

Draft Proposed Zoning Ordinance
City of Morro Bay

Chapter 17.06 R Residential Districts

CHANGES TO EXISTING ZONING STANDARDS

During the City Council meeting held on the evening of January 24, 2005, City staff asserted that the residential zones incorporated into the draft proposed Zoning Ordinance would not substantially alter existing development standards. The explanation provided for apparent discrepancies noted was that current residential land use standards are actually provided, not by Sections 17.24.040, 17.24.050, and 17.24.070, but by the Special Treatment Overlay Zones defined in Section 17.40.050.

In order to better understand the content and potential effects of the proposed Zoning Ordinance, I have reviewed the Sections of exiting code pertaining to Special Treatment Overlay Zones, and have compared these provisions with the draft. This process has revealed some information which I believe will be of interest and would like to share with the Council and the community.

RS-A Zone – The RS-A zone will include four separate land areas which are located east of U. S. Highway 1. Under the existing code, these sections are all designated as RS-A or RS-A/PD. Consequently, a relatively direct comparison of existing and proposed standards is possible.

In the RS-A Zone, the proposed Zoning Ordinance would decrease the required front yard setback from 20 feet to 10 feet. A minimum front setback of 20 feet would be retained for garages only.

RS-B Zone – Under the proposed Zoning Ordinance, the Beach Tract and the Cloisters development would be zoned as RS-B. The current zoning for these areas is R-1/S.2a. No notable changes in development standards are provided for this area. The minimum required side yard width has, however, been reduced from five feet to four, with the provision that the aggregate for both side yards be ten feet. It is unclear how this provision would be applied to corner lots.

RS-C Zone – The draft proposed Zoning Ordinance would apply the RS-C zoning designation to a number of areas which are widely scattered throughout the City:

- a. A sizeable residential area which is situated east of Highway 1 and north of Highway

41. This area is currently zoned R-1/S.2.
- b. The Radcliffe area, also situated east of Highway 1 and currently zoned R-1/S.2.
 - c. An additional small neighborhood east of Highway 1 immediately south of the junction of Morro Creek and Little Morro Creek; this property is currently zoned R-1, with no Special Treatment Overlay Zone.
 - d. All of the single-family residential neighborhoods that lie west of Highway 1 and south of Morro Bay Boulevard. This sizeable residential area is now designated R-1, with no Special Treatment Overlay Zone.

The proposed RS-C zoning designation will result in substantial changes in development standards for the north Morro Bay neighborhoods that are presently designated R-1/S.2. These will include:

- Front yard depths will be reduced from 15 feet (including garages) to 10 feet (including garages).
- Interior side yard widths will be reduced from 10% of lot width (maximum of five feet) to three feet.
- Corner side yard widths will be reduced from 20% of lot width (maximum of ten feet) to six feet (ten feet for garages).

The changes in development that will be brought about by the new RS-C zone will be even greater for the current R-1 neighborhoods in south Morro Bay:

- Maximum lot coverage will be increased from 45% to 50%.
- Front yard depths will be reduced from 20 feet to 10 feet (including garages).
- Interior side yard widths will be reduced from 10% of lot width (with a minimum of five feet and a maximum of ten feet) to three feet.
- Corner side yard widths will be reduced from 20% of lot width (with a minimum of five feet and a maximum of ten feet) to six feet (ten feet for garages).
- Rear yard depths will be reduced from 10% of lot width (with a minimum of six feet and a maximum of ten feet) to five feet.

RS-D Zone – Under the proposed Ordinance, the RS-D zoning designation is applied to the residential neighborhood which lies north of Del Mar Park and east of U. S. Highway 1. The current zoning for this area is R-1/S.1. The only modification of development proposed is an increase in allowable lot coverage from 45% to 50% on lots larger than 4,000 square feet. It is not clear how many properties within the zoning designation would be affected.

RD Zone – The proposed draft Zoning Ordinance applies Residential Duplex zoning to a number of areas which border the City's central business district on both the north and south. This designation is also applied to the Bayshore property adjacent to Morro Bay State Park and to a small area between Kings Street and the State Park and an additional small area within the State Park itself and utilized for employee housing. Existing zoning for these areas is R-2, R-2/PD, and R-2/S.4. Despite this consolidation, there have been no signifi-

cant changes in standards for building scale and density or building form and location. The existing requirement for “special design review” for properties adjacent to Morro Avenue has been deleted, but this does not appear to be of practical significance because this area is within a PD overlay.

RM Zone – Although the area designated for Multifamily Residential (RM) use by the draft proposed Zoning Ordinance is relatively small, the effect of the proposed ordinance in these areas is complex. The revised Zoning Ordinance would apply the RM designations to all areas of the City that are currently zoned R-3, R-3/S.3, R-4, or R-4/S.4.

At present, the R-4 and R-4/S.4 (also known as the Multifamily–Hotel–Professional District) designations apply to:

- Properties on both sides of South Main Street between Anchor and Driftwood Streets
- Properties on the north side of Pacific Street between approximately Monterey and Kern Streets
- Areas that lie to the south and to the west of Morro Bay Elementary School
- A roughly rectangular site located on the north side of Highway 41 and east of Highway 1
- A long narrow strip in north Morro Bay bounded by Elena, Birch, Sequoia, and Alder Streets
- Two smaller parcels on Yerba Buena Street and on Zanzibar Street, at the extreme north end of the City.

The draft proposed Zoning Ordinance would significantly alter allowable land uses in these R-4 and R-4/S.4 areas. Under current code such visitor serving land uses as hotels, motels, and “commercial uses and services including, but not limited to newstands, gifts and notions, coffee shops, self-service laundries, and bike rental, which are normally incidental to hotels, motels, and mobile home parks” are allowable with a Conditional Use Permit (CUP). In addition (also with a CUP), non-visitor serving “professional, governmental, and general business offices which do not engage in retail sales on the premises” are permitted.

Under the proposed revision to the Zoning Ordinance none of these visitor serving or general office uses would be allowed. The only commercial uses that would be permitted (with a CUP) would be “general markets” and “personal services”, and even these would be restricted to secondary use within a multifamily residential building. The net effect of this change is a significant reduction in the amount of property available for visitor serving development and general office use. Whether this change is consistent with the California Coastal Act is an issue that should be considered by the City Council in its review of this section.

The proposed RM District will also greatly impact allowable land uses for several properties that are located on both sides of South Main Street, between Olive and Anchor Streets. This site is currently designated R-3/S.3. The S.3 Special Treatment Overlay imposes specific requirements that encourage the development of visitor serving commercial uses in this zone and prohibit increases in either the number of residential units or the total floor space devoted to general office use in this area. The proposed Zoning Ordinance would not only eliminate these provisions, but would, in fact, prohibit visitor serving commercial uses at this site.

The proposed new RM District would include several areas that are presently zoned R-3. The largest such area is located in north Morro Bay immediately east of North Main Street and north of Sequoia Street. Another small R-3 area is situated on the east side of South Main Street, between South and Olive Streets. The primary impacts of the new RM designation on these sites would be:

- A reduction in the Minimum Lot Area per Unit from the current 2,175 square feet to 1,800 square feet, increasing the density of development by approximately 17%, and
- An increase in allowable building height from 25 to 30 feet.

In terms of building setbacks, the requirements of the proposed RM zone are (with the exception of the reduced Minimum Lot Area per Unit noted above and) very similar to existing standards. The current Zoning Ordinance, however, does specify that, when an R-3 or R-4 zone abuts an R-1 or R-2 zone, the rear yard setback for the multifamily zone must be increased from 5 feet to the R-1/R-2 requirement (i.e., 10% of the depth of the lot, with a minimum of 6 feet and a maximum of 10 feet).

The City has repeatedly indicated that the current revision of the Zoning Ordinance is not intended to modify the provisions of our current code, merely to consolidate and clarify existing policies. It is clear that Chapter 17.06 will make several significant changes to residential zoning throughout the City. The most important of these include:

- A significant reduction in front yard setbacks in the proposed RS-A zone
- A notable increase in the allowable scale and bulk of development and decrease in required separation of residences in the proposed RS-C area which lies south of Morro Bay Boulevard
- A significant increase in allowable density of development and maximum building height in areas which are currently zoned R-3
- A reduction in the amount of land available for visitor-serving commercial and general office development
- A complete reversal of City policy with regard to the R3/S.3 zone.

In light of these observations, I believe that it is very important that the City Council and the residents of Morro Bay be made aware of the precise changes that each chapter of the proposed Zoning Ordinance will, in fact, create with respect to land use and development in our community. Such major revisions should, if they are made at all, be enacted only with the informed, conscious intent of the Council and with full participation of a citizenry that has been provided with a complete and readable explanation of the impacts on their own neighborhoods.

While I realize that the preparation of this sort of analysis will represent a considerable work load for staff, it is the future direction of our City that is at stake.

COMPARISON OF EXISTING AND PROPOSED ZONING ORDINANCES – SINGLE FAMILY RESIDENTIAL ZONES

Bold italic text indicates discrepancies between existing and proposed ordinances

	Suburban Residential		Low Density SF		Medium Density SF		High Density SF	
	Proposed RS-A Zone	Existing R-A/PD Zone	Proposed RS-B Zone	Existing R-1/S.2.A Zone	Proposed RS-C Zone	Existing R-1/S.2 Zone	Proposed RS-D Zone	Existing R-1/S.1 Zone
Building Scale - Density/Intensity								
Permitted Lot Sizes – Pre-existing lots as of [date of ordinance, 2004] (sq. ft.)	7,500 - 20,000	Not specified	4,000 - 8,000	Not specified	3,750 - 5,000	Not specified	2,300 - 4,000	Not specified
Minimum Lot Size – New lots created after [date of ordinance, 2004] (sq. ft.)	20,000	20,000	6,000	Not specified	6,000	Not specified	6,000	Not specified
Maximum Lot Coverage (%)	45	45	50	50	50	50	50	45'
Maximum Residential Density – Minimum Lot Area per Unit (sq. ft.) – Base Density	20,000	20,000	1 per lot	1 per lot	1 per lot	1 per lot	1 per lot	1 per lot
Building Form and Location								
Maximum Height (ft.)	25	25	14 or 17 for Beach Tract; 25 in Cloisters	14 or 17 for Beach Tract; 25 in Cloisters	25	25	25	25
Minimum Yards (ft.)								
Front	10; 20 for garages	20	15 including garages	15 including garages	10 including garages	15 including garages	10 including garages	10 including garages
Side	10% of width; max. 10	10% of width; max. 10	4; 10 aggregate for both yards	5	3	10% of width; max. 5	3	10% of width; min. 3, max. 5
Corner Side	max. 10	10	15 including garages	15 including garages	6; 10 for garages	20% of width; max. 10	6; 10 for garage	6; 10 for garage
Rear	20% of depth; max. 20	20% of depth; max. 20	5	5	5	5	5	5

¹ 50% for lots less than 4,000 square feet

COMPARISON OF EXISTING AND PROPOSED ZONING ORDINANCES – DUPLEX AND MULTIFAMILY RESIDENTIAL ZONES:

Bold italic text indicates discrepancies between existing and proposed ordinances

	Duplex Residential			Multifamily Residential				
	Proposed RD Zone	Existing R-2/S4 Zone	Existing R-2 Zone	Proposed RM Zone	Existing R-3 Zone	Existing R-3/S3 Zone	Existing R-4 Zone	Existing R-4/S4 Zone
Building Scale - Density/Intensity								
Permitted Lot Sizes – Pre-existing lots as of [date of ordinance, 2004] (sq. ft.)	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified	Not specified
Minimum Lot Size – New lots created after [date of ordinance, 2004] (sq. ft.)	6,000	Not specified	Not specified	6,000	Not specified	Not specified	Not specified	Not specified
Maximum Lot Coverage (%)	50	50	50	60	60	60	60	60
Maximum Residential Density – Minimum Lot Area per Unit (sq. ft.) – <i>Base Density</i>	2,900	2,900	2,900	<i>1,800</i>	<i>2,175</i>	<i>2,175</i>	1,800	1,800

	Duplex Residential			Multifamily Residential				
	Proposed RD Zone	Existing R-2/S4 Zone	Existing R-2 Zone	Proposed RM Zone	Existing R-3 Zone	Existing R-3/S3 Zone	Existing R-4 Zone	Existing R-4/S4 Zone
Building Form and Location								
Maximum Height (ft.)	25	25	25	30	25	25	30	30
Minimum Yards (ft.)								
<i>Front</i>	20 including garages	20	20	<i>15; 20 for garages</i>	<i>15</i>	<i>15</i>	<i>15</i>	<i>15</i>
<i>Side</i>	10% of width; min. 3, max. 5	10% of width; min. 3, max. 5	10% of width; min. 3, max. 5	5	5	5	5	5
<i>Corner Side</i>	20% of width; min. 5, max. 10	20% of width; min. 5, max. 10	20% of width; min. 5, max. 10	20% of width; min. 5, max. 10	20% of width; min. 5, max. 10	20% of width; min. 5, max. 10	20% of width; min. 10, max. 15	20% of width; min. 10, max. 15
<i>Rear</i>	5	5	5	5	5'	5'	5'	5'

ⁱ When an R-3 or R-4 zone abuts an R-1 or R-2 zone, rear yard setback is increased to 10% of the depth of the lot, with a minimum of 6 feet and a maximum of 10 feet