

# Things You May Not Know About the Morro Bay Harbor and Waterfront

...a property perspective

The background features several overlapping circles of varying radii and line styles (solid and dashed). A prominent, thick, dark grey arc curves from the left side towards the bottom center of the frame.

# Property History

- Morro Peninsula
  - Then
  - Now
- State Granted Tidelands Trust Lands
  - Where's the line. There it is!!
  - No, there it is over there!
- "Harbor Fee" and "Fee" Lands from Navy Base
  - Amphibious Training Base
  - Federal land disposal
- City Leased Lands
- PGE/Vistra Lands
  - Ownerships, easements
  - Restrictions

# No Other Vacation Spot in all the World Like Morro Peninsula

MAP OF  
MORRO PENINSULA TRACT  
Being Lots 8&9 Sec. 36, Township 29, South-Range 10, East M.D.M.  
Surveyed by Geo. Story and A. F. Parsons, Licensed Surveyors, July 1919  
C. L. SIMMONS. H. W. REYNOLDS. J. R. SIMMONS.  
OWNERS

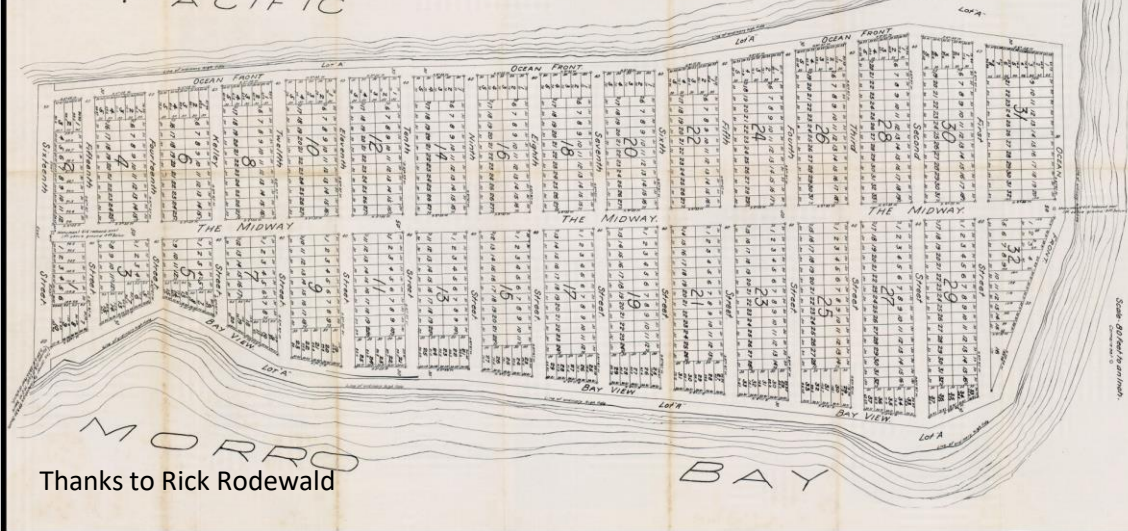
620 TRUST & SAVINGS BLDG.  
LOS ANGELES.

PACIFIC

OCEAN



Morro Rock

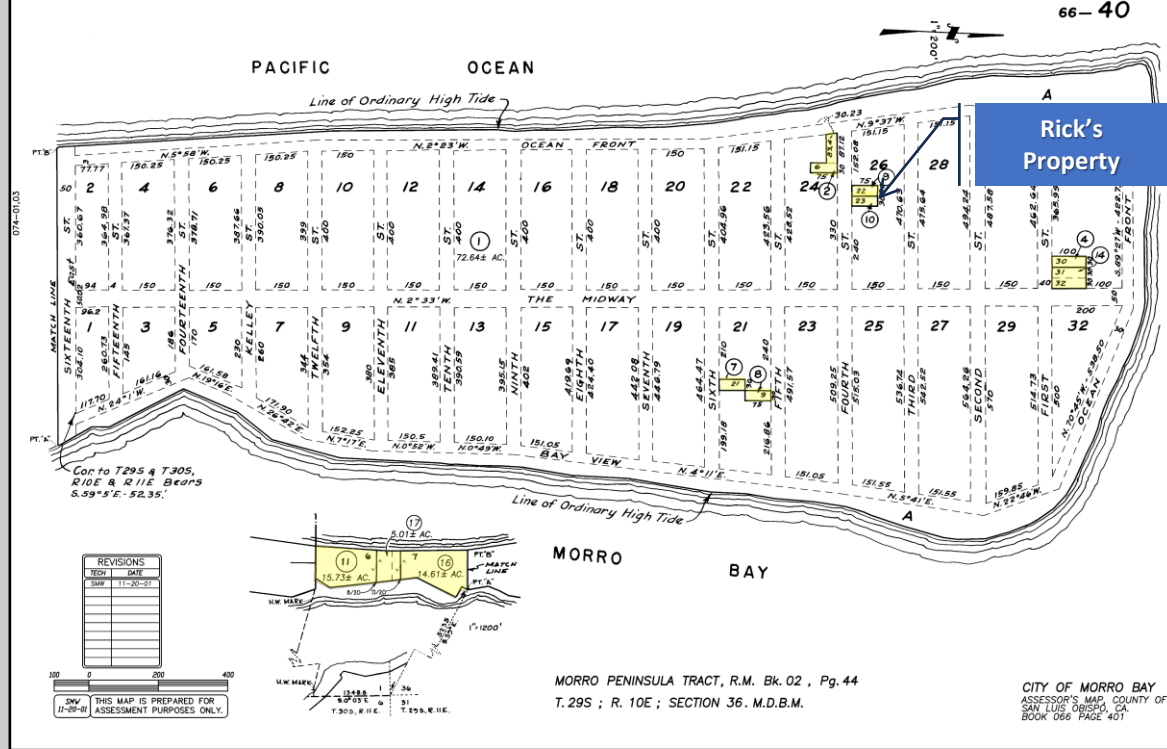


Thanks to Rick Rodewald

- “Will soon be the greatest summer resort between San Francisco and Los Angeles.”
- “Bring a tent and pitch a summer camp for the family.”
- “No taxes for 1920-21.”
- “Race restrictions.”

## Morro Peninsula Then

# Morro Peninsula Now

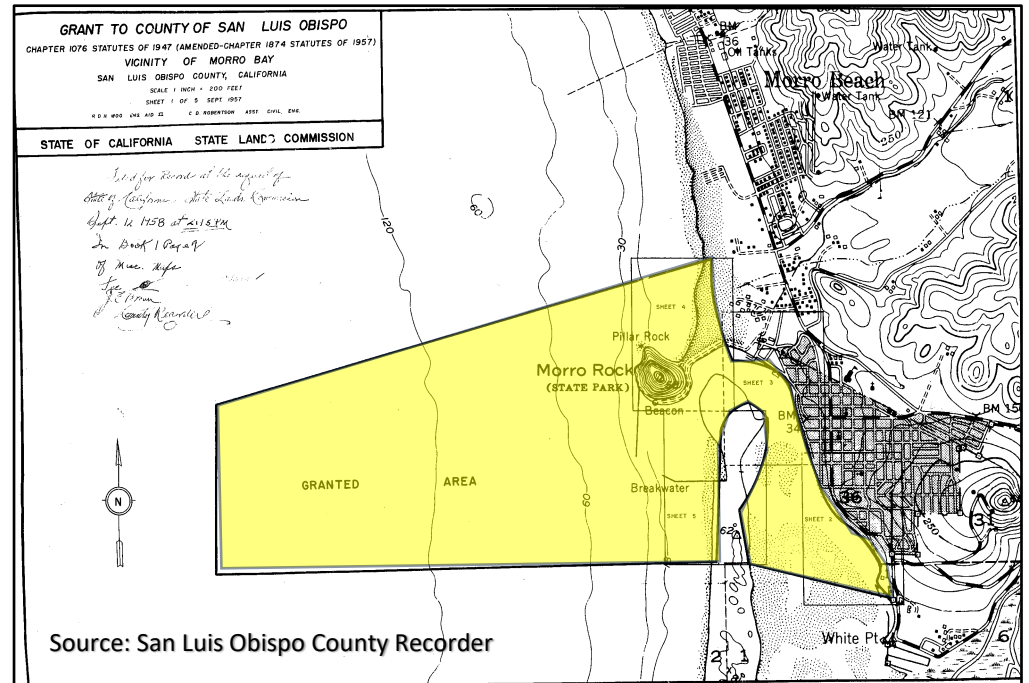


- It doesn't look like now, or does it?
- The 1968 **Final Settlement Agreement** and related stipulations granted the sand spit/peninsula "**Morro Peninsula Tract**" to the City
- 12 properties still privately owned.

# State Granted Tidelands



Source: State Lands Commission



Source: San Luis Obispo County Recorder

# State Granted Tidelands

- One of 60 grants that the State has made to cities and counties for use of submerged and tidal lands to put these lands to economic use.
- “Tidal lands” based on historic mean high tide line.
- Grant is for ***“all of the right, title, and interest of the State of California, held by it by virtue of its sovereignty in and to the tidelands and submerged lands, whether filled or unfilled, in or adjacent to Morro Bay...”***
- Morro Bay grant is for ***“...the conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances...for the promotion and accommodation of commerce and navigation, and for recreational use, public parks, parking, highways, playgrounds, and businesses incidental thereto...”***
- But you can’t
  - Live there.
  - Sell the property to others.
  - Charge different rates for use.
  - Prohibit fishing or public access.
- Morro Bay grant was in 1947 and finalized (after many lawsuits) in 1968. Map of tidelands recorded in 1958.
- City leases these lands and uses the revenue for the purposes in the grant, primarily to fund the Harbor Department.



State Granted Tidelands

Source: State Lands Commission

North Embarcadero Detail

# Harbor “Fee” and “Fee” Lands

- Remnants from the Amphibious Training Base (ATB) not otherwise sold to PGE after County bought ATB property.
- Non-trust lands owned in “fee” by the City Morro Bay.
- Different and distinct from State Granted Tidelands
  - City owns outright; no trust or ownership conditions.
  - City has agreed to operate these lands consistent with the State Tidelands Grant, but there is flexibility.
- ATB developed from 1942 to 1946 and sold to County in 1947. Constructed much of the infrastructure that we use today.
  - North and South T Piers
  - Breakwaters. Widened “causeway”
  - Assembly of numerous properties

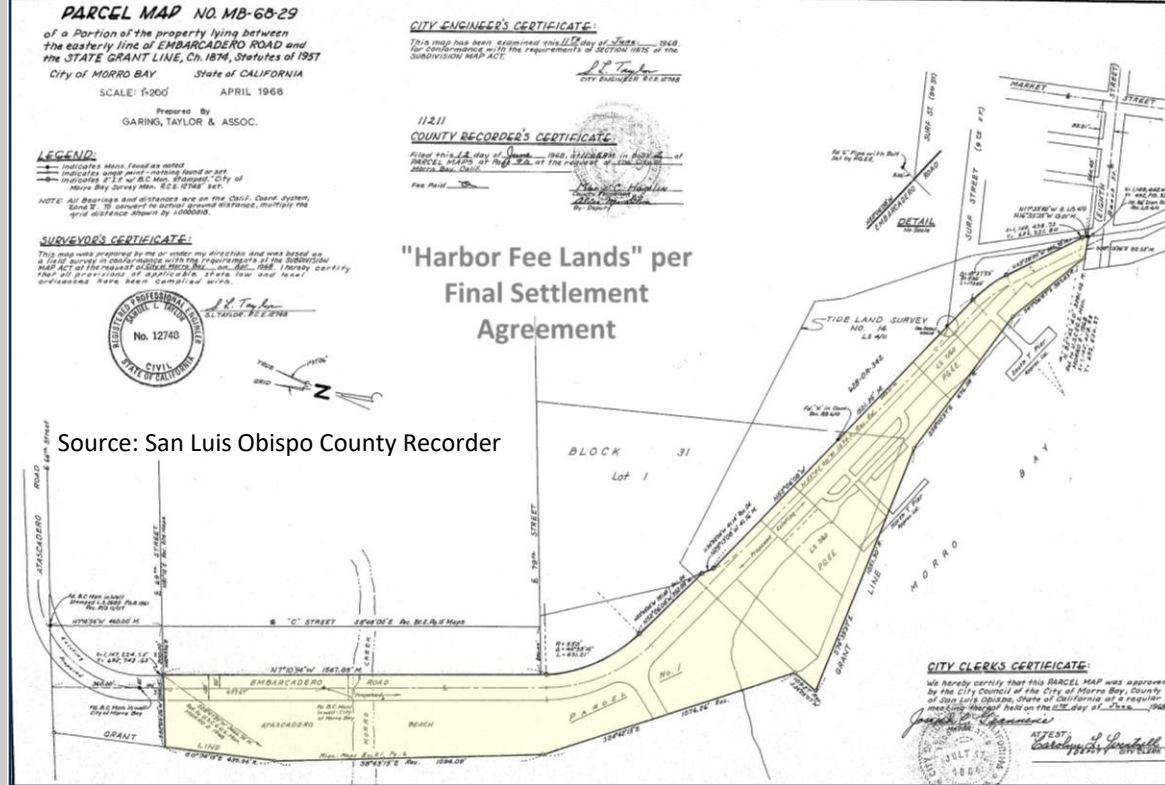


# Harbor “Fee” and “Fee” Lands



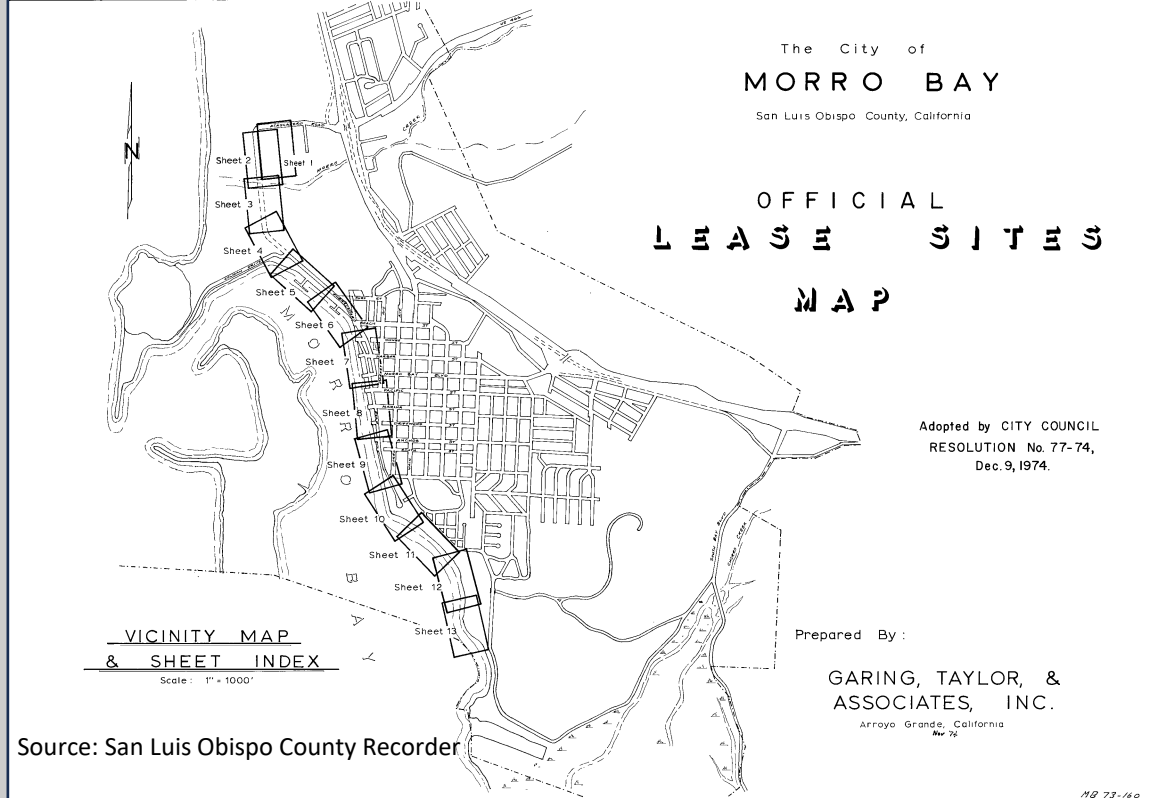
- County purchased from War Assets Administration
- County (almost immediately) re-sold most of it to PGE.
- City “inherited” the balance after legal battles after incorporation

# Harbor "Fee" and "Fee" Lands



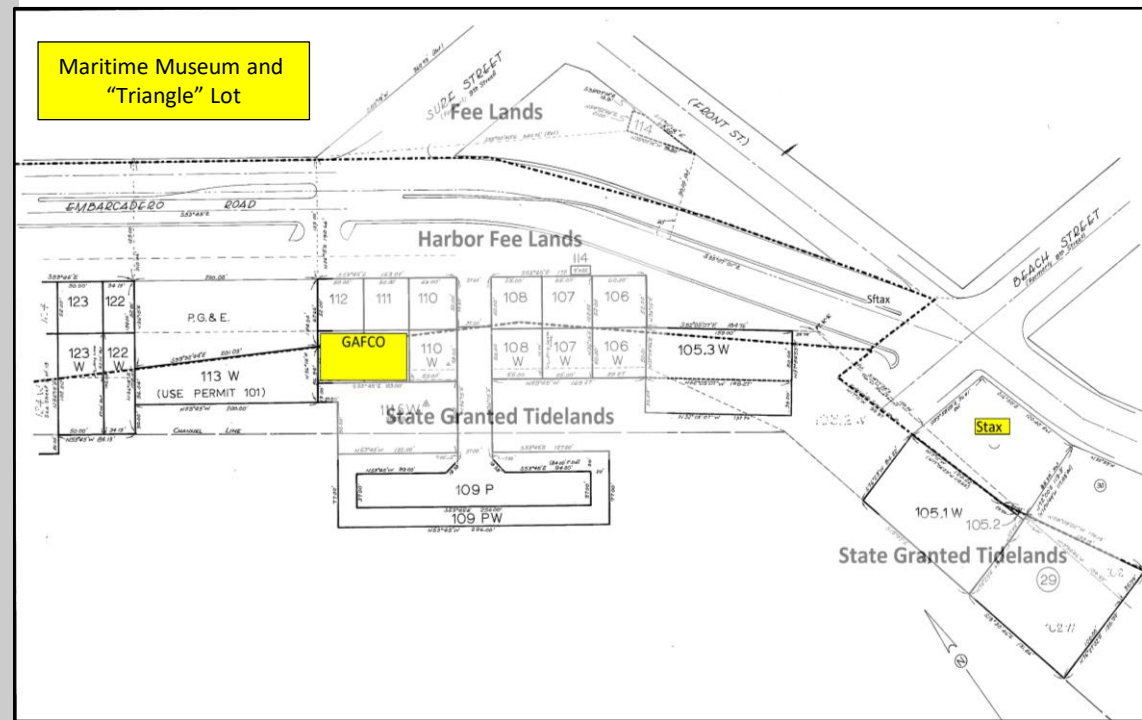
- Area outside of State Granted Tidelands.
- East side of Embarcadero and north of Beach Street
- The **Harbor Fee Lands** are to be “administered” for the same purposes and uses as described in the State granted tideland.
- Can be freely bought and sold (as long as they are subject to the use restrictions)
- Are not “state owned tidelands subject to City lease” as described in **Measure D**.

# Harbor Fee, State Granted Tidelands and Other City Leased Property



- In 1974 the City cobbled together its properties from Atascadero Road to the Inn at Morro Bay (“Golden T”) that were acquired under various land grants and subdivided it for the purposes of leasing.
- This approach is highly entrepreneurial and is not common.
- Revenues used for Harbor Department operations.
- Properties south of Beach Street on the east side of the Embarcadero do not contribute to these services.

# Harbor Fee, State Granted Tidelands and Other City Leased Property



- Land leases and water leases.
- State Granted Tidelands limited to (maximum) 50-year leases.
- Harbor Fee Lands to be managed in a manner similar to State Granted Tidelands, but can be sold or many other uses.
- Fee Land, no restrictions under **1968 Settlement Agreement**.



**Overview of State Granted Tidelands, Harbor Fee Lands and Fee Lands**

# Measure D

Seems simple enough...

**SHALL AN ORDINANCE TO RESTRICT FURTHER DEVELOPMENTS AND USES BETWEEN BEACH STREET AND TARGET ROCK TO THOSE PRIMARILY SERVING LICENSED COMMERCIAL FISHING OR RECREATIONAL FISHING BE ENACTED?**

---

## **FULL TEXT OF MEASURE D**

**MUNICIPAL CODE SECTION 17.36.020C. THE CITY SHALL NOT GRANT ANY PERMIT, AUTHORIZATION OR OTHER APPROVAL OF ANY STATE OWNED TIDELANDS SUBJECT TO CITY LEASE BETWEEN BEACH STREET AND TARGET ROCK, UNLESS SUCH DEVELOPMENT OR USE IS PRIMARILY FOR THE PURPOSE OF SERVING OR FACILITATING LICENSED COMMERCIAL FISHING ACTIVITIES OR NONCOMMERCIAL RECREATIONAL FISHING ACTIVITIES, OR IS CLEARLY INCIDENTAL THERETO. FOR PURPOSES OF ILLUSTRATION ONLY, AND NOT BY WAY OF LIMITATION, NO APPROVAL SHALL BE GRANTED FOR ANY NEW PASSENGER FOR HIRE BOATS OR SUPPORTING FACILITIES, OR FOR ANY NEW RESTAURANT, CAFÉ, GIFT SHOP OR OTHER RETAIL ESTABLISHMENTS SERVING THE GENERAL PUBLIC, AND ANY EXISTING SUCH USES SHALL HEREINAFTER BE CONSIDERED NONCONFORMING AND SHALL NOT BE EXPANDED OR ENLARGED.**

- “state owned tidelands subject to city lease...”
- “Beach Street to Target Rock...”
- “Primarily for the purpose...”

# Measure D

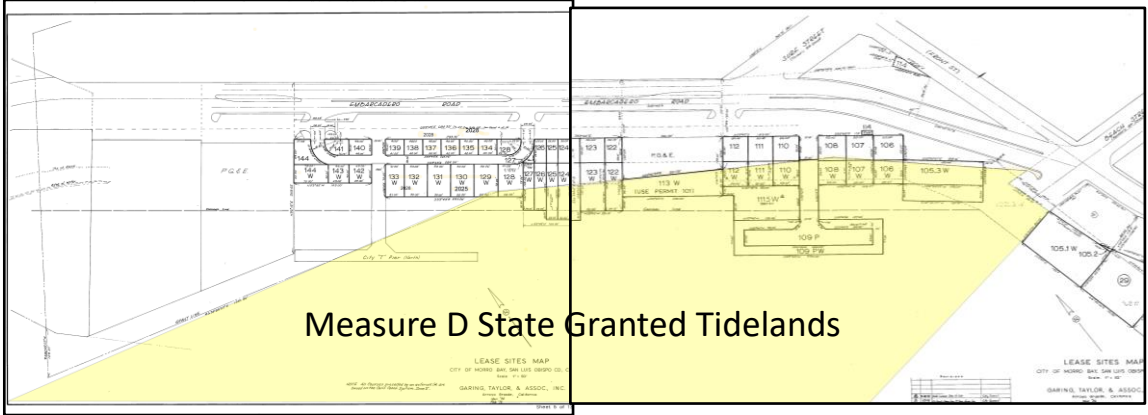
“State owned tidelands  
subject to City lease...”

- State granted “...all of the right, title, and interest of the State of California...”
- State owned or City owned?
- According to the County Assessor (from ParcelQuest):

County: **SAN LUIS OBISPO, CA**  
Assessor: **TOM BORDONARO, ASSESSOR**  
Parcel # (APN): **066-461-018**  
Parcel Status: **ACTIVE**  
Owner Name: **CITY OF MORRO BAY**

Mailing Address: **595 HARBOR ST MORRO BAY CA 93442-1903**

Legal Description: **CY MB PM 2/90 PTN PAR 1 (LS 106-144)**



# Measure D

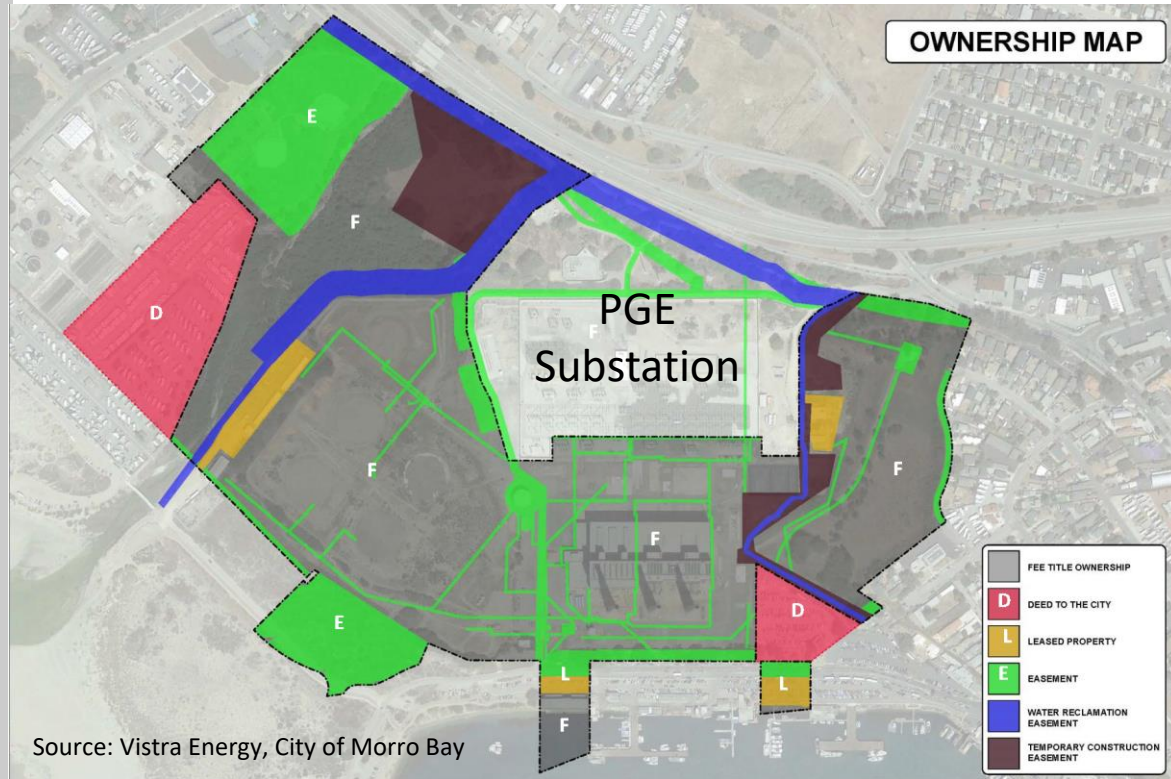
“Between Beach Street  
and Target Rock...”



- Beach Street centerline, north or south ROW?
  - Extended centerline into bay portion of Tidelands Grant?
- Target Rock? What? Where?
- Between? Lease sites?

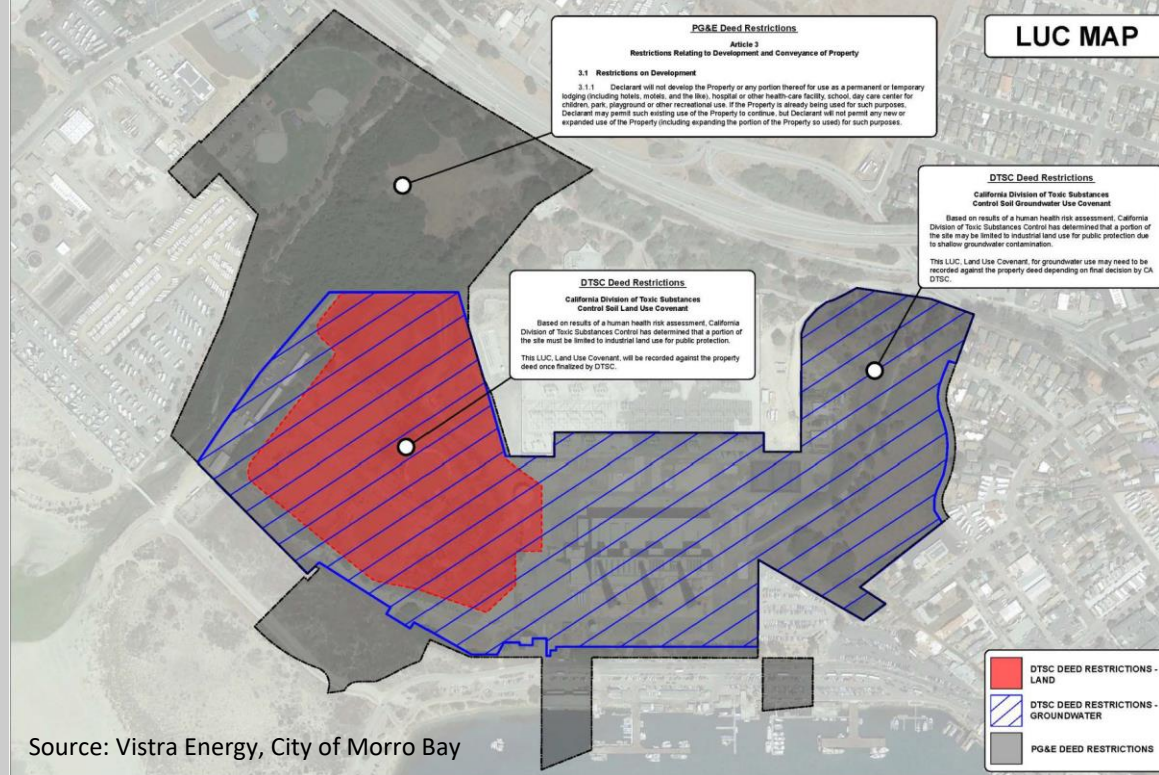


# PGE/Vistra Property



- Ownership comprised of ATB and acquired properties.
- Certain properties deeded to City (triangle lot).

# PGE/Vistra Property



- “Vistra” properties subject to use restriction imposed by PGE to limit future liability for toxics/environmental hazards.
  - No “permanent or temporary housing (hotels, motels and the like), hospital, health care facility, school, day care for children, parks playgrounds, or other recreational uses.”
  - No expansion of existing prohibited uses.

# Conclusion

- Next time that you are on the waterfront, watch your step and know where you walking!!
- Know and appreciate the community's history that is reflected in its property ownership history!!