

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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RECORD PACKET COPY

**Th5b**

October 28, 2004

TO: Commissioners and Interested Persons

FROM: Charles Lester, Deputy Director *C.L.*,
Mike Watson, Coastal Planner

SUBJECT: CITY OF MORRO BAY DE MINIMIS LCP AMENDMENT NO. 1-04. To be reported to the Commission at its meeting of November 18, 2004 to be held at the Sheraton Los Angeles Harbor, 601 South Palos Verdes Street, San Pedro, CA 90731.

CITY'S PROPOSED AMENDMENT

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

- Rezone approximately 1-acre site consisting of 7 undeveloped, underlying lots from Central Business/General Commercial (C-1/C-2/SP) to Mixed Commercial/Residential and Multiple Residential-Professional with a Planned Development overlay (MCR/R-4/PD/SP). The Specific Plan (SP) designation will remain. The site is located at 401 Atascadero Road at the corner of Highway 41 (Atascadero Rd.), Sunset Avenue, and Rockview Street. Please see Exhibit A.

The purpose of this notice is to advise interested parties of the determination by the Executive Director that the filed amendment is "de minimis." 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.

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



California Coastal Commission
November 18, 2004 Meeting in San Pedro

Staff: M. Watson Approved by: *C.L., 10/28/04*

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.

These criteria have been satisfied as follows:

1. **Executive Director's determination of no impact to coastal resources and consistency with Chapter 3 of the Coastal Act:** The existing Land Use Plan designation is Mixed Use Area F, which accommodates a variety of uses including those proposed under the amendment. The proposed site is bounded by residential development to the north and east and commercial development to the south and west. The proposed zone change to Mixed Commercial/Residential and Multi-Residential Professional, would allow for commercial-only, residential-only, or mixed uses as appropriate consistent with Coastal Act Section 30250 to concentrate urban uses in developed areas with public services. The proposed site is located east of Highway 1 in an area developed at urban densities.
2. **Provision of public notice:** The City of Morro Bay provided public notice by newspaper advertisement on May 7, 2004 and, in the case of ordinance 503, by mail to all owners of the lots affected by the amendment. The public hearing occurred on June 28, 2004. The amendment submittal was received by Commission staff on July 21, 2004, thus satisfying the 21 day requirement. No substantial correspondence was received on the amendment or the ordinance.
3. **No change in use of land or allowable use of property:** The underlying land use designation has always been mixed use. Under the existing commercial zoning, mixed-use projects are allowed with restrictions. The proposed mixed commercial/residential zoning will facilitate a greater "mix" of compatible residential and commercial uses.

The Executive Director will report in writing this determination to the Coastal Commission at its November 18, 2004 meeting at the Sheraton Los Angeles Harbor, 601 South Palos Verdes Street, San Pedro, CA 90731. 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 Mike Watson at the Central Coast District Office in Santa Cruz. If you wish to comment on the proposed "de minimis" amendment determination, please do so by November 15, 2004.



EXISTING ZONING MAP

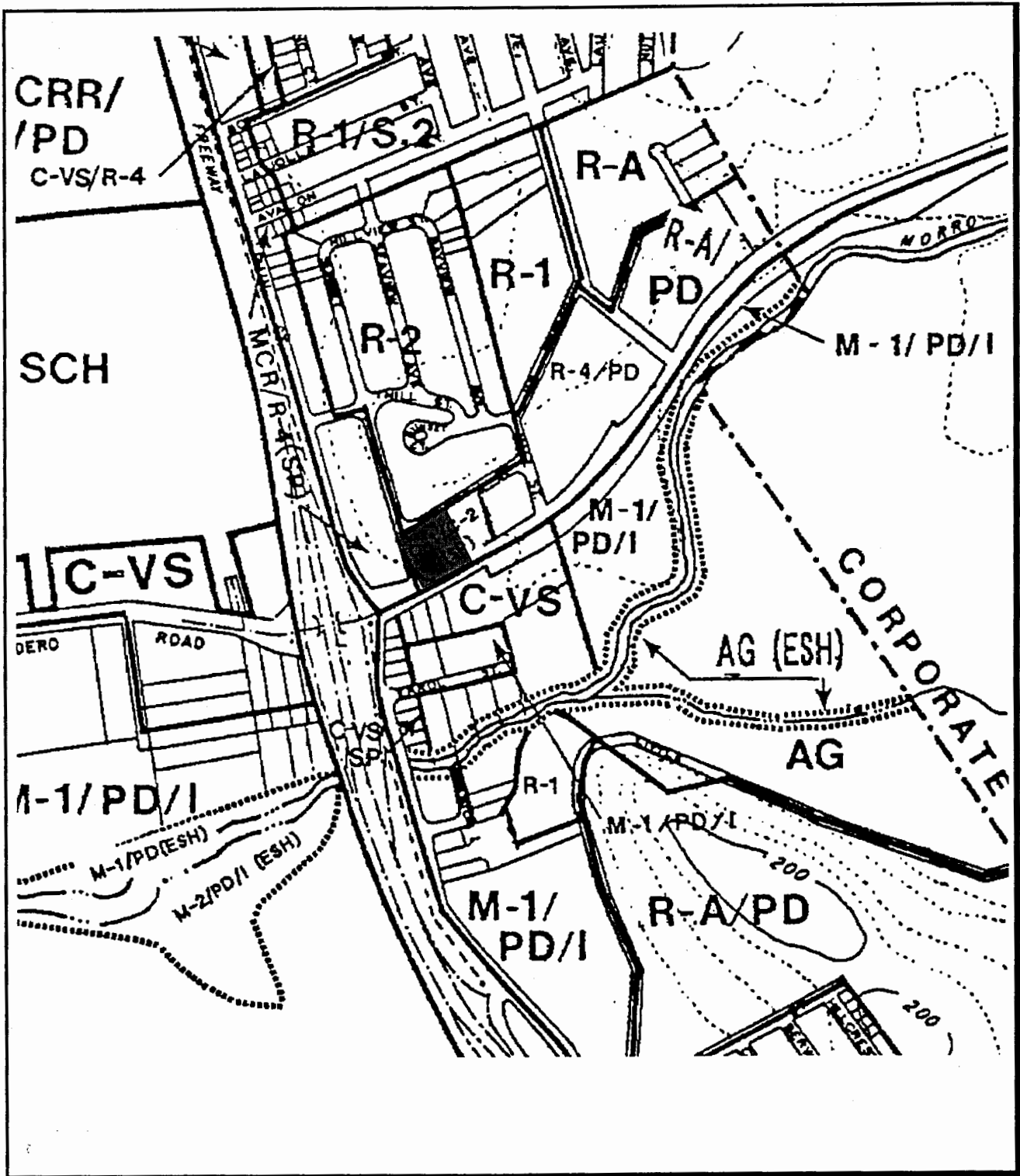


EXHIBIT B

PROPOSED ZONING MAP

