

Draft Proposed Zoning Ordinance
City of Morro Bay
Chapter 17.06 R Residential Districts

PUBLIC COMMENT AND SUGGESTED MODIFICATIONS

During the entire public review process for the proposed updated General Plan and Zoning Ordinance and during the public comment session held in conjunction with the work of the City's 20/20 Vision Committee, one of the highest priorities expressed by the citizens of this community has been the preservation of the areas small town character. This concept is so important that it is, in fact, adopted as the very first goal of the proposed revised General Plan.

In recent years, Morro Bay has seen a succession of proposed and actual projects which have been designed to the absolute maximum size permitted by the Zoning Ordinance. Because current regulations specify only maximum height and building coverage limits and only minimum setback requirements, developers' efforts to achieve the greatest possible structure size have produced, in many cases, massive boxy structures that are architecturally uninteresting, aesthetically unappealing, and inconsistent with the surrounding neighborhood. As land prices continue to rise in this area, it is entirely predictable that builders and landowners will seek, with increasing frequency, to maximize their return on investment by building to the maximum limits permitted by code.

If the City is to be successful in carrying out its mandate to preserve our city's small town character in the face of such economic pressure, the Council must ensure that the revised Zoning Ordinance requires new residential projects to be designed creatively, with as much attention devoted to maintaining privacy, neighborhood ambiance, and variety of style as to the "bottom line". There are only two conceivable approaches which will accomplish this goal:

- a.) The City could choose to require an additional level of review for some or all proposed new construction, even projects which fit "in the box" – that is, an Architectural Review Board. This approach has been controversial, to say the least, and would introduce a degree of subjectivity into the permit approval process. In addition, establishing and maintaining a new commission would place additional demands on the City's already-strained fiscal resources.
- b.) Alternatively, the Council could, in reviewing the proposed Zoning Ordinance revision, incorporate new standards which would encourage variety and innovation in building design and a more appropriate relationship of new construction to existing neighborhoods. This approach would, in effect, reshape "the box" in a manner that more fully respects Morro Bay's small town character.

Three concepts which could greatly improve the building height and setback provisions of the currently proposed Zoning Ordinance are:

- **Maximum Average Roof (or Building) Heights,**
- **Minimum Average Front Yard Depths, and**
- **Height-Variable Minimum Side Yard and Rear Yard Widths**

Maximum Average Roof (or Building) Height – The Zoning Ordinance, as currently formulated, includes only a Maximum Height limit of 25 feet for new residential construction (30 feet in the RM zone). Consequently, every part of a proposed structure can, if the developer wishes, be built to this maximum height limit. The concept of Maximum Average Roof Height would encourage variations in roof line and building form by, in addition, specifying that the overall average height of all points on the roof of a structure not exceed some figure that is less than the maximum height limit.

Definition:

Average Roof (or Building) Height – *The average of the height above natural grade of every point on the top surface (roof, roof deck, etc.) of a structure. For simplification, the height of any flagpole, vent, or other projection may be omitted from the calculation of average roof height if the greatest lateral dimension of such projection is less than eight inches. All other architectural projections (see 17.19.030) are included.*

Under current code and the proposed draft Zoning Ordinance, a landowner or developer who wishes to maximize the use of a parcel will simply build a two-story flat-roofed structure 25 feet in height. If the code also specified a Maximum Average Roof Height of, for example, 18 feet, maximal use of the parcel would be achieved by designing a residence that includes both two-story and single-story portions. This approach would also tend to encourage pitched roofs rather than flat roofs, as the average height of a pitched roof would be less than for a flat roof of equal maximum height. Since the Maximum Average Roof Height limit could be accommodated by an infinite number of different specific designs, architectural variety would be encouraged and the current incentive for “big box” residential projects would be eliminated.

Because structures that cover a large proportion of a building site with only minimum required setbacks will be visually more massive and more intrusive on surrounding properties than a similar size building set on a larger piece of property, it would seem optimal to link Maximum Average Roof Height to lot coverage:

Table 1 – Maximum Average Roof Height

Lot Coverage*	Maximum Average Roof Height (ft.)	
	RS and RD	RM
30% or less	22	28
31 - 35%	21	27.5
36 - 40%	20	27
41 - 45%	19	26.5
More than 45%	18	26

* Lot coverage rounded to nearest percent

This approach would also encourage architectural variety, as it would allow builders to choose between a taller form with a smaller building footprint and a lower, but larger style.

Minimum Average Front Yard Depth – The concept of Minimum Average Front Yard Depth is the horizontal equivalent of Maximum Average Roof Height and would provide similar advantages with respect to encouraging a diversity of building forms. Because the current Zoning Ordinance establishes a variety of minimum front yard depths in the various residential zones, any attempt to relate Minimum Average Front Yard Depth to building size of lot coverage would produce a very complex planning instrument. Instead, it would be reasonable to simply set the Minimum Average Front Yard Depth at a value that is 1 to 2 feet greater than the minimum front setbacks that are currently specified. Because it is not possible to provide horizontal articulation in any portion of a structure that is occupied by a garage door, garages should be excluded from this calculation.

Height-Variable Minimum Side and Rear Yard Widths – As noted in a prior communication, the City’s existing Zoning Ordinance does not define any relationship between minimum required side yard setbacks and building heights. A result, relatively tall residential structures may be constructed side-by-side with each structure at the minimum setback limit. This results in long, narrow, dark spaces between buildings and creates impacts on neighborhood views which may be greater than necessary or reasonable.

The Council has previously been provided with information on the height-variable minimum side and rear yard standards in use in the City of San Luis Obispo. Table 2, below, illustrates how this concept could be adapted for use in Morro Bay.

Table 2 – Side and Rear Yard Widths: Adjustment for Building Height

Building Height (ft.) ¹ A point this high on the roof of a building:	Side and Rear Yard Width Adjustment (ft.) Must be a distance from the property line which is equal to the minimum side or rear yard width ² plus the following amount:	
	RS and RD Zones	RM
12 or Lower	0	0
13 - 15	1	0.5
16 - 17	2	1
18 - 19	3	1.5
20 - 21	4	2
22 - 23	5	2.5
24 - 25	6	3
26 - 27 ³	10	3.5
28 - 29 ³	12	4
30 - 31 ^{3,4}	14	4.5
32 - 33 ^{3,4}	16	8
34 - 35 ⁴	n/a	9
36 - 37 ⁴	n/a	10
38 ⁴	n/a	11

¹ Building height shall be rounded to nearest whole foot

² From Table 17.06-B

³ Maximum building height in RS and RD zones is 25 feet. Setbacks for heights above 25 feet apply to projections permitted by Section 17.19.030

⁴ Maximum building height in RM zone is 25 feet. Setbacks for heights above 30 feet apply to projections permitted by Section 17.19.030

I do understand that the draft Zoning Ordinance, in its current form, has been a number of years in preparation and that the principle focus of Council review will be directed toward additional modifications which have been suggested by the Morro Bay Planning Commission. On the other hand, I believe that the economic and demographic profiles of our City are in flux and that the adoption of a new Zoning Ordinance presents a unique opportunity to develop the essential tools for coping with change to come. I respectfully hope that, during your deliberations on this crucial document, the Council will take the time to consider and discuss the above suggestions, together with input from all other concerned citizens of the community.

Thank you for your time and your consideration.

Robert G. Tefft, MD