

**PROPOSED AMENDED ZONING REGULATIONS
CITY OF MORRO BAY
MIXED-USE DISTRICTS**

PURPOSE OF MIXED USE DISTRICTS

Section 17.07.010 of the Draft Zoning Ordinance defines the purpose of the Mixed-Use District as follows:

MX Mixed Use. To create, maintain, and enhance areas that are appropriate for a range of mixed uses including commercial, office, and residential uses that do not adversely impact one another and that provide a transition from commercial to more single-family residential areas. Typical land uses include neighborhood-serving retail, convenience stores, personal services, food markets, and restaurants.

The intent of this Section 17.07.010 appears to be that nonresidential uses in Mixed-Use Districts should be of relatively small scale and should not attract volumes of automobile or pedestrian traffic that would adversely affect interspersed or adjacent residential uses. Additionally, the list of typical uses cited suggest that commercial activities in Mixed-Use Districts should be intended primarily for use by residents of the area and of adjacent residential neighborhoods, rather than for area-wide commerce or tourist-oriented services.

USE REGULATIONS: TABLE 17.07

The list of land uses which are permitted or which may be established in Mixed-Use Districts appears, in some instances to be at variance with the purposes of Mixed-Use Districts, as defined in Section 17.07.010. Specifically, the following uses should be prohibited or limited within Mixed-Use Districts:

Use	Comments
Community Center	The volume of traffic created by a Community Center is inconsistent with the concept of a relatively low-intensity character implied in Section 17.07.010.
Animal Sales and Services - <i>Kennels</i> <i>Kennels with Outdoor Activity Areas</i>	Potential odors and nighttime barking would be inconsistent both with surrounding commercial and residential uses.
Bed and Breakfast Establishments	The character of the use and potential volume of traffic generated would be inconsistent with the concept of a relatively low-intensity, locally-oriented character

Use	Comments
	implied in Section 17.07.010. This use should be confined to CC-P, CC-A, and CVS zones
Building Materials and Service	The nature of the retail building materials trade is such that outlets involved in this sale of these materials are usually much larger than would be appropriate in the Mixed-Use District. If this use is to be allowed, the size of such outlets should be limited to no more than 10,000 square feet.
Bars, Nightclubs, Lounges	Because of potential nighttime noise, bars, nightclubs, and lounges should not be permitted within 200 feet of any residential zone.
Eating and Drinking Establishments <i>With Drive-Through Facilities</i>	Eating and drinking establishments with drive-through facilities should be prohibited in Mixed-Use Districts because of the large volume of automobile traffic typically generated by such outlets. In addition, the nature of such facilities is very much at odds with the self-contained, pedestrian-oriented neighborhood concept envisioned for the Mixed-Use Districts.
Food and Beverage Sales <i>General Markets</i>	While “food markets” and “neighborhood-serving retail” are listed as typical uses within the Mixed-Use Districts, many “general” food markets have, in today’s marketing climate, metamorphosed into huge super-stores. The scale of such outlets would be inappropriate in the Mixed-Use Districts. Accordingly, the allowable size for general food markets should be limited to 20,000 square feet or less.
Retail Sales <i>Large Format</i>	While “neighborhood-serving retail” is a desirable use in the Mixed-Use Districts, “large format” retail sales are inappropriate in scale for this zone and tend to attract an area-wide clientele, as opposed to being “neighborhood-serving”. The allowable size for retail sales establishments in the Mixed-Use Districts should be limited to 20,000 square feet or less.

MIXED-USE AREA “B”

GENERAL PLAN PROVISIONS

The City’s General Plan/Local Coastal Plan specifies (pages 24 and 28) that:

“For the area of the City west of Main Street, between Acacia and Barlow (i.e., those parcels west of Main Street between APN 66-251-01 and 07, inclusively), the following policies shall apply:

1. All existing residential and commercial establishments in the area shall be considered conforming uses; existing commercial use above the bluff shall not be permitted to expand.
2. Vehicular accessways and parking lots serving commercial properties below the bluff may be permitted above the bluff.
3. The entire area shall be designated with a Planned Development (PD) overlay, so that Conditional Use Permits (CUPs) and public hearings are required for new development. In approving a CUP for new uses, the Planning Commission shall make the following findings:
 - a. That any proposed commercial use is generally serving a water-borne clientele or serving a water-oriented purpose.
 - b. That the proposed commercial use, by its nature and design, will result in minimal noise, glare, odor and traffic impacts on other nearby uses.
 - c. That any new residential development shall be of a density and design that minimizes potential exposure to and would not unreasonably restrict water-oriented commercial activities.
 - d. That any new use shall not generate significant traffic/circulation impacts and shall include adequate parking, loading, and access (turning and driveway) facilities.
 - e. That any new use shall not result in any harmful discharge into the bay.”

SUGGESTED ZONING ORDINANCE REVISIONS

1. In order to make the Draft Zoning Ordinance consistent with the General Plan/Local Coastal Plan, the following text should be inserted in the “Additional Regulations” column of Table 17.07 for each commercial use that does not overtly serve a water-borne clientele or serve a water-oriented purpose:

“Use is Prohibited in Mixed-Use District which lies west of Main Street, between Acacia and Barlow.”

2. In order to make the Draft Zoning Ordinance consistent with the General Plan/Local Coastal Plan, the following text should be inserted in the “Additional Regulations” column of Table 17.07 for each land use, other than those that are prohibited in Mixed Use Area “B” under provision 1. above or for which are already assigned a “C” designation by Table 17.07:

“Conditional Use Permit is required in Mixed-Use District which lies west of Main Street, between Acacia and Barlow.”

3. In order to make the Draft Zoning Ordinance consistent with the General Plan/Local Coastal Plan, the following text should be inserted in the “Additional Regulations” column of Table 17.07 for each residential use:

“Use shall be of a density and design that minimizes potential exposure to and would not unreasonably restrict water-oriented commercial activities (see General Plan/Local Coastal Plan Land Use Element.)”

PUBLIC VIEWSHED

The section of South Main Street between Acacia and Barlow offers exceptional public views of the harbor and the sand spit, both for motorists and for the many pedestrians and cyclists who utilize the adjacent bike path. These viewsheds are especially important because, for the most part, existing development west of Main Street is relatively low in height and is located well below the roadway. Consequently, the public views from this area are not generally obstructed by existing structures. Some interference from existing vegetation is present, but this could be mitigated rather easily by pruning.

To achieve consistency with Coastal Act requirements, the proposed Zoning Ordinance should include the following condition:

“Within the Mixed-Use District which lies west of Main Street, between Acacia and Barlow, any development which obstructs, impinges upon, interferes with, or otherwise degrades public views from South Main Street or any sidewalk or bike path adjacent to South Main Street shall be prohibited. Any development permit issued for any property within this area shall, as a condition of development, require that existing or planned vegetation be located, pruned, and maintained in a manner which will enlarge and enhance public views from South Main Street and/or adjacent bicycle and pedestrian accessways.”

ADDITIONAL SUGGESTION

Since the Mixed-Use District located to the west of South Main Street is quite different from the Mixed-Use District in the downtown area in terms of character, adjacent environment, and allowable development, it may be more clear to treat them as two distinct zoning categories – Mixed Use, Bayfront (MX-B) and Mixed Use, Downtown (MX-D).