

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863

**TH 3b**

January 25, 2001

TO: Commissioners and Interested Persons

**RECORD PACKET COPY**

FROM: Tami Grove, Deputy Director *RGH*  
Renee Brooke, Coastal Planner

**SUBJECT: CITY OF MORRO BAY DE MINIMIS LCP AMENDMENT NO. 1-00.** To be reported to the Commission at its meeting of February 15, 2001, to be held at Embassy Suites, 333 Madonna Road, San Luis Obispo 93406.

**CITY'S PROPOSED AMENDMENT**

The City of Morro Bay is requesting that its certified Local Coastal Program (LCP) Implementation Plan (IP) and Land Use Plan (LUP) be amended to:

- Regulate manufactured housing on properties zoned for single-family residential development (in compliance with Government Code Section 65852.3-65852.5) with measures to protect the character of single-family residential neighborhoods (modify LUP Zoning Map; remove Section 17.40.060 of the IP; add Section 17.48.350).
- Reestablish a lower height limit, with clarifying language prohibiting two-story construction and mezzanines, in the Beach Tracts (Section 17.050 D).

The purpose of this notice is to advise interested parties of the determination by the Executive Director that the filed amendment parts listed above are "de minimus." The full text is available upon request.

**DE MINIMIS LCP AMENDMENT PROCEDURES  
APPLIED TO THE CITY'S PROPOSED AMENDMENT**

Coastal Act Section 30514(d) provides for the designation of certain proposed amendments to a Local Coastal Program (LCP) as de minimis amendments by the Executive Director and reporting of that designation to the Commission for review. If three or more commissioners object to the de minimis designation the amendment shall be set for public hearing; if three or more commissioners do not object to the de minimis designation, then the amendment shall be deemed approved and become part of the certified LCP 10 days after the date of the Commission meeting.

**California Coastal Commission**

In order to qualify as a de minimis amendment, the following three criteria must be met:

1. The Executive Director must determine that the proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and that it is consistent with the policies of Chapter 3;
2. The local government must provide public notice of the proposed amendment at least 21 days prior to submitting the amendment to the Commission, by one of the following methods: posting on-site and off-site in the affected area, newspaper publication, or direct mailing to owners and occupants of contiguous property and;
3. The amendment does not propose any change in use of land or water or allowable use of property.

1. **Executive Director's determination of no impact to coastal resources and consistency with Chapter 3 of the Coastal Act:** The first part of the proposed amendment would eliminate the Mobile Home Overlay Zone, consistent with State law, and would make proposed Zoning Ordinance Section 17.48.350 applicable to all areas zoned for single-family residential development. The proposed Section includes measures to protect the character of single-family residential neighborhoods and would make manufactured homes largely indistinguishable from single-family residences.

The second part would reestablish a lower height limit, with clarifying language prohibiting two story construction and mezzanines, in the Beach Tracts at the north end of the City. The proposal would not have any impact, either individually or cumulatively, on coastal resources, and it is consistent with the policies of Chapter 3 of the Coastal Act.

2. **Provision of public notice:** The City of Morro Bay provided public notice by newspaper advertisement on October 13, 2000 and in the case of ordinance 483, by mail to owners on record of the lots affected by the amendment. The amendment submittal was received by Commission staff on November 20, 2000, thus satisfying the 21 day requirement. There was substantial correspondence received only for ordinance 483, none of which addressed coastal policy issues.
3. **No change in use of land or allowable use of property:** No change in use is proposed by this amendment.

The Executive Director will report in writing this determination to the Coastal Commission at its February 15, 2001 meeting at the Embassy Suites, 333 Madonna Road, San Luis Obispo, CA 93406. He will also report any comments made. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Renee Brooke at the Central Coast District Office in Santa Cruz. If you wish to comment on the proposed "de minimus" amendment determination, please do so by February 8, 2001.



**CITY OF MORRO BAY LOCAL COASTAL  
PROGRAM AMENDMENT # 1-00 DE MINIMUS**

**ATTACHMENT**

**FULL TEXT OF PROPOSED AMENDMENTS**

CHANGES INDICATED BY STRIKE-OUTS AND HIGHLIGHTS  
AS ADOPTED BY THE CITY OF MORRO BAY



**ORDINANCE NO. 484**

**AN ORDINANCE OF THE CITY OF MORRO BAY ANNOUNCING FINDINGS  
AND ADOPTING AMENDMENTS TO THE ZONING ORDINANCE  
TO REGULATE MANUFACTURED HOUSING ON PROPERTY  
ZONED FOR SINGLE-FAMILY RESIDENTIAL**

**THE CITY COUNCIL  
City of Morro Bay, California**

**CASE NO. LCP/ZOA 01-00**

**WHEREAS**, the Planning Commission of Morro Bay, on July 17, 2000 after duly noticed PUBLIC HEARINGS, did forward a recommendation, by adoption of Planning Commission Resolution No. 01-00, that the City Council amend the Zoning Map to eliminate the Mobile Home Overlay Zone as reflected in Exhibit "A", as well as Title 17 of the Morro Bay Municipal Code (Zoning Ordinance) to regulate manufactured housing on property zoned for single-family residential development as contained in attached Exhibit "B"; and

**WHEREAS**, on the 23rd day of October 2000, the City Council of the City of Morro Bay did hold a duly noticed PUBLIC HEARING to consider the amendment to eliminate the Mobile Home Overlay Zone from the Zoning Map as contained in Exhibit "A", as well as to consider the amendment regulating manufactured housing on property zoned for single-family residential development as contained in attached Exhibit "B"; 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 PUBLIC HEARING, and upon consideration of the testimony of all persons, both written and oral, the City Council accepted the Planning Commission recommendation and approved the amendment based on the following findings:

1. The City Council adopted an urgency ordinance on October 27, 1997, prohibiting placement of certain manufactured homes (more than 10 years old at time of permit application) in the Beach Tracts; and
2. The City Council directed staff to bring the zoning regulations for installation of manufactured housing on properties zoned for single-family residential development into compliance with State law.
3. The City Council authorized two extensions of Urgency Ordinance 464 until October 26, 1999; and
4. Urgency Ordinance 464 expired on October 26, 1999 leaving Ordinance 208 (Mobile Home Overlay Zone Standards) and Ordinance 209 (amending the Zoning Map to identify the "M" suffix area) in place; and
5. The proposed Ordinance brings the City's regulations for manufactured housing into conformance with State law while providing development standards that protect neighborhood character.

*Exhibit 1 (1 of 2)  
City Council Ord. NO. 484*

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

SECTION 1: The Zoning Map is amended to reflect the elimination of the Mobile Home Overlay Zone attached hereto as Exhibit "A"

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

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

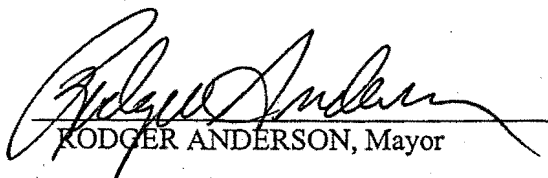
1. That the above recitations are true and correct and constitute the findings of the Commission in this matter; and,
2. The City Council of the City of Morro Bay hereby finds that the Local Coastal Program Implementation Program (Zoning Ordinance) Amendments are in compliance with the intent, objectives, and all applicable policies and provisions of the California Coastal Act; and
3. The amendments to Title 17 shall take effect immediately upon certification by the California Coastal Commission.

**INTRODUCED** at the regular meeting of the City Council held on the 23rd day of October 2000, by motion of Elliott and seconded by Peters.

**PASSED, APPROVED, AND ADOPTED**, by the City Council of the City of Morro Bay, on the 13 day of November, 2000 by the following vote to wit:

AYES:	Anderson, Crotzer, Elliott, Peirce, Peters
NOES:	None
ABSTAIN	None
ABSENT:	None

ATTEST:

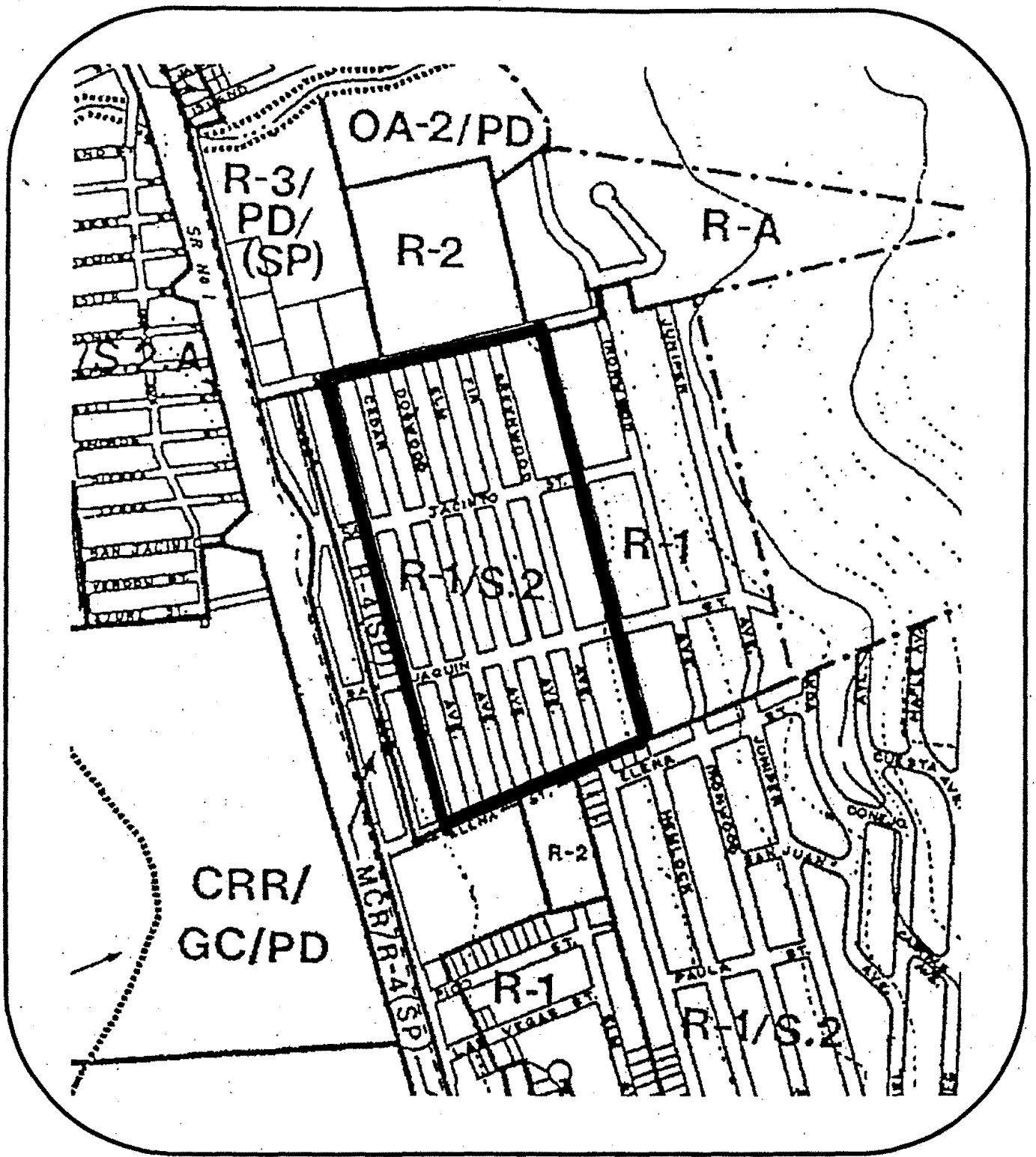
  
RODGER ANDERSON, Mayor

  
BRIDGETT BAUER, City Clerk

APPROVED AS TO FORM:

  
ROBERT W. SCHULTZ, Esq., City Attorney

Exhibit 1  
(2 of 2)



PLANNING COMMISSION  
CITY OF MORRO BAY  
October 16, 2000



ZONING MAP

Exhibit A

Exhibit 2  
Revised Zoning Map

**Exhibit B**  
**Ordinance No. 484**

Section 17.040.060 is hereby deleted as follows:

~~A. Purpose. The purpose of the mobilehome (M) overlay zone is to implement Government Code Section 65852.3 requirements allowing mobilehomes on certain R-1 zoned lots.~~

~~B. Design Standards. Where designated as an "M" Overlay Zone to the principal single-family zone use and standards, or where assigned to a special treatment combining District, the placement of manufactured housing on permanent foundations (pursuant to Section 65852.3 or successor sections of the State Government Code) shall be permitted as the main dwelling structure in addition to conventional site-built and factory-built housing, under the following conditions and standards:~~

- ~~1. The manufactured housing (mobile home) shall be certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.);~~
- ~~2. All other City zoning requirements shall be complied with;~~
- ~~3. City installation/construction requirements as administered by the Planning and Building Department shall be complied with; and~~
- ~~4. The Building Official shall certify that all main dwelling structures meet the following architectural standards:~~
  - ~~a. Eave overhangs of at least eighteen inches;~~
  - ~~b. Minimum three inch in twelve inch roof pitch;~~
  - ~~c. Exterior wall materials of wood, stone, masonry, stucco, or other similar material (excluding metal or plastic product); and~~
  - ~~d. Roof materials of wood, asphalt, rock, clay, concrete or other similar material (excluding metal).~~

Section 17.48.350 is hereby added as follows:

**Manufactured homes on Single-Family Lots**

Manufactured homes on single-family lots shall be subject to the following standards:

1. The manufactured home shall be subject to the same minimum setback requirements as specified in each residentially-zoned district.
2. The manufactured home shall be placed on a permanent foundation as determined by the Building Official.
3. Manufactured homes placed on lots zoned for single-family dwellings shall have the same minimum off-street parking requirements as are required for single-family dwellings.
4. Each manufactured home to be placed on a lot zoned for a single-family dwelling shall have a certificate or seal indicating conformance with the National Mobile Home

Exhibit 3 (1 of 2)  
Ord. NO. 484 text

Construction and Safety Standards Act of 1974 and the Uniform Building Code as adopted and amended by the City.

5. Each manufactured home to be placed on a lot zoned for a single-family dwelling shall be covered with an exterior material customarily used on conventional dwellings. These materials include wood, stone, masonry, stucco, or other non-reflective material. Such exterior covering material shall extend to the ground, except when a solid concrete or masonry perimeter foundation is used; then the exterior covering material need not extend below the top of the foundation. Perimeter foundations consisting of concrete or masonry material shall be architecturally painted or treated to blend with the exterior material of the unit.
6. Each manufactured home to be placed on a lot zoned for a single-family dwelling shall have a roof consisting of shingles or other materials customarily used for conventional dwellings. These materials include wood, asphalt, rock, clay, concrete, or other non-reflective materials.
7. Subsequent to applying for the required building permit, and prior to occupancy, the owner shall request certification from the Building Department that a certificate of occupancy is to be issued pursuant to subsection (2) of subsection (b) of Section 18551 of the Health and Safety Code of the State. Thereafter, any vehicle license plate, certificate of ownership, or certificate of registration issued by a State agency shall be surrendered to the appropriate State agency.
8. Prior to the installation of a manufactured home on a lot zoned for a single-family dwelling, owner or a licensed contractor shall obtain a building permit from the Building Department.
9. No manufactured home shall be installed if more than 10 years has elapsed between the date of the manufacture of the manufactured home and the date of application for issuance of a permit to install the manufactured home.



**ORDINANCE NO. 483**

**AN ORDINANCE OF THE CITY OF MORRO BAY ANNOUNCING FINDINGS AND  
ADOPTING AMENDMENTS TO THE ZONING ORDINANCE TO REGULATE  
DEVELOPMENT STANDARDS FOR BUILDING HEIGHT IN THE BEACH TRACTS**

**THE CITY COUNCIL**  
**City of Morro Bay, California**

**CASE NO. LCP/ZOA 02-00**

**WHEREAS**, the Planning Commission of Morro Bay, on August 21, 2000 and September 18, 2000 after duly noticed PUBLIC HEARINGS, did forward a recommendation, by adoption of Planning Commission Resolution No. 02-00 that the City Council amend Title 17 of the Morro Bay Municipal Code (Zoning Ordinance) to regulate development standards for height in the Beach Tracts as contained in attached Exhibit "A"; and

**WHEREAS**, on the 23rd day of October 2000, the City Council of the City of Morro Bay did hold a duly noticed PUBLIC HEARING to consider the amendment regulating development standards for the Beach Tracts as contained in attached Exhibit "A"; 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 PUBLIC HEARING, and upon consideration of the testimony of all persons, both written and oral, the City Council accepted the Planning Commission recommendation and approved the amendment based on the following findings:

1. The City Council adopted an urgency ordinance on October 27, 1997, prohibiting two-story construction, including roof decks in the Beach Tracts; and
2. The City Council authorized two extensions of Urgency Ordinance 464 until October 26, 1999; and
3. Urgency Ordinance 464 expired on October 26, 1999 leaving the February 14, 1997 revision to the height standards in place; and
4. The proposed Ordinance amendment retains historic development patterns and community preferences.
5. The proposed Ordinance amendment is in conformance with the neighborhood character characterized by small lots, narrow setbacks, and one-story dwellings.

Exhibit 4 (1 of 2)  
City Council Ord. NO. 483

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

**SECTION 1:** Title 17 of the Morro Bay Municipal Code (Zoning Ordinance) is amended as contained in Exhibit "A", attached hereto and made a part of this ordinance:

**SECTION 2:** To implement the amendment adopted herein, the City Council of the City of Morro Bay, California, hereby directs as follows:

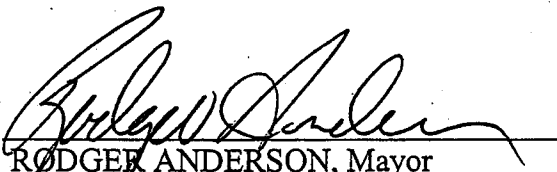
1. That the above recitations are true and correct and constitute the findings of the Commission in this matter; and,
2. The City Council of the City of Morro Bay hereby finds that the Local Coastal Program Implementation Program (Zoning Ordinance) Amendments are in compliance with the intent, objectives, and all applicable policies and provisions of the California Coastal Act; and
3. The amendments to Title 17 shall take effect immediately upon certification by the California Coastal Commission.

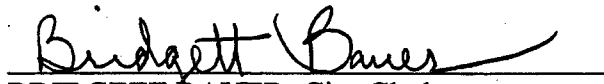
**INTRODUCED** at the regular meeting of the City Council held on the 23rd day of October 2000, by motion of Crotzer and seconded by Peters.

**PASSED, APPROVED, AND ADOPTED**, by the City Council of the City of Morro Bay, on the 13th day of November, 2000 by the following vote to wit:

AYES:	Anderson, Crotzer, Elliott, Peirce, Peters
NOES:	None
ABSTAIN	None
ABSENT:	None

ATTEST:

  
RODGER ANDERSON, Mayor  
City of Morro Bay

  
BRIDGETT BAUER, City Clerk  
City of Morro Bay

APPROVED AS TO FORM:

  
ROBERT W. SCHULTZ, Esq.  
City Attorney

Exhibit 4  
(2 of 2)

**Exhibit A**  
**Ordinance No. 483**

Morro Bay Municipal Code Section 17.050 D is hereby amended to read as follows:

D. S.2A Overlay Zone Standards. The purpose of this overlay zone is to preserve the existing character of physical development in the area within the jurisdiction of the city, west of State Highway One, north of Azure Street. Where this overlay zone fails to specify the location and type of development permitted, the existing R-1 classification shall be deemed to contain the applicable definitions and specifications. The following special standards apply to the S.2A overlay zone:

1. Minimum front yard setback, fifteen feet, including garage.
2. Minimum interior side yard setback, five feet.
3. Minimum exterior side yard setback (corner lot), fifteen feet, including garage.
4. Maximum lot coverage permitted, fifty percent for lots four thousand square feet or less.
5. Lot area less than three thousand five hundred square feet lot area, with a residence under one thousand four hundred square feet, one car garage or carport permitted.
- ~~6. Dwelling height limit, fourteen feet for flat roofs and top of deck railing; provided, however, that for peaked roofs ( 4 in 12 or greater pitch) and other architectural features, a height of up to seventeen feet may be permitted.~~
6. Dwelling height limit, fourteen (14) feet for flat roofs and top of deck railing; provided, however, that for peaked roofs ( 4 in 12 or greater pitch) and other architectural features, a height of up to seventeen (17) feet may be permitted. Dwellings are limited to one-story buildings. Two story construction and/or any intermediate floors, such as mezzanines, as defined by the Building Code, is prohibited.
7. R-1 standards apply otherwise.

