

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260

Th 14.5a



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Date December 29, 1995

Permit Application No. **1-95-58**

ADMINISTRATIVE PERMIT

APPLICANT: **GREG AND ROSANNA GARRISON**

PROJECT DESCRIPTION: Convert a two-story single-family residential building to commercial office use, and add two tandem parking stalls adjacent to the existing garage.

PROJECT LOCATION: 780 Purissima Street, Half Moon Bay, San Mateo County, (APN 064-131-270)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Date: Thursday, January 11, 1996 Tel. No. (310) 642-7500

Time: Meeting begins at 9:00 a.m., Item **14.5a**

Place: Crowne Plaza - Holiday Inn - LAX
5985 W. Century Blvd., Los Angeles

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Bill Van Beckum
Title: Coastal Planner

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the City of Half Moon Bay to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:1. Project/Site Description.

The 4,810-square-foot subject property is located at the south end of the downtown section of Half Moon Bay, about 1/4 mile inland from Highway 1, and in a neighborhood of mixed uses in one- and two-story structures: commercial development to the east, and residential development (single- and multi-family) to the north, south and west. The site contains a two-story single family residence with attached garage (Coastal Development Permit No. 3-89-151). There are no environmentally sensitive habitat areas on the property.

The applicants are seeking authorization for the conversion of the residence, which occupies 1,672-square-feet of the site, to commercial office use. While the application includes some interior modifications to provide for office spaces, no exterior modifications are proposed except for the paving of a 341-square-foot area to add two tandem parking spaces (for a total of six on-site spaces). Interior modifications have been undertaken without benefit of a coastal development permit.

2. Locating and Planning New Development.

Section 30250(a) of the Coastal Act states that new development shall be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects on coastal resources. The intent of this policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized.

The proposed development is located in an existing urban area, in which public services are available for the project. The Coastsides County Water District has confirmed that the property has an existing water service connection that will provide sufficient capacity to serve the proposed development's water needs. The project is not constrained by the Sewer Authority Midcoastsides (SAM) sewer plant's very limited capacity available for new uses because there currently is an on-site sewer connection available to adequately serve the project.

Therefore, the Commission finds that the project as proposed is consistent with Section 30250(a) of the Coastal Act to the extent that the project will be located in an existing developed area with adequate public services able to accommodate it. However, a separate coastal development permit or amendment to this permit would be required for any future proposal to locate any more intensive water - consuming use (e.g., a restaurant requiring additional water and sewer capacity) on the site.

3. Local Coastal Program.

The Half Moon Bay Land Use Plan (LUP) was certified by the Commission on September 24, 1985, and adopted by the City. The LCP Implementation Plan was reviewed by the Commission, and certified with suggested modifications, at the Commission's December 13, 1995 meeting. However, the full LCP will not be effectively certified until the City agrees to and accepts the modifications to the Implementation Plan. Therefore, the Commission retains permit jurisdiction and the standard of review that the Commission is applying in its consideration of the application is the Coastal Act. The certified LUP policies are considered advisory and not binding in this case.

Half Moon Bay LUP Section 9.1.2 states, in part, that new development shall be located within developed areas able to accommodate it, or where such areas are not able to accommodate it in other areas with adequate public services and where it will not have significant adverse effects on coastal resources. With the existing availability to the site of the necessary water and sewer service connections to adequately serve the proposed development, the proposed project is consistent with LUP Section 9.1.2., as the project will be located within a developed area with adequate public services to accommodate it.

Coastal Act Section 30604(a) authorizes permit issuance if the Commission finds that the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act and if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare or implement a local coastal program that is in conformance with Chapter 3 of the Coastal Act. As discussed above, approval of the project is consistent with Chapter 3 of the Coastal Act, and thus will not prejudice the City of Half Moon Bay's ability to implement a certifiable LCP for this area.

4. Alleged Violation.

Although a portion of the proposed development described herein has already been completed prior to consideration of this application, consideration of the application by the Executive Director has been based solely upon the standards and policies of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to the alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit.

5. California Environmental Quality Act (CEQA).

Section 13096 of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

As discussed above, the project does not have a significant adverse effect on the environment within the meaning of CEQA. For purposes of CEQA, the lead agency for the project is the City of Half Moon Bay. The City determined that the project is categorically exempt from the need to prepare an environmental impact report under categorical exemption class 15301.

SPECIAL CONDITIONS:

NONE.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

8529p

