned Development which provides for maintenance of areas in natural state and preservation of scenic values. All of these zoning districts have a Planned Development suffix which provides special review procedures for sensitive areas of the City and would include compliance with the proposed Design Guidelines. See Exhibit 1, Map of Waterfront Master Plan Areas, attached.

Land Use Plan Policies as Standard of Review. The standard of review for amendments to the Implementation Plan is the certified Land Use Plan.

The Morro Bay Land Use Plan, Chapter XIII, Visual Resources, comprehensively describes the City's visual resources and provides protective policies.

The Morro Bay Land Use Plan (LUP) Policy 12.01 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in Figure 31 shall be subordinate to the character of its setting.

Figure 31 identifies the Areas of Visual Significance in Morro Bay; these areas include the areas identified in the Waterfront Master Plan.

The proposed amended Implementation, Chapter 5, Design Guidelines for the Waterfront state:

The public viewshed is defined as all areas of the bay, harbor, sandspit and Morro Rock currently visible from the Embarcadero, the street ends, public observation points, and public right-of-way on the bluff top; but not including views from private property, businesses, or residences.

This definition includes all the significant visual resources of the area and is consistent with the Land use Plan Chapter XIII Visual Resource Policies.

The proposed Design Guidelines provide extensive design criteria including site design and parking, architectural design character, and area wide design compatibility. The guidelines encourage maintaining a "Fishing Village Character" to avoid massive buildings or those that would detract from the waterfront character. They encourage pedestrian oriented design. The guidelines delineate the submittal requirements for design review and require findings of design

acceptability including preservation and enhancement of views as seen from street ends and enhancement of views to the waterfront through or around the buildings.

Embarcadero: LUP Visual Resources Policy 12.02 requires that specific design criteria shall be established for the Embarcadero including building height/bulk compatibility with surrounding uses, landscaping to restore and enhance visually degraded areas and preservation and enhancement of views to the ocean, bay, sandspit and Morro Rock.

Many of the specific standards of the proposed Design Guidelines are directed to Area #3, (See Exhibit 1) the commercially developed visitor serving area of the Embarcadero, the street that parallels the shoreline. "The area still provides its users with views of the bay, the sandspit, Morro Rock and a picturesque collection of fishing and recreational boats. Made up of a mixture of visitor-serving and harbor related land uses, the Embarcadero is the major tourist attraction of the community." (LUP p.119)

The Embarcadero area is zoned Waterfront District (Chapter 17.33) and Visitor Serving Commercial. The height limit for structures in the Waterfront District is 25 feet except for developments on the west side of the Embarcadero where heights are limited to seventeen feet. The District provides general directives for siting and designing structures along the waterfront. The Embarcadero area is also in the Planned Development Suffix (overlay) District which under the certified LCP defers to the underlying district to establish design criteria.

The proposed Design Guidelines will supplement the Waterfront District design criteria and amend the height standards, allowing building heights of 14 feet with a flat roof or 17 feet with a sloped roof. In the Planned Development District if a significant public benefit will accrue the height may be allowed up to 25 feet if the overall viewshed characteristics will not be diminished from the public viewing locations. The Guidelines set up criteria for view corridors between buildings on the ocean side of the Embarcadero. Corridor requirements relate to lot width and building height; for example a lot width of 49 feet or less with a building height up to 17 feet does not require a corridor; with a building height of 17 to 25 feet, 30% of the width must be used for a visual corridor. Lots of 50 feet or more in width with heights up to 17 feet must have a 15% or minimum eight foot corridor; from 17 to 25 feet in height, a 30% corridor is required. See pages 13-17 of Exhibit B attached.

In addition to height and view corridors building coverage, bulk and scale are specified.

North of Beach Street: The Design Guidelines provide that for properties North of Beach Street (Areas 1 and 2) a maximum height of 25 feet except for commercial fishing structures which may be 30 feet. Additions and reconstruction of the existing PG & E power plant may be permitted to exceed the 25 foot height limit if the City finds that it is infeasible or in appropriate to construct within the 25 foot height limit.

Discussion: The Waterfront Design Guidelines changed the height limitation on the Embarcadero waterfront from a maximum of 17 feet to a maximum of 25 feet. The change in height requirements was of concern to a large number of owners and residents of the area. The additional height could encroach into and block views from the inland commercial and residential parcels.

The Guidelines specifically did not attempt to protect views from private property, businesses, or residences. The Morro Bay Land Use Plan (LUP) Policy 12.01 quotes the Coastal Act, "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas..." The Coastal Commission's interpretation of the visual resource policies of the Coastal Act has emphasized the importance of public views and generally considered views from residences and commercial structures as a local planning issue. The City Council decision reflects this same approach.

It was the majority City Council decision that a tradeoff in height for view corridors and variability in design was an improvement over a solid 17 foot wall of block buildings in which case no view to the bayfront would be possible from the street level. The City found that the proposed amendments protect both the visual quality and the economic viability of the waterfront area. Commission staff field inspected the Embarcadero and agrees with the City's position on visual resources.

The proposed amendment protects important public view corridors to significant scenic areas and provides for compatibility of architectural style with the existing fishing village character of the area. As proposed the Waterfront Design Guidelines are consistent with the Chapter XIII, Visual Resources, of the City of Morro Bay certified Land Use Plan.

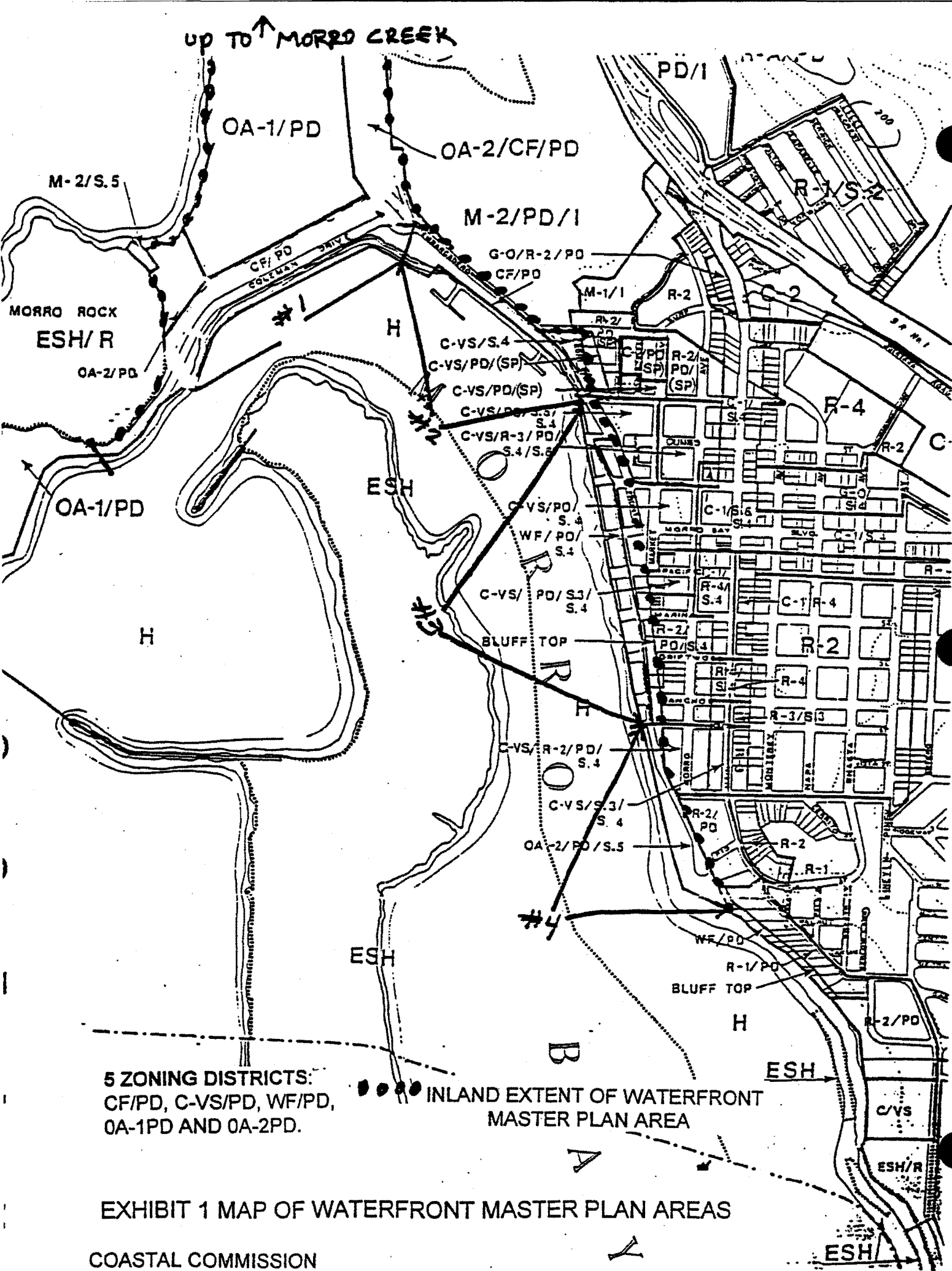
2. PUBLIC ACCESS

Morro Bay is a community with 10.75 linear miles of ocean and bayfront shoreline. Approximately 95.5 percent has public lateral access with numerous vertical access opportunities. The area addressed in this amendment is a large portion of the City's urban waterfront. The proposed Design Guidelines specifically note that the existing LUP and Implementation requirements for a minimum eight foot wide lateral public access across the entire water frontage of a property is not reduced by any of the design guidelines. Design criteria provide for a continuous pedestrian boardwalk linkage along the waterfront where feasible.

The proposed amendments support public access and are consistent with the Land Use Plan Chapter III Shoreline Access and Recreation policies.

3. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Coastal Commission's Local Coastal Program development and certification process has been designated by the Secretary of Resources as the functional equivalent of the California Environmental Quality Act (CEQA). No significant impacts will be associated with the proposed amendments. Therefore, the Commission finds that Major Amendment #2-96 is consistent with the provisions of the California Environmental Quality Act.



5 ZONING DISTRICTS:
 CF/PD, C-VS/PD, WF/PD,
 OA-1PD AND OA-2PD.

INLAND EXTENT OF WATERFRONT
 MASTER PLAN AREA

EXHIBIT 1 MAP OF WATERFRONT MASTER PLAN AREAS

ORDINANCE NO. 452

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
ANNOUNCING FINDINGS AND ADOPTING AMENDMENTS TO
SECTION 17.36.040 OF THE ZONING ORDINANCE,
TITLE 17 OF THE MORRO BAY MUNICIPAL CODE

THE CITY COUNCIL
City of Morro Bay, California
CASE NO. ZOA 01-96

SECTION 1:

WHEREAS, the Planning Commission of the City of Morro Bay, on September 3, 1996, after a duly noticed PUBLIC HEARING, did make the recommendation to the City Council for approval of amendments to Sections 17.36.040 of the Zoning Ordinance, Title 17 of the Morro Bay Municipal Code; and

WHEREAS, on the 14th day of October, 1996, the City Council did hold a duly noticed PUBLIC HEARING, to consider the amendments to Section 17.36.040 of the Zoning Ordinance as recommended by the Planning Commission; and

WHEREAS, the Environmental Coordinator determined that the California Coastal Commission is the lead Agency for Local Coastal Plan Amendments for the purposes of the California Environmental Quality Act; and

WHEREAS, following the hearing, and consideration of the testimony of all persons written and oral, the City Council approved the amendments based upon the following findings:

1. The proposed amendment is intended to implement Visual Resource Policies 12.01 and 12.02 of the Local Coastal Plan as well as other portions of the LCP and General Plan; and
2. The proposed amendment is intended to protect the visual quality as well as the economic viability of the waterfront area by guiding and directing the construction of buildings; and
3. The proposed amendment is consistent with the intent of the State Coastal Act; and
4. The proposed amendment was published and made available for public review in accordance with Section 13515 of the California Code of Regulations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Morro Bay, California, as follows:

SECTION 2: Title 17 of the Morro Bay Municipal Code (Zoning Ordinance) is amended as shown in Exhibit A, attached hereto and made a part of this ordinance.

SECTION 3: To implement the amendments adopted herein the City Council of the City of Morro bay, California, hereby directs as follows:

1. This Ordinance adopting the zoning text amendments shall be transmitted promptly to the California Coastal Commission with the request that the Commission certify the amendments; and

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EXHIBIT A

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- 2. The City of Morro Bay hereby finds that the Local Coastal Program Implementation Program (Zoning) Amendments are in compliance with the intent, objectives, and policies of the California Coastal Act and that the City will carry out the Local Coastal Program, including these amendments in a manner fully consistent with the California Coastal Act and all its provisions; and
- 3. These amendments shall take effect immediately and automatically upon certification by the California Coastal Commission.

Introduced at a regular meeting of the City Council of Morro Bay, held on the 14th day of October 1996, by motion of Councilmember Crotzer, and seconded by Councilmember Novak.

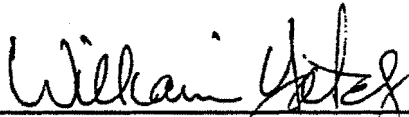
PASSED, AND ADOPTED, on the 28th day of October, 1996 by the
by the following vote to wit:

AYES: Crotzer, Novak, Yates

NOES: Unger

ABSENT: None

ABSTAIN: Anderson


WILLIAM YATES, Mayor

ATTEST:


BRIDGETT BAUER, City Clerk

APPROVED AS TO FORM:

DAVID R. HUNT, City Attorney

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EXHIBIT A

Proposed Amendment to Section 17.36.040

17.36.040 General development standards.

The standards for development within a P-D suffix zone shall be those of the base zoning district, provided however, that standards may be modified by the planning commission or city council as they relate to: building heights; yard requirements; and minimum lot area for dwelling units if the density range of the general plan and coastal land use plan, applicable to the property, is not exceeded. For those areas of the City which are covered by the Waterfront Master Plan, all new development projects requiring discretionary permits (Conditional Use Permits, Coastal Permits, etc.) shall be consistent with the Design Guidelines contained in Chapter 5 of the Waterfront Master Plan. Modifications of standards shall only be approved upon a finding that greater public benefits may be achieved by such deviations. Such benefits may include, but are not limited to improved or innovative site and architectural design, greater public or private usable open space, and provisions of housing for the elderly or low/moderate-income families, provisions of extraordinary public access, provision for protecting environmentally sensitive habitat (ESH) areas, but in all cases these provisions shall meet the coastal land use plan policies. (Ord. 263 - 1 (part), 1984).

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CITY OF MORRO BAY

DESIGN GUIDELINES

FOR THE WATERFRONT AREA

CHAPTER 5

OF THE WATERFRONT MASTER PLAN

APPROVED AND ADOPTED BY THE CITY COUNCIL

MAY 28, 1996

RESOLUTION NO. 43-96

TO BE IMPLEMENTED THROUGH MBMC CHAPTER 17.36
FOLLOWING CITY AND COASTAL COMMISSION APPROVAL OF ZONING
ORDINANCE AMENDMENT 01-96

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CHAPTER 5

DESIGN GUIDELINES

To assist in evaluating the quality of a design submitted, the visual criteria have been divided into basic categories which correspond to the findings that are to be made with a project's approval.

Category 1. Public Visual Access:

The view of the bay, sandspit and Morro Rock is one of the most prized possessions of the City and is essential to the visual quality of the area as well as the commercial success of the Embarcadero and the City as a whole. At present the mix of activities which include motels, restaurants, tourist shopping and visual participation in the commercial fishing and recreational boating are what give the Embarcadero its diverse and interesting character within the setting of the waterfront, bay and ocean beyond. It is this diversity based upon a working fishing village atmosphere which is physically and visually accessible to the pedestrian that make it an exciting place to visit and therefore economically viable.

There is a need to protect existing views to and along the shoreline of the harbor, sandspit, Morro Rock and the fishing and recreational fleet as seen from the street-ends off the Embarcadero, between buildings or through open areas from the Embarcadero, and from public viewing locations and public right-of-way on the bluff top.

Public Viewshed Defined: The public viewshed is defined as all areas of the bay, harbor, sandspit, and Morro Rock. currently visible from the Embarcadero, the street-ends, public observation points, and public right-of-way at the bluff top; but not including views from private property, businesses, or residences. Figure 5.4 identifies these viewing locations. This definition shall be used in evaluating any development proposal which has the potential to obstruct public views.

View Corridor Defined: View corridors shall be open linear spaces located between or adjacent to buildings affording views from the street of the harbor, bay, sandspit and Morro Rock. Said corridors shall not have visual obstructions except for low shrubs, seating benches and other street furniture of 30 inches in height or less. Taller lighting poles and similar fixtures may be allowed. No overhead structures such as canopies, balconies and pedestrian bridges (other than normal eaves) are permitted within the view corridors unless said structure is offset by additional width of view corridor equal to the vertical dimension of the overhead structure.

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Master Plan

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Design Criteria: The following criteria shall be considered in the design review process:

1. View Corridors Required:

- a) West side of Embarcadero / Front Street: All new construction and major remodels of existing buildings on the west side of the Embarcadero shall require the provision of open, unobstructed view corridors pursuant to figures 5.1, 5.2 and 5.3. Said view corridors shall be as follows:

Lot / Lease Width	Building Height	Min. View Corridor Width *	Sloping Roof 4 in 12 Required	Findings of sig. Public Benefit Required
49 ft. or less	up to 14 ft.	none	no	no
49 ft. or less	14 to 17 ft.	none	yes	no
49 ft. or less	17 to 25 ft.	30%, min. 8 ft.	yes	yes
50 ft. or more	up to 14 ft.	15%, min. 8 ft.	no	no
50 ft. or more	14 to 17 ft.	15%, min. 8 ft.	yes	no
50 ft. or more	17 to 25 ft.	30%	yes	yes
Corner lots	see Figure 5.3			

* Corridors widths are based upon a percentage of the width of the lot or lease site.

- b) East side of Embarcadero / Front Street: The view corridor requirements and view analysis applicable for properties located west of the Embarcadero, between the street and the bay, shall also be applicable to the portions of buildings over 14 feet located east of the Embarcadero, between the street and the bluff top. Said structures shall not be permitted to exceed 25 feet in height.

2. Building Heights:

Standard Building Heights: Building heights on the east and west side of the Embarcadero and Front Street are limited to 14 feet maximum if the roof is flat, or 17 feet maximum if there are sloping roofs equaling 80 percent of the total roof area with a minimum 4 in 12 pitch.

Increased Building Height: "Standard building heights" will be the maximum allowable height unless there is a use permit or planned development approved by the Planning Commission allowing for greater height pursuant to the Planned Development (PD) Overlay district. In addition to the required finding of significant public benefit, increases in height may be allowed up to a maximum of 25 feet under the "PD" zoning overlay district, with the finding that the overall viewshed characteristics will be improved or, at a minimum, not diminished from the public viewing locations

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established on Figure 5.4 and upon meeting the following additional requirements:

- a) For the areas east and west of the Embarcadero, 80 percent of all roofs for both one and two story structures shall be sloping with a minimum 4 in 12 pitch.
- b) Incorporate open view slots or corridors in the design of new or remodeled structures on the west side of the Embarcadero in order to enhance overall visual access to the water. View corridors shall be required for all buildings taller than 17 feet on the east side of the Embarcadero. These corridors can be along property or lease lines, sideyard setbacks or incorporated within the building as open areas or walkways. Said corridors are encouraged to be placed along common property or lease lines adjacent to similar existing or proposed view corridors on the adjacent property. Figures 5.1, 5.2 and 5.3 demonstrate some of these principles graphically by showing the various design configurations relative to building height and site coverage.
- c) Allow relocation of existing view corridors or visual openings between or through buildings as long as there is no reduction in the measured width when compared to existing corridors. Building massing and design should be guided by the objective of avoiding walling-off public visual access to the water from the Embarcadero.
- d) Encourage provision of public (non-customer) viewing areas of the bay and waterfront in the form of outdoor decks or balconies accessible from the lateral waterfront accessway on the upper or second story. This provision applies to future development on the seaward side of the Embarcadero.
- e) Regardless of any findings for significant public benefit provided, the maximum allowed height shall not exceed 25 feet or 30' for commercial fishing structures north of Beach St., except for flag poles, projections not exceeding 18 inches in width and all other exceptions included in Title 17. Additions and reconstruction of the existing PG & E power plant may be permitted to exceed the 25 foot height limit if the City finds that it is infeasible or inappropriate to construct the addition within the 25 foot height limit.

Note that the requirement for minimum 8 foot wide lateral public access across the entire water frontage of the property is not reduced by these requirements and is part of the City's Coastal Plan and zoning requirements. The only exceptions are where the City determines that the provision of such access to be unsafe or to conflict with commercial fishing or harbor related facilities.

3. Building Setback, Coverage, Bulk and Scale:

In order to protect the full breadth of existing public views, second floor setbacks and reduced building bulk will be required.

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Building Setbacks: The minimum first floor front setback on both sides of the Embarcadero and Front Street shall be an average of 5 feet. The second floor front setback shall be a minimum of 10 feet from the right-of-way.

Building Coverage, Bulk and Scale:

- West side of Embarcadero / Front Street: The maximum coverage of all ground floor portions of buildings located west of the Embarcadero shall be 70 percent of the land portion of the properties. If permitted, the maximum area of the second floor, excluding open decks, shall be 70 percent of the maximum allowable first floor building coverage.
- East side of Embarcadero / Front Street: The maximum coverage of all ground floor portions of buildings located east of the Embarcadero shall be 85 percent of the land portion of the properties. The maximum area of the second floor, excluding open decks, shall be 80 percent of the maximum allowable first floor building coverage.

4. **Building in the "H" Zone:**

New or increased building extensions beyond the shoreline shall be in conformity with the Harbor ("H") zone. In addition, said construction shall meet the height, coverage and view corridor requirements stated in the standards 1, 2 and 3 above.

Category 2. Site Design and Parking:

At present, there is a lack of uniformity in the placement of buildings on their sites relative to public sidewalks in the Embarcadero visitor area (Area #3). This situation in turn adversely affects the overall sense of physical and visual cohesiveness for the area. The variation in the way buildings are placed interrupts a uniform treatment of sidewalks because of the varying minimum setbacks that have occurred over time. In some developments, especially on the east side of the Embarcadero, parking and vehicle service areas interrupt the easy flow of pedestrian activity. While parking must be provided as required by the City Ordinance, attention to good design and, where possible, setting the parking back from the sidewalk will facilitate better site design more appropriate to the Embarcadero area.

The following criteria are to be considered in the design review process:

1. **Street Frontage:** Maintain a consistent street frontage. Buildings and related site development shall provide a continuity of interest and facilitate pedestrian movement along the street frontage.

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Portions of the first floors of buildings may be built to the back of sidewalks. The ten foot front yard setback currently required in the "C-VS" Zone on the east side of the Embarcadero should be modified as indicated in #3 above in order to allow building construction to extend to the back of the sidewalk.

2. **Parking Lot Setback and Access:** No parking lots should be placed in front or side yards which interrupt the street continuity and pedestrian passage. Access driveways to the rear are acceptable on the east side of the Embarcadero.
3. **Minimum New Sidewalks:** Improve the public sidewalk to a minimum of 8 or more feet in width on the east and west side of the Embarcadero where feasible. Where reasonable, the west side should be widened at entries and view corridor areas.
4. **Sidewalk Treatment and Street Furniture:** Coordinate provision of special sidewalk paving treatment and street amenities as discussed elsewhere in this document including provision of benches, street trees and planters.
5. **Sidewalk Cafes:** Outdoor dining is encouraged. Said dining areas shall be enclosed in permanent low see-through railings or fences.
6. **Screening:** The trash areas shall be screened in the manner identified by the municipal code. Provide visual screening for trash enclosures.
7. **Maintenance:** A regular maintenance program for cleaning of all public facilities shall be implemented. Private businesses should be encouraged to participate in the cleaning of facilities in the vicinity of their businesses.

Category 3. Architectural Design Character

The benefits of an appropriate building character and consistency in theme include greater enjoyment of the central Embarcadero area by both visitors and residents, increased tourism, improved economic health for businesses and financial gains for the City. People enjoy attractive places both in terms of the natural environment and also the built environment.

The design goal for the Embarcadero is to enhance the visual experience of visiting the area by bringing about a gradual strengthening of architectural continuity and by encouraging buildings with distinctive visual quality. This design quality or character should reflect the historical and cultural identity of the Embarcadero -- one of a working fishing community with a variety of character and building types typical of pedestrian oriented communities which have evolved over time. The

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Embarcadero area is not encouraged to develop with any single theme or architectural style.

Further proportion, harmony of components, continuity and balance are all elements of good architectural design. Whether it is a sign or a multi-building project, its different elements should be integrated into a comprehensive design with the various elements compatible with each other. Elements should be in balance and in proportion to one another and their environment. Variety should be used to create interest, not used just for the sake of difference. Monotony in form and detail should be avoided as should be trite architectural styles from other areas that have no relevance to the Morro Bay area.

The following criteria are to be considered in the design review process:

1. **Fishing Village Character:** Maintain an architectural character in keeping with a working fishing community with the form and scale typical of pedestrian oriented communities which have evolved over time. The intent is to produce architecture that is both in character with the existing community and, as each new building or remodel is completed, adds to the overall ambiance of the waterfront area. The focus of this requirement is not to limit construction to a single style (such as at Solvang or downtown Santa Barbara) but rather to avoid massive buildings or buildings which detract from the waterfront character which is now a delight to visitors and residents alike.
2. **Adapting Existing Buildings:** In applying design criteria and conditions, consideration must be given to existing conditions. For example, new construction and signage conditions apply to buildings which abut the frontage walkways. However, some existing buildings are set back from the street and conditions must be adapted to this situation
3. **General Design Treatment:** To establish building character, new construction shall be encouraged to meet the following design criteria. These guidelines are for retail and tourist commercial buildings -- exceptions may be made for buildings constructed to serve the fishing industry.
 - a) The areas immediately adjacent to the sidewalk shall be pedestrian oriented with windows, entries and display areas;
 - b) The front facade shall be in scale and character of the waterfront area (meaning that proportions tend to be vertical and long horizontal expanses in the same plane should be avoided -- see also concepts to be avoided below);

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- c) Wall surfaces should be articulated (board and batt, engaged pilasters, multilevel trim, cornices, built-up fascias);
 - d) Rooflines shall be varied to avoid monotonous views from the blufftop areas;
 - e) Materials and colors should be varied to break larger building masses and large wall planes into smaller elements;
 - f) Building proportions shall have harmony and balance and be integrated into a total composition.
4. Construction concepts to be avoided:
- a) Large flat planes of any type of materials.
 - b) Contemporary "boxy" buildings similar to shopping centers or discount stores.
5. Commercial Signage: A unified treatment of the commercial signs is important to maintain the integrity of the Embarcadero area character. "Unified treatment" does not necessarily mean that all the signs must have the same style of lettering. Rather, it is more important that the lettering have similar stylistic traits and the signs are placed in a manner that complements the architectural style of the buildings which they designate. Sign location and size are governed by the sign ordinance of Morro Bay.

Signs must meet the following additional criteria:

- a) Pole signs are to be avoided.
- b) Projecting signs perpendicular to the building and awning signs are encouraged.

Category 4. Areawide Design Compatibility:

It is important to insure not only that the architecture is compatible but that the installation of the improvements at the street frontage are compatible with community standards and those of the adjacent neighbors. The design of a new building does not necessarily have to be the same as the adjacent designs, but there must be elements of compatibility in building articulation, color and materials. It is very difficult to foresee all considerations that might develop in the review process, but the intent here is to avoid building architectural styles that clash or create disharmony. The actual determination of these conditions will be left up to the City Planning Staff and Planning Commission. In addition, there must be physically compatible design

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regarding sidewalks and lateral pedestrian access along the waterfront.

The following criteria are to be considered in the design review process:

1. **Sidewalks:** Maintain a consistent street frontage and sidewalk connection along the Embarcadero.
2. **Boardwalks:** Develop where feasible a continuous pedestrian linkage along the waterfront. It is recognized that balcony or pedestrian levels may not always be at the same vertical elevation and therefore provision for steps and ramps must be made even though the adjacent building does not presently have provision for the lateral access. Exceptions for continuous handicapped access may be necessary as long as the developmentally disabled can get to each portion of the waterfront lateral access from the Embarcadero.
3. **Architectural Compatibility:** The buildings architectural character shall show consideration and recognition of neighboring buildings in the selection of: a) roof forms; b) wall colors and materials; c) doors and windows; as well as d) basic design character scale and proportion. In other words, new projects should not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment or attractiveness of adjacent buildings.

FINDINGS FOR DESIGN ACCEPTABILITY

To facilitate the architectural review process, the following findings shall be made by the City Planning Staff or the Planning Commission during the review process.

Category 1. Public Visual Access:

1. In the case of a project other than a minor remodel which has no impact on views, the proposed project makes a positive contribution to the visual accessibility to the bay and rock and it:
 - a) meets the Waterfront Plan height limit and maximum building coverage, bulk and scale requirements.
 - b) preserves and enhances the views as seen from street-ends;
 - c) enhances views to waterfront through and / or around the building; and
 - d) maintains a pedestrian character along the Embarcadero.
2. In the case of a remodel or administrative type project, at a minimum, it does not worsen an existing situation by blocking more views than is presently the case. It does not block view corridors or intrude into pedestrian access areas. It takes advantage of outward views and characteristics of the topography.

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3. On the West side of the Embarcadero, in the case of granting of heights greater than 17 feet, the proposed project also provides significant public benefit pursuant to the Planned Development Overlay Zone requirements.

Category 2. Site Design and Parking:

The proposed project provides the amenities identified in the Waterfront Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography.

Category 3. Architectural Design Character:

The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero area. The design recognizes the pedestrian orientation of the Embarcadero and provides an interesting and varied frontage that will enhance the pedestrian experience. The project gives its occupants and the public some variety in materials and / or their application. The project contains the elements of harmony, continuity, proportion, simplicity and balance and its appearance matches its function and the uses proposed.

Category 4. Areawide Design Compatibility:

The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment or attractiveness of adjacent buildings and provides a visual and pedestrian transition to its immediate neighbors.

PROJECT REQUIREMENTS AND APPLICATION PROCESS

The visual impacts of development on the waterfront community have a high potential to generate visual impacts. In order to demonstrate visual conformity with the guidelines set forth, all applicants who are submitting a new project, a major expansion, or one which requires more than administrative review by the City of Morro Bay, are asked to meet the following submittal guidelines and process. After review of the applicant's submittal, the City shall approve or deny the design component of the project based on findings of conformity with the design categories set out in Section C.

1. It is strongly urged that the applicant and his design team meet with City staff for a pre-application meeting to determine the general character and impact of the project. The staff will seek to define the detail of submittal requirements for

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the applicant as defined below. It must be emphasized that while the amount of documentation may seem extensive, previous experience has proven that it will actually save the applicant time and reduce the amount of possible public controversy by taking the visual issue out of the realm of speculation.

2. Base submittal for design and visual context information: (Two story projects must submit documents meeting requirements "a", "b", and "c". Single story projects may omit "a" upon approval by staff).
 - a) A minimum of three views perpendicular to the waterfront showing the present (before project) condition and the same view with a simulation of the project montaged on the surface of the photograph. In the event of a large project more than the three basic views listed below may be required. A planning staff member should be consulted in case there is any doubt. The three view types are:
 - 1) fixed viewing area at street ends (see map Figure 5.4 for location of fixed viewing area);
 - 2) view from public area on the bluff top with the horizon line centered in the photograph;
 - 3) view(s) from across the street (Embarcadero - minimum of 50 feet away from the building frontage).

These photographs shall be taken with a lens equivalent to the human eye and shall be in color and mounted on 8 1/2 x 11 paper with the location clearly stated. A map showing the camera locations shall also be attached to the submission.

- b) The frontal elevation of the project shall be drawn to scale and submitted and integrated into context drawings as shown in example, Figure 5.5 (available at the Planning Department). This drawing shall demonstrate the context, scale and compatibility of the design as it relates with the surrounding neighborhood. In the event that an adjacent building is proposed to be redesigned, the redesign should be shown rather than the existing structure.

The reviewing process may take into account that an adjacent building may not fit as well within the guidelines identified herein as the proposed structure and therefore make the required finding of compatibility if the proposed building fits the guidelines in all other respects.

- c) The applicant shall either construct a perspective based on a photograph or use a photo montage of the design superimposed on a view parallel to the

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waterfront showing the eye level pedestrian view along the Embarcadero. The intent is to put the proposed project into context with its neighbors as it would be seen by a pedestrian or traveler moving parallel to the project site. The perspective must be taken from the sidewalk opposite the project and show 25 feet of the adjacent lot or building on each side of the proposed project.

3. The applicant shall demonstrate how the proposed building conforms to the height and visual corridor aspects of the design requirements as set forth in Figures 5.1, 5.2 and 5.3 of this document.
4. The applicant shall submit text describing building, use, coverage (per City use permit requirements) and a list of materials and colors plus any other material that would support and assist in the review of the proposed project for conformity with the design guidelines.
5. For proposals which include development above the height of 14 feet, or for projects located on lease sites adjacent to the street ends, applicants shall prepare and submit with their application a detailed visual analysis of their project based on a standard analytical format provided by the City. The following project evaluation procedures shall be followed by the City and applicant when an application is processed:
 - a) Provide properly scaled and fully developed architectural renderings which adequately describe the height of the project and its relationship to view corridors and adjacent buildings;
 - b) Superimpose renderings over series of color photographs of site plan from each of the public observation points shown on Figure 5.4. Applicant shall provide color acetates suitable for use on an overhead projector at a public hearing;
 - c) In the event that the project may significantly alter views from public view corridors, the Planning Commission may require the temporary framing of roof corners and peaks to be erected and photographed prior to the project's public hearing to enable public and staff to personally evaluate visual impacts;
 - d) In the event of an appeal of the Staff or Planning Commission's decision, an information panel shall be placed on the site showing a copy of the photographs and describing other information (if any) that may be available at a designated City office or public place. Such information shall be on the site at least one week prior to the appeal hearing.

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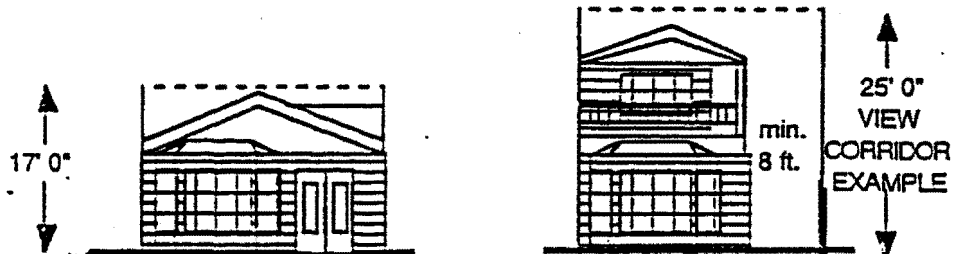
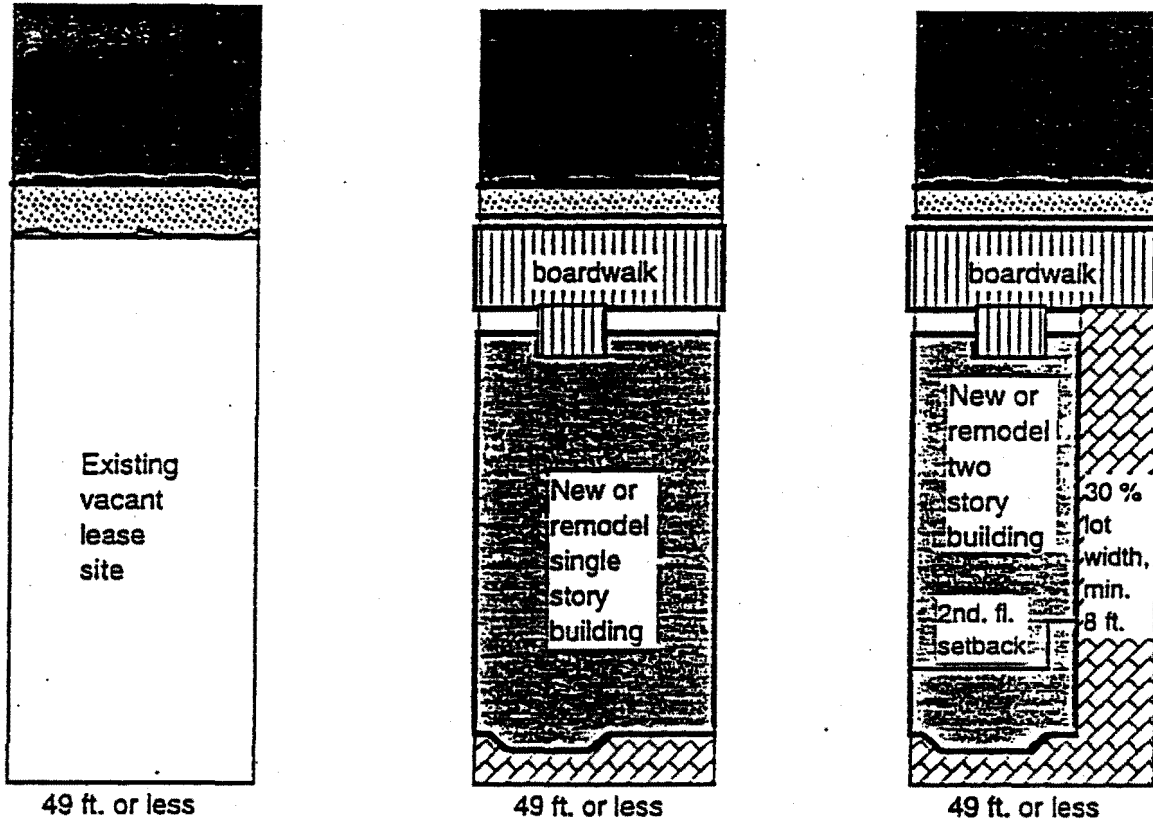
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VIEW CORRIDOR EXAMPLE

Waterfront

Lots of 49 ft. width or less



Maximum flat roof area allowable: 50 % of floor area

FIGURE 5.1

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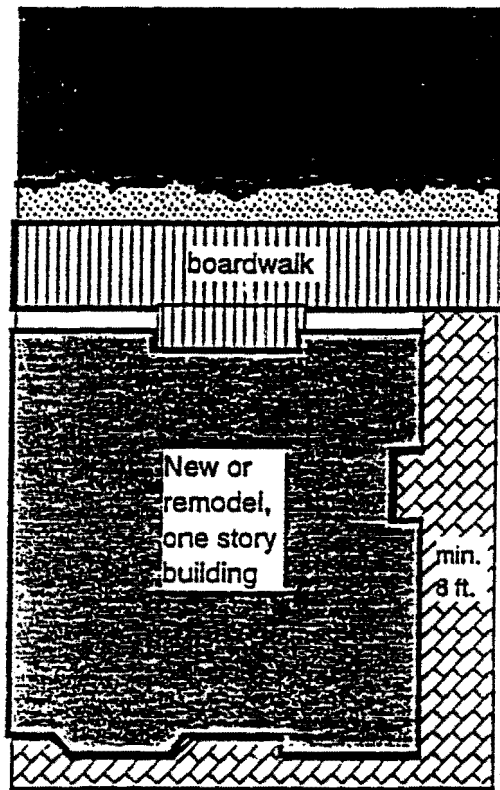
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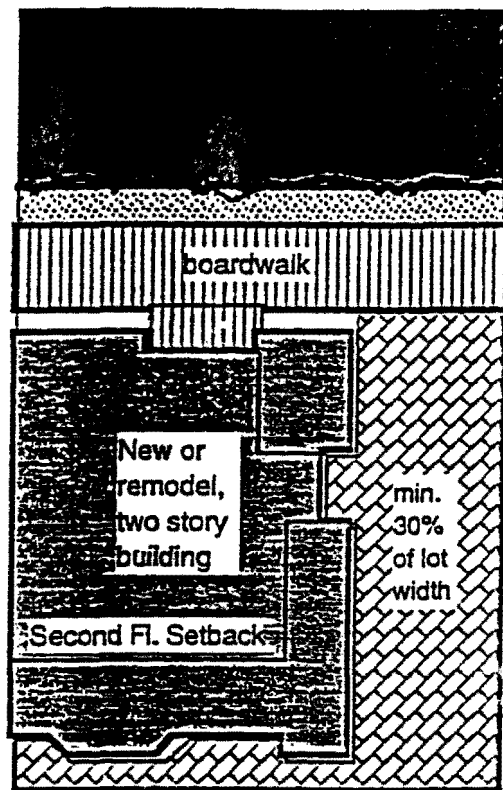
VIEW CORRIDOR EXAMPLE

Waterfront

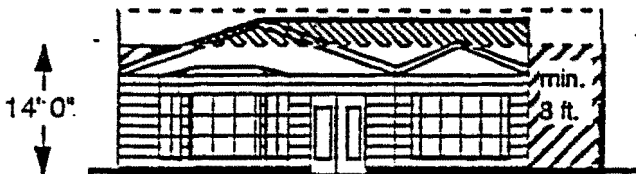
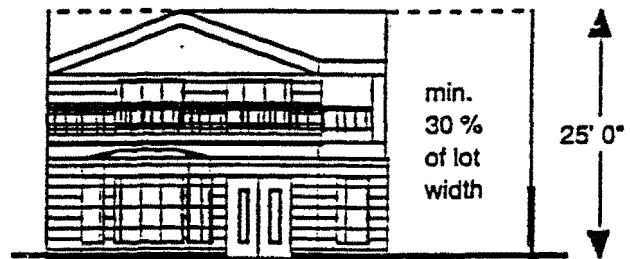
Lots or Common Lease Sites of 50 ft. width or more



50 ft. or more



50 ft. or more



Maximum flat roof area allowable: 50 % of floor area.

FIGURE 5.2

THIS SHADED AREA



MUST NOT EXCEED THIS SHADED AREA



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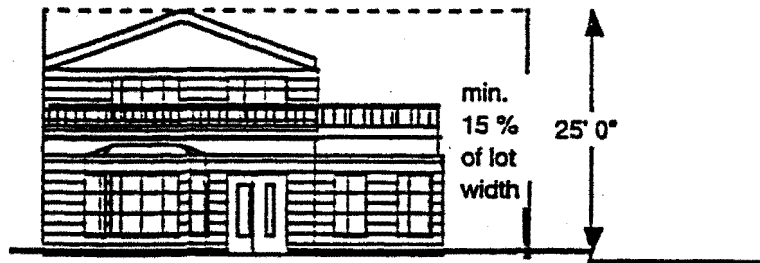
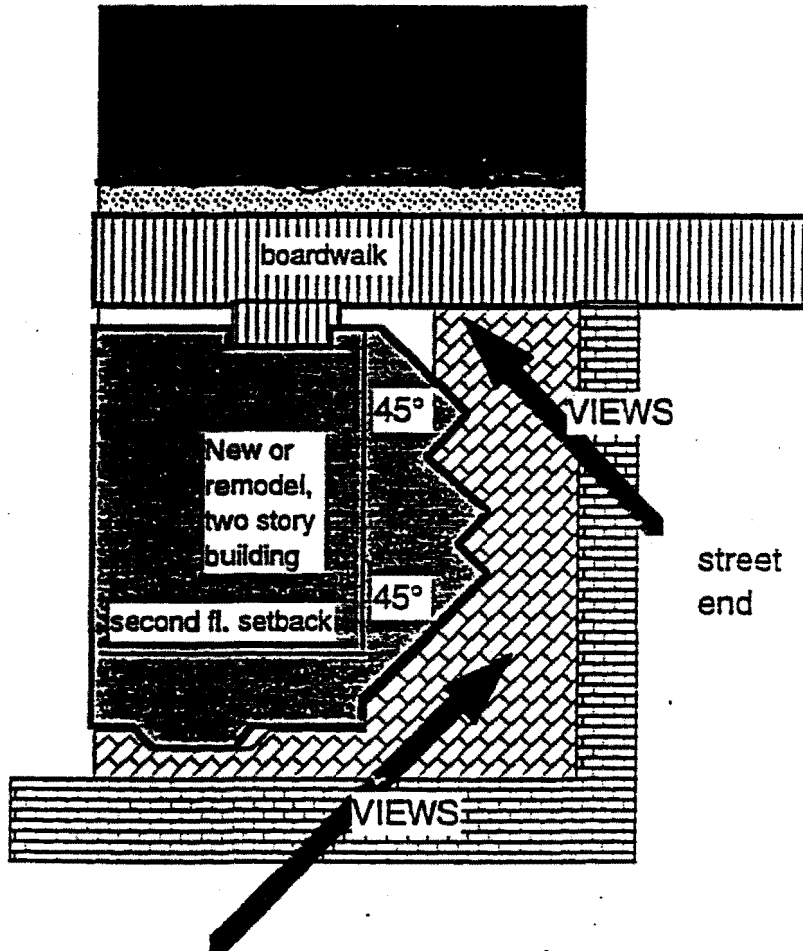
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VIEW CORRIDOR EXAMPLE

Waterfront

Criteria for Corner Lease Sites



The view criteria for lots over 50 ft. in width apply to corner properties and lease sites unless diagonal view corridors are provided as indicated in the diagram above

Maximum flat roof area allowable: 50 % of floor area

FIGURE 5.3

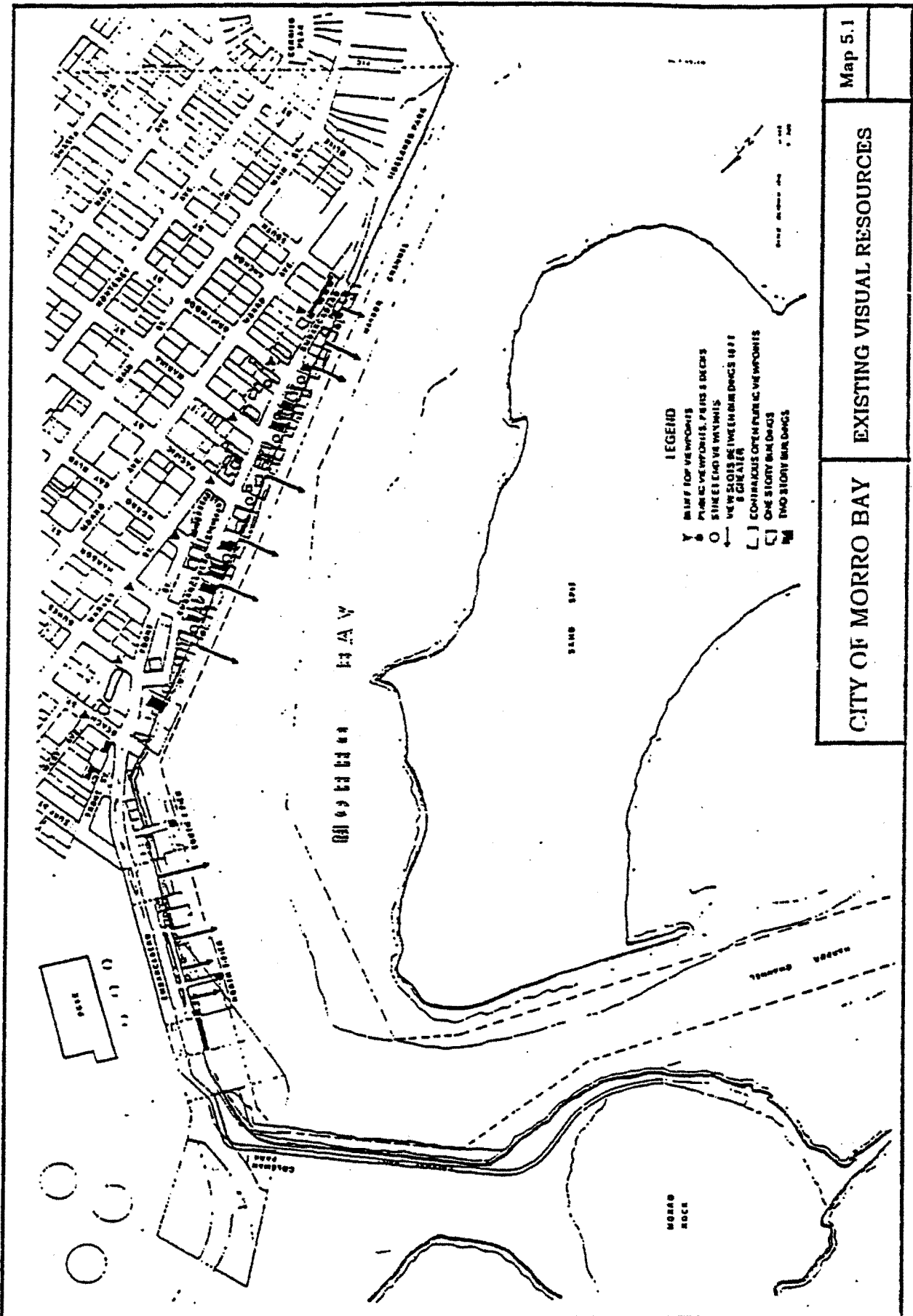
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Map 5.1

EXISTING VISUAL RESOURCES

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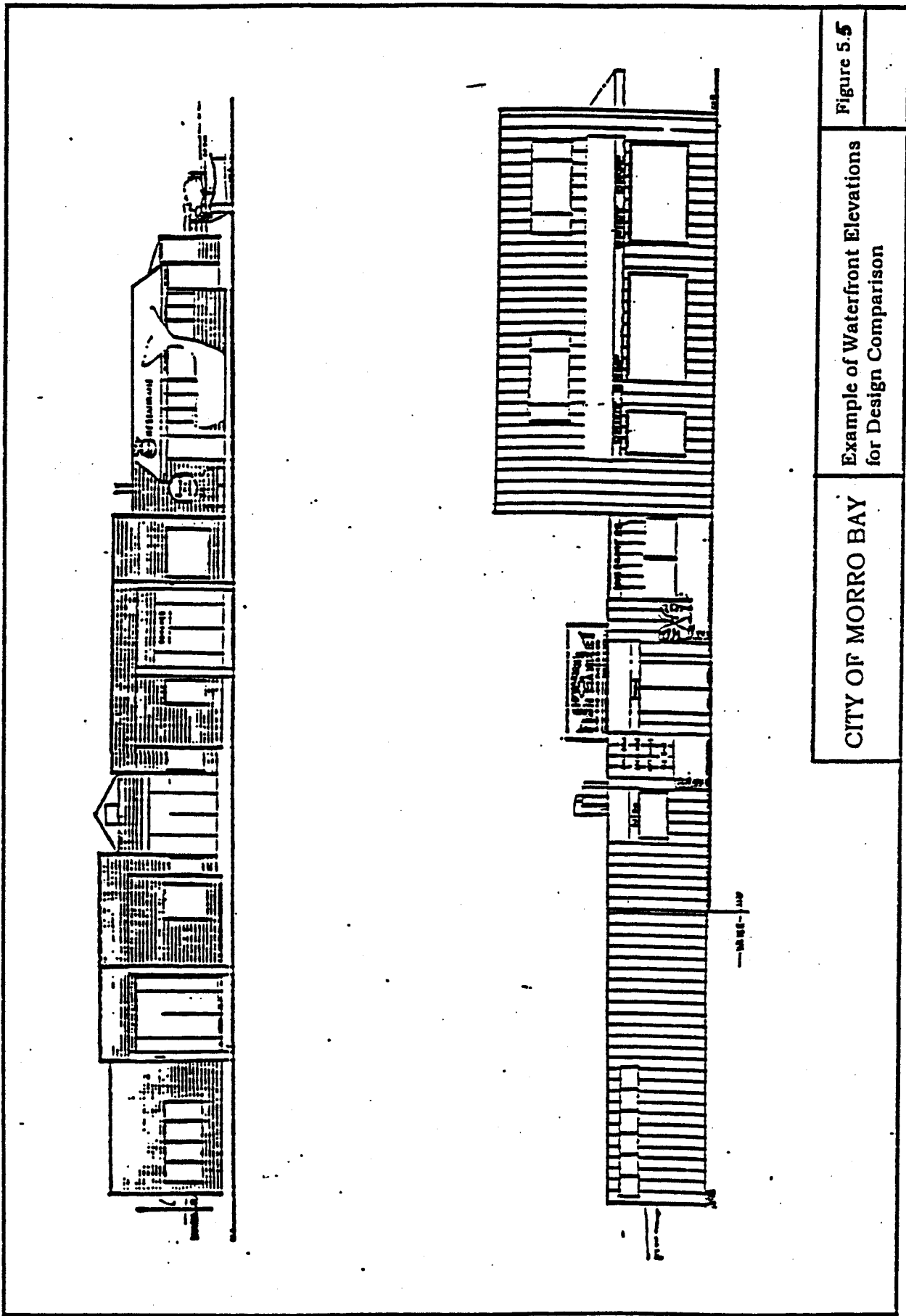


Figure 5.5

Example of Waterfront Elevations for Design Comparison

CITY OF MORRO BAY