

CALIFORNIA COASTAL COMMISSION

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| Filed: | September 4, 1997 |
| 49th Day: | October 23, 1997 |
| Staff: | Bill Van Beckum |
| Staff Report: | November 19, 1997 |
| Hearing Date: | December 12, 1997 |
| Commission Action: | |

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

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| LOCAL GOVERNMENT: | City of Half Moon Bay |
| DECISION: | Approval with Conditions |
| APPEAL NO.: | A-1-HMB-97-60 |
| APPLICANT: | Ocean Colony Partners, LP |
| PROJECT LOCATION: | 3950 S. Cabrillo Hwy., Half Moon Bay, San Mateo County, APN 066-580-20. |
| PROJECT DESCRIPTION: | Construction of: 1) a 16-foot-high, 5,800-square-foot manufactured "Butler" building, to contain 4,470 square feet of storage space for golf course maintenance vehicles, 360 square feet of office space, and 970 square feet of space for an employee breakroom with restrooms and locker room; and 2) a 300-square-foot adjoining structure to contain a snack bar and restrooms for use by golfers. Development of related facilities including a 1,200-square-foot concrete apron wash area, asphalt parking area providing ten parking spaces, four connected 12' x 14' storage units, propane tank, sewer filter, pump station, and fuel tank. |
| APPELLANT: | Carmel Navarro |
| SUBSTANTIVE FILE DOCUMENTS: | Half Moon Bay Local Coastal Program; Half Moon Bay South Wavecrest Redevelopment Project Specific Plan; Half Moon Bay Coastal Development Permit No. CDP-23-97; Coastal Commission Coastal Development Permit No. 1-94-04. |

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SUMMARY OF STAFF RECOMMENDATION:

1. SUMMARY OF STAFF RECOMMENDATION: SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that a substantial issue exists with respect to the grounds on which the appeal has been filed, and that the Commission hold a de novo hearing, because the appellant has raised a substantial issue with the local government's action and its consistency with the certified LCP.

On August 19, 1997, the City of Half Moon Bay approved with conditions a coastal development permit for construction of a golf course maintenance facility at the south City limits. In her appeal filed on September 4, 1997, the appellant contends that the project is not consistent with the City's LCP, and has three main areas of concern: the visual impacts of the project; failure to maintain a sufficient buffer between the urban site and the adjoining rural area; and destruction of the historic setting.

Commission staff believes the project, as approved by the City, raises a substantial issue with regard to conformance with the visual and scenic resources provisions of the City's LCP because as approved by the City, the proposed development will not be adequately screened from view of the highway to protect the visual quality of the designated scenic corridor where it is located and be compatible with the environment consistent with Zoning Code Sections 18.37.030.B.1, 3 & 4. Furthermore, staff believes that the project, as approved by the City, raises a substantial issue with regard to conformance with the LCP provisions establishing urban/rural boundary buffers because the project provides a south property line setback of only 53% of what is required by the LCP. However, staff believes that the appellant's contentions regarding the protection of a historic structure just south of the project site and outside the City do not raise a substantial issue with regard to conformance with the certified LCP because the LCP policy cited by the appellant applies to the protection of historic structures within the City and to special guidelines for new development in the downtown core, an area of the City that is 2 1/2 miles away from the project site.

The Motion to adopt the Staff Recommendation of Substantial Issue is found on Page 5.

2. SUMMARY OF STAFF RECOMMENDATION DE NOVO: APPROVAL WITH CONDITIONS

The staff recommends that the Commission approve with conditions the coastal development permit for the proposed project on the basis that, as conditioned by the Commission, it is consistent with the City's certified LCP and with the public access and public recreation policies of the Coastal Act.

To ensure the project's consistency with the visual policies of the certified LCP, the conditions recommended herein by staff include requirements that:

(1) prior to the issuance of the permit, the applicant submit for the review and approval of the Executive Director (a) final landscaping, parking and driveway plans, (2) that all nighttime security lighting be down cast, shielded, and directed away from Highway 1; (3) that all signage visible from Highway 1 be approved by the City's Architectural Review Committee; (4) that all utilities be placed underground; and (5) a trash enclosure be installed. To ensure consistency with LCP requirements for setbacks from the unincorporated agricultural area to the south, Special Condition No. 5 requires that final site plans be submitted for re-locating the maintenance building to be 100 feet from the south property line. To ensure consistency with the hazard policies of the LCP, Special Condition No. 6 requires that final foundation and site drainage plans consistent with the recommendations of the geotechnical study conducted for the site be submitted. To protect archaeological resources consistent with the LCP, Special Condition No. 8 requires that a qualified archaeologist evaluate any resources discovered during construction. To ensure that the adequacy of the proposed septic system can be evaluated should any new uses be added to the development in the future, Special Condition No. 7 requires that any change's in the density or intensity of the project be reviewed and approved by the Commission. Most of the requirements of the conditions that the City had attached to its approval of the project are reflected in the special conditions recommended by staff, although certain City-imposed conditions that are not supported by certified LCP policies or standards (such as requirements that certain safety and noise standards be met) are not reflected in the special conditions recommended by staff. Staff believes that the City could still impose these requirements through its review of a building permit for the proposed development.

The Resolution to adopt the Staff Recommendation of Approval with Conditions is found on Page 16.

STAFF NOTES:

1. Appeal Process.

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits (Coastal Act Section 30603.)

Section 30603 states that an action taken by a local government on a coastal development permit application may be appealed to the Commission for certain kinds of developments, including developments located within certain geographic appeal areas, such as those located between the sea and the first public road paralleling the sea or within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff.

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Furthermore, developments approved by counties may be appealed if they are not designated the "principal permitted use" under the certified LCP. Finally, developments which constitute major public works or major energy facilities may be appealed, whether approved or denied by the city or county. The grounds for an appeal are limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access and public recreation policies set forth in the Coastal Act.

The subject development is appealable to the Commission because the proposed house is located between the sea and the first public road paralleling the sea.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. Unless it is determined that there is no substantial issue, the Commission would continue with a full public hearing on the merits of the project, which may occur at a subsequent meeting. If the Commission were to conduct a de novo hearing on the appeal, because the proposed development is between the first road and the sea, the applicable test for the Commission to consider would be whether the development is in conformity with the certified Local Coastal Program and with the public access and public recreation policies of the Coastal Act.

The only persons qualified to testify before the Commission on the substantial issue question are the applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing.

2. Filing of Appeal.

The appellant filed an appeal (Exhibit 6) to the Commission in a timely manner on September 4, 1997, subsequent to the City's issuance of the Notice of Final Action, which was received in the Commission's offices on August 21, 1997. (Along with the completed appeal forms, the appellant provided 20 sets of project site photographs [7 photos, each hand-annotated on the reverse, per set] for distribution to Commissioners. These photographs will be distributed to the Commission prior to the Commission's December 12, 1997 meeting.)

Pursuant to Section 30261 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. In accordance with the California Code of Regulations, on September 4, 1997 staff requested all relevant documents and materials regarding the subject permit from the City, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists.

Consistent with Section 13112 of the California Code of Regulations, since the Commission did not timely receive all requested documents and materials, at the October 9, 1997 meeting the Commission opened and continued the hearing. Subsequently, all of the remaining file materials have been transmitted to the Commission.

3. Amending Project Description.

Subsequent to the filing of the appeal, the applicant has submitted a letter to the Commission, dated November 12, 1997, indicating that if the Commission finds the appeal raises a substantial issue and considers the application de novo, the applicant wishes to amend the de novo application to change the project description to include site grading. See Exhibit 9.

I. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

Pursuant to Section 30603(b) of the Coastal Act and as discussed in the findings below, the staff recommends that the Commission determine that substantial issue exists with respect to the grounds on which the appeal has been filed. The proper motion is:

MOTION:

I move that the Commission determine that Appeal No. A-1-HMB-97-60 raises NO substantial issue as to conformity with the certified Local Coastal Program with respect to the grounds on which an appeal has been filed pursuant to Section 30603 of the Coastal Act.

Staff recommends a NO vote. To pass the motion, a majority vote of Commissioners present is required. Approval of the motion means that the County permit action is final.

II. Findings and Declarations.

The Commission hereby finds and declares:

A. APPELLANTS' CONTENTIONS

The Commission received from Carmel Navarro an appeal of the City of Half Moon Bay's decision to approve the project. The project as approved by the City consists of a golf course maintenance facility that includes the construction of a 16-foot-high, 5,800-square-foot manufactured "Butler" building and related development.

The appellant's contentions are summarized below, and the full text of the contentions are also included as Exhibit 6. The contentions involve inconsistency with the City's LCP policies regarding visual resources, protection of urban/rural boundaries, and protection of historic structures, as described below.

1. Visual Resources.

The appellant asserts that the proposed "industrial type" building is out of character with its rural setting and, furthermore, that the maintenance facility diminishes scenic views from Highway One, and from the public access trail connecting Highway one to Cowell Ranch State Beach, because of insufficient landscape screening and an inappropriate setback from the highway.

2. Urban/Rural Boundary.

The appellant asserts that the project, "with zero setback" on its south side, fails to provide for a 200-foot urban/rural buffer from adjacent rural private property located in San Mateo County.

3. Historic Structures.

The appellant asserts that the adjacent "picturesque historic house (1850?) setting will be destroyed forever."

B. LOCAL GOVERNMENT ACTION

On July 24, 1997, the Half Moon Bay Planning Commission approved with conditions Coastal Development Permit CDP-23-97. This approval was appealed to the Half Moon Bay City Council, by the current appellant, for essentially the same reasons given in the current appeal, i.e., concerns with: the visual impacts of the project; failure to maintain a sufficient buffer between the urban site and the adjoining rural area; and destruction of the historic setting. Although the City Council, on August 19, 1997, upheld the Planning Commission's approval action, it modified two Planning Commission conditions (#17, regarding exterior lighting, and #22, regarding vegetative screening and building color), and added three new conditions (#24, regarding hours of operation, #25, regarding noise levels, and #26, regarding limitations as to who could use the facility).

As at the Planning Commission level, the City Council did not address the latter two (urban/rural buffer and historic resources) of the appellant's three concerns. Nor did the Council or Planning Commission include any findings or conditions specifically relating to whether or not additional building setbacks from the highway would reduce visual impacts, although Finding #3 states that "The proposed project is consistent with the ... property development standards of the base district as well as the other requirements of the Zoning Ordinance." The City Council's primary response to the appellant's concerns with visual impacts of the project was a modification, in the form of additional language (underlined below) regarding vegetative screening and building color, to the Planning Commission's Condition #22. Condition #22, as approved by the City Council, requires the following:

Complete screening of the site shall be provided on the site and maintained in perpetuity, with appropriate plant species and spacing. Where necessary, an expansion of the planting area east and south of the parking lot shall be required to provide adequate area for plantings to screen the site. If the screening is deemed not to be complete by the Planning Director after one year, the building shall be painted a green color to blend with surrounding vegetation.

The City then issued a Notice of Final Action on the Coastal Development Permit, which was received by Commission staff on August 21, 1997 (see Exhibit 7). The project was then appealed to the Coastal Commission in a timely manner on September 4, 1997, within the 10-working day appeal period.

C. PROJECT SETTING, DESCRIPTION, AND HISTORY.

1. Project and Site Description.

The 32,500-square-foot subject site (approximately 3/4-acre) for the proposed maintenance facility for golf course equipment is the most southerly property on the west side of Highway One in the City of Half Moon Bay. See Exhibit 1. The site adjoins the boundary between the City and the County which coincides with the urban/rural boundary defined by the LCP. The site is adjacent to, on the northwest, the recently completed 18-hole golf course permitted by Coastal Development Permit No. 1-94-04, approved by the Commission on December 13, 1994, and issued to Ocean Colony Partners and the Half Moon Bay Community Development Agency (Exhibit 8). The 140-acre golf course is designated as a Planned Unit Development (the Wavecrest Restoration Project, South Project Area, a.k.a., South Wavecrest).

A 120-foot-long and 15-foot-wide driveway at the south property line provides vehicular access to the site from Highway One. A few mature cypress trees are located along the south edge of the driveway and at the north end of the project site. There is no sensitive habitat on the project site.

The project site is approximately 3,200 feet from the sea, which is not visible from Highway One at the proposed maintenance facility location because of intervening golf course development at higher elevations (by up to 20 feet) than the project site.

As approved by the City, the course maintenance facility project consists of the construction of: 1) a 16-foot-high, 5,800-square-foot manufactured "Butler" building, to contain 4,470 square feet of storage space for golf course maintenance vehicles, 360 square feet of office space, and 970 square feet of space for an employee breakroom with restrooms and locker room; and 2) a 300-square-foot adjoining structure to contain a snack bar and restrooms for use by golfers. The project also includes development of related facilities including a 1,200-square-foot concrete apron wash area adjacent to the north end of the "Butler" building, asphalt parking area providing ten parking spaces, four connected 12' x 14' storage units, propane tank, sewer filter, pump station, and fuel tank. See Exhibit 4.

2. Project History.

As noted above, the project site is to the southeast of the recently completed 18-hole golf course permitted by Coastal Development Permit No. 1-94-04 (Ocean Colony Partners and the Half Moon Bay Community Development Agency). The new course adjoins, to the northwest, the site of a proposed 266-350 room resort hotel project (Commission Permit No. 1-95-47-E3) and the southwest corner of the Half Moon Bay Golf Links, where an existing maintenance facility is located which serves that course and provides a temporary maintenance base for the new course. This existing maintenance facility is approximately 1 1/4 miles from the proposed facility site. The following paragraph, discussing a separate, and more accessible, facility for the new golf course, was included in the Commission's "Project Description" findings in the permit granted for the new course.

o Golf Course Equipment Storage.

The submitted project plans identify the general location of a proposed golf course support facility (e.g., for equipment storage) in the site's southeast corner adjacent to Highway 1 However, detailed plans have not yet been prepared and the facility is not part of this application. The applicant anticipates that detailed plans, including elevation and floor plans and the provision of two portable toilets, will be submitted as an amendment to this permit or as a new permit application and that Commission approval will be requested and obtained prior to issuance of this permit.

Subsequent to the Commissions approval of CDP No. 1-94-04 for the golf course, the City's LCP was certified, and the City assumed the authority to issue coastal development permits on April 24, 1996. Consequently, the City issued a coastal development permit for the proposed maintenance facility project, subject to appeal to the Commission.

D. SUBSTANTIAL ISSUE ANALYSIS.

Section 30603(b)(1) of the Coastal Act states:

The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.

All the contentions raised in the appeal present potentially valid grounds for appeal in that they allege the project's inconsistency with policies of the certified LCP. In two of these cases, the Commission finds that a substantial issue is raised.

Public Resources Code section 30625(b) states that the Commission shall hear an appeal unless it determines:

"With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603."

As discussed above, the grounds identified in section 30603 for an appeal of a local government action are limited to whether the action taken by the local government conforms to the standards in the LCP and the public access policies found in the Coastal Act. The term substantial issue is not defined in the Coastal Act. The Commission's regulations simply indicate that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." (Cal.Code Regs., tit. 14, section 13115(b).) Even where the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development as approved by the City presents a substantial issue.

a. Visual Resources.

The appellant contends that the "industrial type" building is out of character with its rural setting and, furthermore, diminishes scenic views from Highway One, and from the public access trail connecting Highway one to Cowell Ranch State Beach, because of insufficient landscape screening and an inappropriate setback from the highway.

Discussion:

LUP Visual Resources Policy 7-1 states that the City will establish regulations to protect the scenic corridor of Highway 1, including setbacks for new development, screening of commercial parking, and landscaping in new development. The policy further states that the City will establish and map scenic corridors for Highway 1 to guide application of LUP visual resources policies, and that minimum standards shall include all areas within 200 yards of State Highway 1 which are visible from the road.

LUP implementation measures contained in the certified LCP Zoning Code include Zoning Code Sections 18.37.020 and 18.37.030. Zoning Code Section 18.37.020.A.1, Visual Resource Areas, Scenic Corridors, Highway One Corridor defines the "Visual Resource Areas along the Highway One corridor" as follows:

1. Highway One Corridor. Located on both sides of Highway One, for a distance of 200 yards in those areas where Highway One is designated as a Scenic Highway by the State of California and in those areas shown on the Visual Resources Overlay Map in the City's Local Coastal Program Land Use Plan.

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Zoning Code Sections 18.37.030.B.1, 3 & 4, the Code's Scenic Corridor Standards actually cited by the appellant, specify, in part, that structural development within the Highway One Corridor "In general ... shall be":

1. Situated and designed to protect any views of ... scenic coastal areas ...;
3. Designed to be compatible with the environment ...;
4. Set back an appropriate distance from ... Highway One.

The project site is within an LCP-designated Visual Resources Area because it is along a stretch of Highway One that is designated by the State as a Scenic Highway and is within 200 yards from the highway's edge. The Scenic Highway designation covers a distance of approximately 26.2 miles, beginning approximately 1,000 feet north of the project site, at a point marked by a Golden Poppy "Begin Scenic Route" sign facing southbound Highway One travellers, and running south to the Santa Cruz County/San Mateo County line.

The general character of the area in which the project site is located can be described as coastal rural and agricultural with occasional farm houses of modest size and scale sited close to the highway near the inland edge of the broad coastal terrace that supports agricultural fields. Intermittent clumps and groves of trees, mainly cypress and eucalyptus, are located along both sides of the highway. On the south side of the third parcel to the south of the project site, i.e., adjacent to the south side of the proposed Gumbinger and Luchini residential project parcel (A-1-SMC-97-13) and about 1,000 feet distant from the project site, is located the Cowell State Beach parking lot and pedestrian access trail from the highway to the beach. See Exhibit 2.

Development in the immediate vicinity of the project site includes the new golf course on the site's north and west sides, an agricultural parcel with a 2-story, 100-year old farmhouse on the site's south side, and a few, mostly contemporary, homes (one utilized as a Buddhist temple) on otherwise undeveloped large lots across the highway.

The main structure proposed for the project site is a 5,800-square-foot (145' X 40') manufactured "Butler" building, containing 4,470 square feet of space for storing approximately 30 vehicles such as riding mowers, tractors, and materials transport vehicles, 360 square feet of office space, and 970 square feet for an employees' breakroom with restrooms and locker room. A much smaller, 300-square-foot structure, attached to the building's east side, would contain a snack bar and restrooms for use by golfers. These buildings and the other proposed site developments are shown on the site plan, Exhibit 4.

The main building is sited to have its long side facing the highway, but instead of being set parallel to the highway is set at a diagonal to it, such that the northeast corner of the building will be set back 60 feet from the east property line while the southeast corner will be set back 115 feet from

the same property line. This east property line is located approximately 45 feet from the westerly edge of the paved highway roadway, the highway right-of-way occupying the intervening space.

The building site is completely visible from the highway from directly in front of the site. Views of the site are available from various intermittent points along the highway along an approximately 4,000-foot stretch, from Miramontes Point Road, 2,500 feet to the north, to a point approximately 500 feet south of the Cowell Ranch State Beach parking lot to the south. Exhibit 3 provides four photos of the building site taken from Highway One vantage points as noted on Exhibit 2.

Visibility of the site from the State Beach pedestrian access trail is minimal due to intervening residential and farm structures on two of the three parcels between the project site and the access trail, and a few trees near the highway along the site's south property line. A large garage structure, belonging to the appellant, located toward the east end of the middle parcel of these three parcels, is not unlike the proposed "Butler" building in general appearance. This existing building, painted white, is visible from the access trail and from Highway One near the entrance to the project site as well as from the entrance to the State Beach parking lot.

Elevations for the proposed "Butler" building are depicted on Exhibit 5, and show a height of 13'8" to the eave and 16' at the roof's peak. The elevations indicate "factory painted ribbed wall & roof panels," proposed to be a beige color according to the City's July 24, 1997 staff report.

The same staff report (p.8) states that, "The location of the maintenance facility adjacent to the Highway One scenic corridor is not a location 'least visible from public view'." The City's staff report further discusses visual resource issues in the "Visual Impact/Design" analysis section:

The building site is located at the southernmost City gateway with public views across the site from Highway One. Staff and the ARC (Architectural Review Committee) members were concerned that, although it is recognized that the function of the building is for maintenance and storage, the architecture is not complementary nor appropriate for a building at the entrance to the City, which should reflect a high quality of design in Half Moon Bay. Staff is concerned that a consistent approach to design be used for all buildings proposed to be located in prominent gateway locations.

The site sections provided by the applicant describe the height of the building and site elevation in relation to the elevation of Highway One. The building will be seen from Highway One until the landscape plantings mature. Given the setbacks of the building from Highway One and the screening potential of the proposed landscaping, the non-descript, low-profile building may eventually be adequately screened when seen directly in front of the building on Highway One. However,

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the building will not be screened from the properties to the south and Staff has received input from a neighbor who is not happy about a beige Butler building.

The project as approved meets City standards for structural development setbacks from Highway One, and in fact is set back from the highway as far as possible, since its west side is set against the toe of an embankment atop of which is situated the golf course's 10th tee. The high point of the building's roof, 16 feet in elevation, will be about 9 feet above the level of the tee.

The City's approval did not require any modifications to the building itself but did include a condition (Condition 17) requiring that security lighting be reviewed by the Planning and Building Department prior to installation, "to minimize any harshness or glare onto Highway One and/or onto nearby residences."

Condition 22 of the City's coastal development permit acknowledges that a submitted landscaping plan was not adequate to screen the project from the highway and from parcels to the south, and requires the applicant to provide "complete screening of the site ... maintained in perpetuity." The condition also requires that, "If the screening is deemed not to be complete by the Planning Director after one year, the building shall be painted a green color to blend with surrounding vegetation." The condition did not, however, specifically reference the submitted landscaping plan or otherwise require revisions to it to ensure for a satisfactory screening plan. In other words, it is not clear as to what is required of the applicant, before the project is constructed, that would increase the chances for achieving complete screening at the end of a year from planting. Nor is it clear as to whether camouflaging the building with green paint after a year of unsuccessful vegetative screening would relieve the applicant of future landscaping responsibilities other than maintaining in perpetuity whichever plantings did survive their first year.

It therefore cannot be concluded that the project as approved by the City will not adversely affect LCP - designated "Scenic Corridor" views from Highway One and will be designed to protect views of the scenic coastal area and to be compatible with the environment consistent with Zoning Code Section 18.37.030.B.1, 3 & 4. The significance of the City's decision on coastal visual resources is especially critical in that the stretch of Highway 1 along which the highly visible project site is located is marked by Caltrans-installed signs as being a state-designated Scenic Route, one of only four segments of Highway 1 in the state so-designated. Thus the Commission finds that the project as approved by the City raises a substantial issue with respect to conformance of the approved project with LCP requirements regarding visual and scenic resources.

b. Urban/Rural Boundary.

The appellant contends that the project, "with zero setback" on its southside, fails to provide for a 200-foot buffer from adjacent rural property located in San Mateo County.

Discussion:

LUP Section 8.4, Agriculture, Planning Issues, states:

Because this land (immediately south of the City limits) is designated Planned Agricultural District in the County's certified LCP, the City, with the consent of the owner of the land immediately north of the southern City limits, will impose as a condition to permitted development the establishment of a buffer zone along the southern City limits adequate to preserve the potential for agricultural use of the adjacent County land.

LUP Section 9.3.6, Wavecrest Restoration Project, South Project Area, states:

Development of the South Project Area should include a buffer zone along the southern boundary area of the South Project Area of 100 feet which, when coupled with a (County) buffer of similar width south of the City limits, will provide an overall zone 200 feet in width, a width certified as acceptable by the Coastal Commission for other coastal cities such as Santa Cruz.

LCP Zoning Code Section 18.15.025.A, Planned Development, Permitted Land Uses, states:

Permitted uses, densities, and intensities shall be consistent with those established in the Land Use Plan, General Plan or an approved Planned Unit Development Plan or Specific Plan, for the site.

LCP Zoning Code Section 18.15.035.E, Content of a Planned Unit Development Plan, requires that Planned Unit Development plans include:

A detailed description of the proposed development standards, including but not limited to proposed minimum site requirements, setbacks ... and any other criteria related to the physical development of the site.

The Half Moon Bay City Council designated the South Wavecrest planning area, which includes the project site, as PUD - Planned Unit Development, on August 17, 1993, by Ordinance No. C-11-93, "accepting the South Wavecrest Specific Plan as the Planned Unit Development Plan to guide the orderly development of the site." According to Section 3.1, Development Plan, Land Use, of the South Wavecrest Specific Plan:

No structures will be constructed within a 100-foot buffer zone along the southern boundary of the project area.

The appellant contends that the project, with zero setback" on its southside, fails to provide for a required "200-foot" urban/rural buffer. Although the contention is erroneous on two counts, the contention does raise a substantial in its overall assertion that the project is inconsistent with the LCP's urban/rural buffer requirements for the site. The first error with the contention is that there is "zero setback" between the project and the adjacent agricultural parcel to the south. In fact, the main building was approved with a 53-foot setback from the south property line, although the project's driveway does come to within 1 1/2 feet of the property line.

Secondly, as noted above, the buffer zone required by the LCP's South Wavecrest Specific Plan's Section 3.1, which applies to structures (but not driveways), is a not a setback of 200 feet but a setback of only 100 feet ("which, when coupled with a (County) buffer of similar width south of the City limits, will provide an overall zone 200 feet in width"). Nonetheless, because the main building was approved with only a 53-foot setback from the south property line, the appellant is correct in asserting that the project as approved does not provide the specified 100-foot setback.

Although the City's staff report "Analysis" discussion on "Coastal Issues" (Section G.11) states that, "The development is consistent with the use limitations and property development standards of the Planned Development district as well as the other requirements of the Zoning Ordinance," neither the staff report nor the adopted findings mention the LCP urban/rural boundary buffer standards or how the proposed project measures up to those standards.

The Commission therefore finds that the project as approved by the City, with a south property line setback only 53% of what is required by the LCP, raises a substantial issue with respect to conformance of the approved project with LCP requirements regarding urban/rural boundary buffers.

c. Historic Structures.

The appellant contends that the adjacent "picturesque historic house setting will be destroyed forever."

Discussion:

In making this contention, the appellant references LUP Section 7.2 Visual Resources, Planning Issues, Protection of Significant Structures and Historical Areas. This section of the LUP specifically relates to "the need and desire for stronger City efforts to preserve its historical resources, including the possibility of special guidelines for new development in the downtown core." The adjacent 100-year-old farm house, which is still occupied, is located south of the City limits, and therefore is not one of the City's historical resources. Furthermore, the proposed new development is

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approximately 2 1/2 miles south of the downtown core. As such, the referenced LUP provisions are not applicable.

Therefore, the Commission finds that the appeal raises no substantial issue with respect to conformance of the approved project with LCP provisions regarding the protection of historic resources.

Conclusion.

The Commission finds that, as discussed above, the appeal raises a substantial issue with respect to conformance of the approved project with the visual and scenic resource policies of the LCP, and with LCP provisions regarding the protection of urban/rural boundaries. The significance of the City's decision on coastal visual resources is especially critical in that the stretch of Highway 1 along which the highly visible project site is located is marked by Caltrans-installed signs as being a state-designated Scenic Route, one of only four segments of Highway 1 in the state so-designated.

PART TWO - DE NOVO ACTION ON APPEAL

NOTES

1. Procedure.

If the Commission finds that a locally approved coastal development permit raises a Substantial Issue with respect to the policies of the certified LCP or the public access and public recreation policies of the Coastal Act, the local government's approval no longer governs, and the Commission must consider the merits of the project with the LCP de novo. The Commission may approve, approve with conditions (including conditions different than those imposed by the County), or deny the application. In this instance, staff is recommending project approval with conditions.

2. Incorporation of Substantial Issue Findings.

The Commission hereby incorporates by reference the Substantial Issue Findings above.

3. Amending Project Description.

Subsequent to the filing of the appeal, the applicant has submitted a letter to the Commission, dated November 12, 1997, indicating that if the Commission finds the appeal raises a substantial issue and considers the application de novo, the applicant wishes to amend the de novo application to change the project description to include site grading. See Exhibit 9.

I. STAFF RECOMMENDATION DE NOVO:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions:

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, is in conformance with the certified City of Half Moon Bay LCP, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See attached.

III. Special Conditions:

1. Final Landscaping, Parking and Driveway Plans.

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit, for the Executive Director's review and approval, (a) a final landscaping plan, and (b) a final parking area and driveway plan depicting any changes in the proposed parking area and driveway configuration needed to accommodate the proposed landscaping work.

The landscaping plan shall be prepared by a qualified professional with expertise in the field of landscaping, such as a landscape architect. The plan shall provide for planting at the minimum a total of 53 evergreen, drought-tolerant native or naturalized trees and/or shrubs, to be planted along the north side (11 trees), east side (25 trees) and south side (17 trees) of the project site to minimize the visual impacts to the Highway One Scenic Corridor as a result of the proposed construction. The trees to be planted shall be a minimum of five feet high when planted, must be spaced no farther than 10 feet from each other, must be types which maintain their lower branch structure through maturity, and must reach a mature height of at least 20 feet. The plan shall specify the type and mature heights of the trees to be planted.

The plan shall further include a tree maintenance program (e.g., pruning, fertilizing, watering, etc.) for newly planted trees and a tree replacement program on a one-to-one or greater ratio for the life of the project. The new trees and shrubs shall be planted within 60 days of completion of the project. The applicant shall notify the Executive Director in writing when the trees have been planted, and Commission staff shall verify the planting via a site visit or by examining photographs submitted by the applicant. Any deviation from the approved plans will require an amendment to the permit.

2. Night Lighting.

Any nighttime security lighting that is necessary shall be down cast, shielded, and cast away from Highway 1 and nearby residences.

3. Signage.

Any signage visible from Highway 1 shall obtain design review and approval by the City Architectural Review Committee.

4. Undergrounding of Utilities.

All utilities shall be placed underground.

5. Revised Site Plan.

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director final site plans for the proposed project which show a re-location of the proposed maintenance building in such a manner that no part of the building is within 100 feet of the site's south property line.

6. Final Foundation and Site Drainage Plans.

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director final foundation and site drainage plans for the proposed project. These plans shall be consistent with the recommendations made in the Soil & Foundation Investigation report prepared by Bay Area Geotechnical Group (BAGG) dated January 13, 1997, which was submitted with the application. In particular, the plans shall be consistent with the recommendations regarding site drainage and construction of foundations. The drainage plans shall include provisions to direct run-off from the re-located wash area (from the north end of the maintenance building to the building's south end) to the oil-sand interception structure north of the maintenance building and to maintain the oil-sand interception structure and all other drainage facilities. Any deviation from the approved plans will require an amendment of this permit.

7. Project Modifications.

Any change in the density or intensity of use of the property, such as, but not limited to, any future development that would locate any more intensive water consuming use or a use requiring additional sewage capacity on the site, shall require an amendment to this permit or a separate coastal permit.

8. Archaeologic Discovery.

Should archaeological resources be discovered on the site during construction of the proposed development, all work that could damage or destroy these resources shall be suspended. The applicant shall then have a qualified archaeologist inspect the project site, determine the nature and significance of the archaeological materials, and if he or she deems it necessary, develop appropriate mitigation measures using standards of the State Historic Preservation Office.

Should the archaeologist determine that mitigation measures are necessary, the applicant shall apply to the Commission for an amendment of Permit No. A-1-HMB-97-60, requesting that the permit be amended to include the mitigation plan proposed by the archaeologist. The plan shall provide for monitoring, evaluation and protection of the archaeological resources on site, and shall define specific mitigation measures. Should the archaeologist determine that no mitigation measures are necessary, work may be resumed.

9. Trash Enclosure.

The applicants shall install a trash enclosure consistent with the requirements of Zoning Code Chapter 18.31.

10. Condition Compliance.

All requirements specified in the foregoing conditions that the applicant is required to satisfy as prerequisites to the issuance of this permit must be met within 90 days of Commission action on this permit application. Failure to comply with this requirement within the time period specified, or within such additional time as may be granted by the Executive Director for good cause, will result in the nullification of this permit approval.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

1. Project and Site Description.

The 32,500-square-foot subject site (approximately 3/4-acre) for the proposed maintenance facility for golf course equipment is the most southerly property on the west side of Highway One in the City of Half Moon Bay. See Exhibit 1. The site adjoins the boundary between the City and the County which coincides with the urban/rural boundary defined by the LCP. The site is adjacent to, on the northwest, the recently completed 18-hole golf course permitted by Coastal Development Permit No. 1-94-04, approved by the Commission on December 13, 1994, and issued to Ocean Colony Partners and the Half Moon Bay Community Development Agency (Exhibit 8). The 140-acre golf course is designated as a Planned Unit Development (the Wavecrest Restoration Project, South Project Area, a.k.a., South Wavecrest).

A 120-foot-long and 15-foot-wide driveway at the south property line provides vehicular access to the site from Highway One. A few mature cypress trees are located along the south edge of the driveway and at the north end of the project site. There is no sensitive habitat on the project site.

The project site is approximately 3,200 feet from the sea, which is not visible from Highway One at the proposed maintenance facility location because of intervening golf course development at higher elevations (by up to 20 feet) than the project site.

The course maintenance facility project consists of site grading and the construction of: 1) a 16-foot-high, 5,800-square-foot manufactured "Butler" building, to contain 4,470 square feet of storage space for approximately 30 golf course maintenance vehicles (including riding mowers, tractors, and materials transport vehicles), 360 square feet of office space, and 970 square feet of space for an employee breakroom with restrooms and locker room; and 2) a 300-square-foot adjoining structure to contain a snack bar and restrooms for

use by golfers. The project also includes development of related facilities including a 1,200-square-foot concrete apron wash area adjacent to the "Butler" building, an asphalt parking area providing ten parking spaces, four connected 12' x 14' storage units, a propane tank, a sewer filter, a pump station, and a fuel tank. See Exhibit 4.

2. Visual Resources.

LUP Policy 7-1 states that the City will establish regulations to protect the scenic corridor of Highway 1, including setbacks for new development, screening of commercial parking, and landscaping in new development. The policy further states that the City will establish and map scenic corridors for Highway 1 to guide application of LUP visual resources policies, and that minimum standards shall include all areas within 200 yards of State Highway 1 which are visible from the road.

LUP Policy 7-4 states:

Utilities shall continue to be placed underground in all new developments.

LUP Policy 7-5 states:

All new development, including additions and remodeling, shall be subject to design review and approval by the City Architectural Review Committee.

LUP implementation measures contained in the certified LCP Zoning Code include Zoning Code Sections 18.37.020 and 18.37.030. Zoning Code Section 18.37.020.A.1, Visual Resource Areas, Scenic Corridors, Highway One Corridor defines the "Visual Resource Areas along the Highway One corridor" as follows:

1. Highway One Corridor. Located on both sides of Highway One, for a distance of 200 yards in those areas where Highway One is designated as a Scenic Highway by the State of California and in those areas shown on the Visual Resources Overlay Map in the City's Local Coastal Program Land Use Plan.

Zoning Code Sections 18.37.030.B.1, 3 & 4, the Code's Scenic Corridor Standards specify, in part, that structural development within the Highway One Corridor "In general ... shall be":

1. Situated and designed to protect any views of ... scenic coastal areas ...;
3. Designed to be compatible with the environment ...;
4. Set back an appropriate distance from ... Highway One.

Zoning Code Section 18.31.060, Enclosures - Applicability, states in part, trash and recycling enclosures shall be required for projects where solid waste is collected and loaded, including new construction of commercial and industrial structures.

The project site is within an LCP-designated Visual Resources Area because it is along a stretch of Highway One that is designated by the State as a Scenic Highway and is within 200 yards from the highway's edge. The Scenic Highway designation covers a distance of approximately 26.2 miles, beginning approximately 1,000 feet north of the project site, at a point marked by a Golden Poppy "Begin Scenic Route" sign facing southbound Highway One travellers, and running south to the Santa Cruz County/San Mateo County line.

The general character of the area in which the project site is located can be described as coastal rural and agricultural with occasional farm houses of modest size and scale sited close to the highway near the inland edge of the broad coastal terrace that supports agricultural fields. Intermittent clumps and groves of trees, mainly cypress and eucalyptus, are located along both sides of the highway. On the south side of the third parcel to the south of the project site, i.e., adjacent to the south side of the proposed Gumbinger and Luchini residential project parcel (A-1-SMC-97-13) and about 1,000 feet distant from the project site, is located the Cowell State Beach parking lot and pedestrian access trail from the highway to the beach. See Exhibit 2.

Development in the immediate vicinity of the project site includes the new golf course on the site's north and west sides, an agricultural parcel with a 2-story, 100-year old farmhouse on the site's south side, and a few, mostly contemporary, homes (one utilized as a Buddhist temple) on otherwise undeveloped large lots across the highway.

The proposed 5,800-square-foot (145' X 40') manufactured "Butler" building would be sited to have its long side facing the highway, but at a diagonal to it, with the northeast corner of the building set back 60 feet from the east property line and the southeast corner set back 115 feet (see Exhibit 4). This east property line is located approximately 45 feet from the westerly edge of the paved highway roadway, the highway right-of-way occupying the intervening space. The project as approved meets City standards for structural development setbacks from Highway One, and in fact is set back from the highway as far as possible, since its west side is set against the toe of an embankment atop of which is situated the golf course's 10th tee.

Elevations for the proposed "Butler" building are depicted on Exhibit 5, and show a height of 13'8" to the eave and 16' at the roof's peak. The elevations indicate "factory painted ribbed wall & roof panels," proposed to be a beige color according to the City's July 24, 1997 staff report. The high point of the building's roof, 16 feet in elevation, will be about 9 feet above the level of the adjacent tee.

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The building site is completely visible from the highway from directly in front of the site. Views of the site are afforded from various intermittent points along the highway along an approximately 4,000-foot stretch, from Miramontes Point Road, 2,500 feet to the north, to a point approximately 500 feet south of the Cowell Ranch State Beach parking lot to the south. Exhibit 3 provides four photos of the building site taken from Highway One vantage points as noted on Exhibit 2.

The visibility of the site from the Cowell Ranch State Beach pedestrian access trail itself, which leads west from the beach parking lot, is minimal due to intervening residential and farm structures on two of the three parcels between the project site and the access trail, and a few trees near the highway along the site's south property line. One of the intervening structures, a large garage, is not unlike the proposed "Butler" building in general appearance.

The primary visual impact of the project, therefore, is the intrusion of the proposed "Butler" building into the Highway One Scenic Corridor. For nearly three-fourths of a mile, motorists would be subjected to views of an industrial style building that is out of character with the open lands around the site and the development that exists nearby. As such the Commission cannot find the project as proposed consistent with requirements of LCP Zoning Code Section 18.37.030.B Scenic Corridor Standards that structural development be "situated and designed to protect any views of ... scenic coastal areas" and "to be compatible with the environment."

To reduce the impacts of the proposed development on visual resources, and to ensure that the project is "situated and designed to protect any views of ... scenic coastal areas" and "to be compatible with the environment," the Commission attaches Special Condition No. 1, which requires that the applicant submit a landscaping plan that provides for the planting of an evergreen screen of drought-tolerant native or naturalized trees and/or shrubs along the north, east and south sides of the project site to mitigate the visual impacts to the Highway One Scenic Corridor as a result of the proposed construction. The submitted plan must include a tree maintenance program (e.g., pruning, fertilizing, watering, etc.) for newly planted trees and a tree replacement program on a one-to-one or greater ratio for the life of the project. Screening of the proposed project from Highway One vantage points in such a fashion will essentially create a new grove of trees at the site, visually compatible with the intermittent groves of trees already present along the highway. Furthermore, although it is not possible to provide for additional setbacks for the maintenance building from Highway 1, because of the topographical constraints imposed by the adjacent 10th tee as described above, the proposed setback from the highway is appropriate given the landscape screening that is required.

To further reduce the impacts of the proposed development on visual resources, the Commission attaches: (a) Special Condition No. 2, which requires that any nighttime security lighting that is necessary shall be down cast, shielded,

and cast away from Highway One; (b) Special Condition No. 3, which requires that any signage visible from Highway 1 obtains design review and approval by the City Architectural Review Committee; (c) Special Condition No. 4, which requires that all utilities be placed underground; and (d) Special Condition No. 9, which requires that a trash enclosure be installed.

The Commission thus finds that the proposed development, as conditioned, is consistent with LUP Policies 7-1, 7-4, and with LCP Zoning Code Section 18.37.030.B Scenic Corridor Standards, as the Highway One scenic corridor will be protected and visual impacts will be minimized. The Commission further finds that the proposed development is consistent with LUP Policy 7-5, as the proposed project was reviewed by the Half Moon Bay Architectural Review Committee in July of 1997. Moreover, the Commission finds that the project is consistent with LCP Zoning Code Section 18.31.060 as a trash enclosure that will screen trash receptacles from view will be installed.

3. Urban/Rural Boundary.

LUP Section 8.4, Agriculture, Planning Issues, states:

Because this land (immediately south of the City limits) is designated Planned Agricultural District in the County's certified LCP, the City, with the consent of the owner of the land immediately north of the southern City limits, will impose as a condition to permitted development the establishment of a buffer zone along the southern City limits adequate to preserve the potential for agricultural use of the adjacent County land.

LUP Section 9.3.6, Wavecrest Restoration Project, South Project Area, states:

Development of the South Project Area should include a buffer zone along the southern boundary area of the South Project Area of 100 feet which, when coupled with a (County) buffer of similar width south of the City limits, will provide an overall zone 200 feet in width, a width certified as acceptable by the Coastal Commission for other coastal cities such as Santa Cruz.

LCP Zoning Code Section 18.15.025.A, Planned Development, Permitted Land Uses, states:

Permitted uses, densities, and intensities shall be consistent with those established in the Land Use Plan, General Plan or an approved Planned Unit Development Plan or Specific Plan, for the site.

LCP Zoning Code Section 18.15.035.E, Content of a Planned Unit Development Plan, requires that Planned Unit Development plans include:

A detailed description of the proposed development standards, including but not limited to proposed minimum site requirements, setbacks ... and any other criteria related to the physical development of the site.

The Half Moon Bay City Council designated the South Wavecrest planning area as PUD - Planned Unit Development on August 17, 1993, by Ordinance No. C-11-93, "accepting the South Wavecrest Specific Plan as the Planned Unit Development Plan to guide the orderly development of the site." This designation has not subsequently changed, and thus is the current zoning designation and applicable Specific Plan pursuant to the certified LCP (April 24, 1996). According to Section 3.1, Development Plan, Land Use, of the South Wavecrest Specific Plan:

No structures will be constructed within a 100-foot buffer zone along the southern boundary of the project area.

As proposed, the project is inconsistent with the LCP's urban/rural buffer requirements for the site. Because the main building has only a 53-foot setback from the south property line, the project does not provide the specified 100-foot setback.

The applicant's letter dated November 12, 1997 (Exhibit 9), which amends the permit application to include site grading (see below), also discusses staff concerns "regarding adherence to setbacks delineated in the LCP." In this letter, the applicant agrees to move the building northward to conform to the required setback from the south property line.

To ensure project consistency with LCP urban/rural boundary buffer standards pertaining to the construction of new structures, the Commission attaches Special Condition No. 5 requiring that prior to issuance of the coastal development permit the applicant submit for Executive Director review and approval final site plans for the proposed project which show a re-location of the proposed maintenance building in such a manner that no part of it is within 100 feet of the site's south property line.

Therefore, the Commission finds that the proposed development is consistent with LCP requirements that structures at the project site be set back 100 feet from the City limits line in order to maintain the urban/rural boundary buffer.

4. Geologic Hazards.

LUP Geotechnical Hazards Policy 4-6 states:

Applications for grading and building permits and applications for subdivisions shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami run-up, landslides, flooding, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, as indicated on the Geologic Hazards Map, a geologic report shall be required. Mitigation measures shall be required where necessary.

LUP Geotechnical Hazards Policy 4-9 states:

All development shall be designed and constructed to prevent increases in runoff that would erode natural drainage courses. Flows from graded areas shall be kept to an absolute minimum, not exceeding the normal rate of erosion and runoff from that of the undeveloped land. Storm water outfalls, gutters, and conduit discharge shall be dissipated.

Although the project site is not located in an area "of known geologic hazards, as indicated on the (LUP) Geologic Hazards Map," and therefore is not subject to the requirements of Policy 4-6, as implemented by Zoning Code Section 18.38.045 Geological Report, that a geologic report be required in hazardous areas, such a report nonetheless was prepared for the project. This report, "Soil & Foundation Investigation, Proposed Maintenance Facility" (Bay Area Geotechnical Group [BAGG], January 13, 1997), indicates that the site can safely support the proposed project, and makes a number of recommendations regarding development on the site, including grading, drainage and foundation design.

The project site, between Highway One and the golf course's 10th tee, occupies a sloped area that increases in elevation by approximately 20 feet, over a horizontal distance of approximately 150 feet, from the highway to the tee. The BAGG geotechnical investigation of the site began with a site survey after the site had already been preliminarily "graded in early 1996 during the construction of the golf course and used as a construction yard." The BAGG report notes that in 1996 "the building area was cut from 4 to 6 feet, and the areas to the east where a parking lot and a fill slope will be constructed, were filled by the same amount." Site plans, grading and drainage plans prepared later in 1996, for the maintenance facility project, provided the basis for the 1997 geotechnical investigation.

According to the January 13, 1997 BAGG geotechnical report, the additional grading proposed (volume unspecified) by these plans to prepare the site for use as the course maintenance facility consists of the following:

The building area will be graded to fill the existing 2-foot-deep tank depression and the pad elevation will be raised by roughly 1 1/2 feet. Within the parking area east of the proposed building, the existing grades will be similarly raised, varying from negligible on the east end to about 1 1/2 feet near the maintenance building. A fill slope is also proposed on the east edge of the parking lot, descending at a gradient of 2:1 (horizontal to vertical) to an existing ditch on the western edge of State Highway 1. The drawings indicate up to 10 feet of fill may be necessary to construct this slope, and that a curb and gutter will be constructed at the top of the slope and on the eastern edge of the parking lot.

The geotechnical investigation's test boring data indicates that the project site is blanketed with "marginally compacted and un-engineered" fill soils. These soils range in thickness from 3 to 4 feet in the building area and the western half of the parking area, to over 10 feet at the southeast corner of the parking lot.

The geotechnical report states that weak and compressible subgrade soils would subject the new slab, building foundation, and parking lot to differential movements and cracking "if not properly over-excavated and replaced with engineered fill soils," and notes;

Furthermore, our engineering analysis has concluded that the existing 2:1 slope which will be regraded and receive additional fill soils, would be potentially unstable under seismic conditions. Our slope stability analysis ... yielded a factor of safety of slightly less than 1.0, indicating that the slope would only be marginally stable if the existing fills are not removed and re-compacted.

Included in the geotechnical report are recommendations that: all existing un-engineered fill soils, estimated at depths ranging from 3 feet to 10 feet, and all existing fill and/or weak soils within the building foot print and 3 feet beyond, should be over-excavated to expose firm native soils; any imported fill soils should be approved by the Geotechnical Engineer before importing to the site; all over-excavated fill should be replaced, during slope re-construction according to the final grading plan, with engineered fill soils, according to "details of slope re-construction (that) would be provided by the Geotechnical Engineer at the time of grading"; where fill is proposed on sloping surfaces that are steeper than 6:1 (horizontal to vertical), the fill "should be properly keyed and benched into the excavation, so that all fill is placed on firm, horizontal surfaces"; proposed concrete slabs should be underlain with 6 inches of compacted gravel base; and the "sections" for the parking and driveway areas should consist of 3 to 3 1/2 inches of asphaltic concrete underlain with 8 to 12 inches of aggregate base.

The geotechnical report also recommends that: all cantilever type retaining walls less than 10 feet in height should be designed to resist specified, active lateral earth pressures, and all retaining walls over 2 feet in height should be properly drained, including the use of filter fabric-protected wall backdrains, gravel/drain rock and perforated pipe, directed to the local storm drain or to "suitable outfall locations ... remote from the structures or slopes ... chosen to minimize erosion and slope stability problems"; the ground surfaces adjacent to all sides of the proposed building should be sloped to drain away from the foundations, and any area where surface run-off becomes concentrated should be provided with a catch basin; the run-off from the building roof should be collected in closed, non-perforated pipes and discharged to the local storm drain or to outfall locations "in a manner that will not allow ponding adjacent to foundations or improvements"; a "continuous curb and gutter on the east and southeast edge of the proposed parking area should be constructed because "this curb and gutter is extremely important from the standpoint of slope stability and erosion"; and surface and subsurface drainage facilities and catchment areas should be checked frequently and cleaned or maintained throughout the project life." The geotechnical report concludes that, "Provided site grading is performed as recommended ... conventional shallow foundations will provide satisfactory support for the proposed Maintenance Building."

According to a letter from the project's geotechnical engineer, dated November 14, 1997, to the applicant, the geotechnical report's recommendations pertaining to site grading and drainage facilities have been followed in the final site grading, construction of the parking area and building pad, and "installation of underground utilities" which was carried out in June and July 1997 (see Alleged Violation below). However, final foundation plans have not yet been submitted to the Commission. The Commission therefore attaches Special Condition No. 6, requiring project development in conformance with the evaluation's recommendations regarding foundation design, so as to ensure project consistency with LCP Geotechnical Hazards provisions. This condition also requires the review and approval of any revised drainage plans prepared to accommodate the re-located concrete apron wash area required by Special Condition No. 5. The current drainage plans direct run-off from the wash area to an oil-sand interception structure north of the maintenance building, which filters out oil, silt, and grass clippings prior to discharge to the new golf course drainage system, which out-falls into an irrigation storage pond located on the course. The condition thus will ensure that drainage from the re-located equipment wash area also is directed to this same oil-sand interception structure.

5. Public Services.

LUP New Development Policy 9-4 states, in applicable part:

All new development ... shall have available water and sewer services ... Prior to issuance of a coastal development permit, the Planning Commission or City Council shall make the finding that adequate services and resources will be available to serve the proposed development upon its completion.

The proposed project includes, in the main building, an employee breakroom with restrooms, and, in the smaller attached building, a snack bar and restrooms for use by golfers. Additional water usage will occur at the maintenance equipment wash area.

The project site is within the Coastside County Water District (CCWD). The City's findings for approval of the project noted that "Evidence has been submitted with the permit application that the proposal will have adequate services and infrastructure at the time of occupancy in a manner that is consistent with the Local Coastal Program." According to the City staff report (7/24/97) and correspondence between the City project planner and Mr. Dave Mier, CCWD (7/14/97), an existing 5/8-inch CCWD water connection on the property will supply the project's water needs. The restrooms will be served by a proposed septic system. Evidence of approval of the proposed on-site sewage treatment and disposal system, to handle the sewage disposal requirements of the project as proposed, is contained in a letter to the applicant from Mr. Keith Hashiguchi, San Mateo County Health Services Agency (10/15/96). Therefore, the Commission finds that the project is consistent with LCP Policy 9-4 to the extent that adequate public services are provided for the project as proposed.

However, the approved water and septic systems are not necessarily designed to accommodate more intensive uses than those described in this permit. Therefore, Special Condition No. 7 requires that any change in the intensity or density of use that creates demands for water and sewage treatment capacity greater than the capacity of the approved systems requires additional authorization from the Commission. This condition reflects existing requirements of the LCP, which specifies (LCP Zoning Code Section 18.20.025) that any development in the coastal zone requires a coastal development permit. LCP Zoning Code Section 18.20.020.C includes "change in the density or intensity of use" in its definition of "development." The condition will serve to notify the applicant that such changes in use require Commission authorization and help ensure that the Commission will have the opportunity to evaluate the proposed change for consistency with LCP Policy 9-4. Therefore, the project as conditioned is consistent with Policy 9-4 requirements that new development be provided with adequate services.

6. Archaeological Resources.

LUP Policy 6-2 states:

Prior to the issuance of a permit for any development within 100 feet of any recorded archaeological site identified within 100 feet of any recorded archaeological site identified in Figure 6.1, the City will require the submission of a report by a qualified archaeologist regarding the resources which may be affected and mitigation measures necessary to protect the site or to undertake salvage of archaeological materials before development. Any permit shall be conditioned upon reasonable measures taken to mitigate the impact of development on archaeological resources. These may include (1) designating construction to avoid important resources, (2) covering the site with fill, and (3) site sampling and salvage.

A known prehistoric archaeologic site, designated the "Canada Verde Site," exists in the South Wavecrest area, but outside of areas proposed for development under the current application. Surface and subsurface testing at the archaeological site has been conducted to closely define the location and nature of the site and the testing demonstrates that the archaeological site does not extend on to the proposed development site (M. Clark, Holman & Associates, May 1992; on file at the Commission's office). However, it is possible that additional archaeologic or historic resources could be discovered elsewhere, on the project site, property during project grading or other site development. Therefore, the Commission imposes Special Condition No. 8, which requires that the applicant cease all development and conduct an archaeologic investigation, should such resources be discovered, and develop a mitigation plan if a qualified archaeologist deems it necessary. While this condition reflects several provisions of the "historic or archaeological artifacts" condition that the City attached to its approval of the project, Special Condition No. 8 additionally requires that any mitigation plan would need to be approved by the Coastal Commission, as an amendment to this

permit. As conditioned, the project is consistent with LUP Policy 6-2, as archaeological resources will be protected.

7. Public Access.

Projects located within the coastal development permit jurisdiction of a local government are subject to the coastal access policies of both the Coastal Act and the LCP. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or adequate access exists nearby. Section 30211 requires that development not interfere with the public's right to access gained by use or legislative authorization. The City's LCP also contains a number of policies regarding the provision of public access.

In applying these policies, the Commission is limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential access.

Although the project is located between the first public road, Highway One, and the sea, it will not adversely affect public access. No public accessways exist on the site that could potentially be affected by the project. Direct public access to the sea, approximately 3,200 feet to the west, is not possible because of intervening golf course development. The golf course itself, however, includes several public access opportunities, in the form of both vertical and lateral accessways that extend along the entire blufftop edge of the golf course development and provide access down to the beach. In addition, the proposed project will not create any new demand for public access or otherwise create any additional burdens on public access. Therefore, the Commission finds that the proposed project does not have any adverse effect on public access that warrants requiring public access, and that the project as proposed without provision for public access is consistent with the public access policies of the Coastal Act and the City's LCP.

8. Alleged Violation.

Site grading for the proposed maintenance facility was actually carried out in June and July 1997, according to correspondence from the applicant's geotechnical engineer, without benefit of a coastal development permit. Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the policies of the certified Half Moon Bay LCP and the public access and recreation policies of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

9. California Environmental Quality Act (CEQA).

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned 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.

The proposed project has been conditioned to be found consistent with the policies of the Half Moon Bay LCP. Mitigation measures have been imposed to minimize all adverse environmental impacts. These measures include the following: (1) that prior to the issuance of the permit, the applicant shall submit for the review and approval of the Executive Director (a) final landscaping, parking and driveway plans, (b) final site plans for re-locating the maintenance building to be 100 feet from the south property line, and (c) final foundation and site drainage plans; (2) that all nighttime security lighting be down cast, shielded, and directed away from Highway 1; (3) that all signage visible from Highway 1 be approved by the City's Architectural Review Committee; (4) that all utilities be placed underground; (5) that a qualified archaeological monitor must be on-site during excavation; and (6) that any change's in the density or intensity of the project be reviewed and approved by the Commission.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act and to conform to CEQA.

EXHIBITS

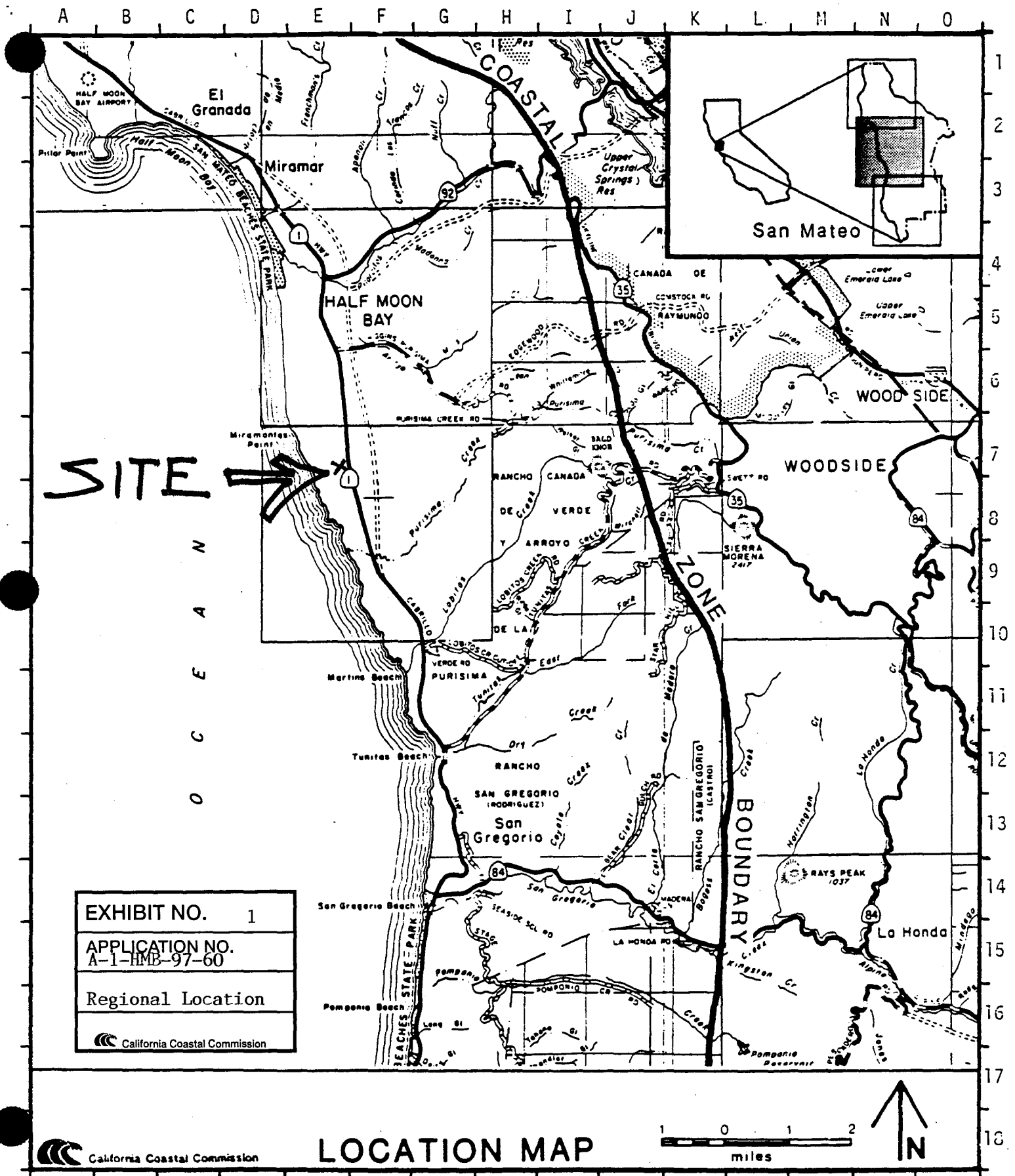
1. Regional Location Map
2. Site Location Map & Site Photo Locations
3. Site Photos
4. Site Plan
5. Elevations
6. Appeal
7. Final Local Action Notice
8. Golf Course (CDP No. 1-94-4) Maps
9. Project Description Amendment

ATTACHMENT A

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 on which the Commission voted on the application. 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 of 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 development during construction, 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.





BAY

FRANCIS BEACH

OCEAN COLONY -
HALF MOON BAY
GOLF LINKS

MIRAMONTES POINT

VISIT OUR CHURCHES

1. ASSEMBLY OF GOD CHURCH
2. CATHOLIC CHURCH
3. FIRST BAPTIST CHURCH
4. CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS
5. METHODIST CHURCH
6. EPISCOPAL CHURCH
7. LUTHERAN CHURCH
8. INDEPENDENT CHURCH

SCALE IN MILES

Copyright 1980 by COMPASS MAPS, Mountain View, CA

SITE

BEACH ACCESS
E TRAIL

EXHIBIT NO. 2

APPLICATION NO.

A-1-HMB-97-60

Site, and Site
Photo, Locations


California Coastal Commission



#1



#2

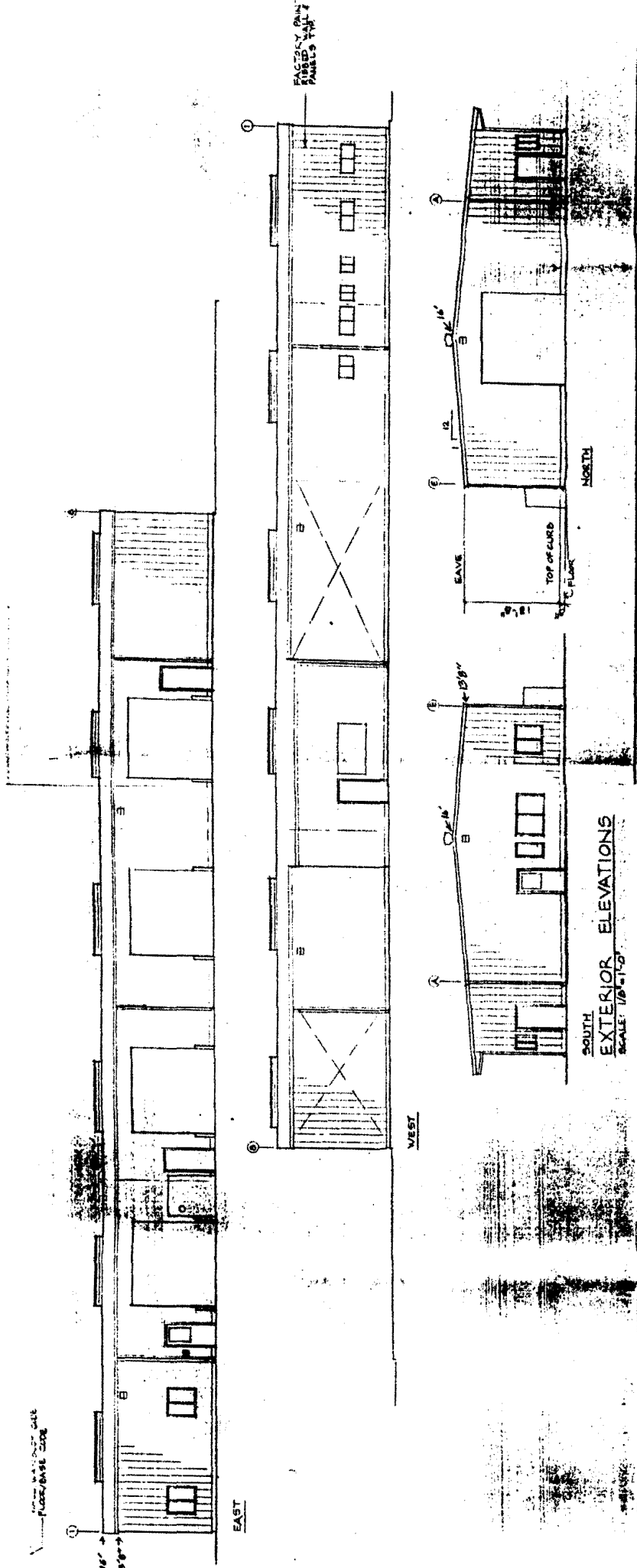
| | |
|---|---------------|
| EXHIBIT NO. | 3 |
| APPLICATION NO. | A-1-HMB-97-60 |
| Site Photos | |
| (page 1 of 2) | |
|  California Coastal Commission | |



#3



#4



| | |
|-------------------------------|---------------|
| EXHIBIT NO. | 5 |
| APPLICATION NO. | A-1-HMB-97-60 |
| Elevations | |
| California Coastal Commission | |

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Carmel Navarro17400A Cabrillo Highway SouthHalf Moon Bay, California 94019-2518 650-726-4725

Zip

Area Code

Phone No.

SECTION II. Decision Being Appealed1. Name of local/port government: City of Half Moon Bay (City Council)2. Brief description of development being appealed: Building at South Wavecrest Golf Course
3950 South Cabrillo Highway
Coastal Development Permit and Site and Design Permit3. Development's location (street address, assessor's parcel no., cross street, etc.): 3950 South Cabrillo Highway
Half Moon Bay, California

4. Description of decision being appealed:

a. Approval; no special conditions: _____

b. Approval with special conditions: Approved with vague conditions.

c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-1-HMB-97-060DATE FILED: 9/4/97DISTRICT: North Coast

H5: 4/88

RECEIVED

SEP 04 1997

CALIFORNIA
COASTAL COMMISSION

EXHIBIT NO. 6

APPLICATION NO.
A-1-HMB-97-60Appeal (to
Commission & City)

(page 1 of 14 pages)

California Coastal Commission

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- a. ☐ Planning Director/Zoning Administrator c. ☐ Planning Commission
b. ☒ City Council/Board of Supervisors d. ☐ Other _____

6. Date of local government's decision: August 19, 1997

7. Local government's file number (if any): CDP-23-97, PSD-06-97

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Ocean Shore Partners (Pat Fitzgerald)
2002 Fairway Drive
Half Moon Bay, CA 94019

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Muriel Vint
1530 Los Altos Drive
Burlingame, CA
- (2) Rose Hernandez
17400D Cabrillo Highway South
Half Moon Bay, CA 94019-2518
- (3) Joseph Luchini
#1 Nob Hill Circle
San Francisco, CA 94108
- (4) Residents
17450 Cabrillo Highway South
Half Moon Bay, CA 94019-2518

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

This industrial type facility on Highway #1 violates

the City of Half Moon Bay's Local Coastal Program Land

Use Plan. It, also, violates the Coastal Act Policies

See attached:

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Carmel Navarro

Signature of Appellant(s) or
Authorized Agent

Date September 3, 1997

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date _____

September 3, 1997

Carmel Navarro
17400A Cabrillo Highway South
Half Moon Bay, California
94019-2518
Phone: 650-726-4725
FAX 650-726-4725

California Coastal Commission
North Coast Area
45 Fremont, Suite 2000
San Francisco, California 94105-2219

Attention: Bill Van Beckum

Enclosed is additional material for "Appeal from Coastal Permit decision of local government", (2 pages) which was read to the Half Moon Bay City Council on August 19, 1997, and a copy presented to each member. This was supported by verbal comments. For the purpose of this Appeal, hand written comments appear in the margin.

Thank you for your consideration. Please contact at any time for additional information.

Sincerely,



Enclosure:

RECEIVED
SEP 12 1997

CALIFORNIA
COASTAL COMMISSION

August 19, 1997

Half Moon Bay City Council

Subject Building at South Wavecrest Golf Course
3950 South Cabrillo Highway
CDP-23-97, PSD-06-97

Coastal Development Permit and Site and Design Permit

CITY OF Half Moon Bay Local Coastal Program land use Plan
Amended 1993

Chapter 9: South Project Area

Page 155 ...infestation of the plume moth attracted
by City lights, and restrictions on...hours
of equipment operation.

Page 156 In order not to preclude the potential
agricultural use of the adjacent County lands,
development of the South Project Area should
include a buffer zone along the southern
boundary of the South Project Area of 100 feet
which, when coupled with a buffer of similar
south of the City limits, will provide an
overall zone 200 feet in width, a width certified
as acceptable by the Coastal Commission for
other coastal cities such as Santa Cruz.

The stability of this Urban/Rural Boundary
would be enhanced both by the 100-foot buffer
zone along the southern boundary of
Lipton/Cabral and the fact that the
southern boundary of Lipton/Cabral is also
the City Limits.

Transitional residential, recreational, and
visitor-serving commercial development of
Lipton/Cabral would not diminish the potential
agricultural use of adjacent County lands,
especially since any development would include
a 100-foot buffer zone along the southern boundary
of the South Project area.

Proposed Development Conditions

a) A specific plan shall be prepared....or,
in the event the Project is developed in
phases, for each phase, ...

Page 159

a) A specific plan shall be prepared....or,
in the event the Project is developed in
phases, for each phase, ...

*This Industrial
type project
adjoins San Mateo
County rural property
with zero buffer
zone. Should
be 200 feet.*

*Industrial site
adjoins private property
line with no set-back
and no buffer zone.*

*No buffer zone has
been provided to
San Mateo County*

*or Owner of
rural private property
on Southside.*

*This phase, as an
Industrial type site, should be prohibited.*

This Industrial type project does not conform to Half Moon Bay's Local Coastal Program, Chapter 7, Land Use Planning Issues

...and conforms to all other policies of the land use plan. Each specific plan shall be subject to environmental review under City CEQA guidelines.

e) ...and sited and designed to protect view corridors from Highway 1.

1993, or their Zoning regulations.

Page 86 The City of Half Moon Bay has scenic resources of substantial importance to the satisfaction of its residents, the pleasure afforded visitors, and the economy of the City. The Coastal Act Policy reinforces the City's own determination to protect these resources for its future well-being and the value they have for those living in and visiting the City.

This project substantially changes character of pastoral, rural setting, and diminishes visitor visual enjoyment and recreational pleasure of a substantial section of Highway #1.

...In addition, this section addresses preservation of the character and quality of distinctive architectural and historical resources of the City

Protection of Significant Structures and Historical Areas

Page 88 ...The City must evaluate the need and desire for stronger City efforts to preserve its historical resources...

Pictorial Historic home (1850?) setting will be destroyed forever.

Carmel Navarro
17400 A Cabrillo Hwy S
Half Moon Bay, CA.
94019-2578

Continuation of this project, other than a snack bar and paying customer's rest room and parking space for one lawn mower, should be denied.

RECEIVED
SEP 04 1997
CALIFORNIA
COASTAL COMMISSION

September 3, 1997

Carmel Navarro
17400A Cabrillo Highway South
Half Moon Bay, California
94019-2518
phone: 650-726-4725
FAX: 650-726-4725

California Coastal Commission
North Coast Area
45 Fremont, Suite 2000
San Francisco, California 94105-2219

Attention: Bill Van Beckum

Enclosed are:

1. Appeal from Coastal Permit decision of local government.
(3pages.) To the California Coastal Commission.
2. July 31, 1997, Letter to Half Moon Bay City Council
to appeal the decision of the Planning Commission on
July 24, 1997. (3pages.)
3. Type written violations of City of Half Moon Bay Local
Coastal Program land use Plan Amended 1993. This was
read to the Council supported by verbal comments.
4. Same document as above with written comments in the
margin for better understanding of the consequences
of location of this Industrial Type Site, for the
purpose of Appeal to the California Coastal Commission.
5. Sets of 7 each color photos of Industrial site.
Bear in mind, the facility is so spread out that
it is impossible to capture the vast area on film.
Visual inspection is necessary.
Please call Muriel Vint at 650-344-7945 and
Carmel Navarro at 650-726-4725 to view the site from
an upstairs window, which gives a vivid indication
of the incompatibility of the Industrial site with
the rural surroundings.

This ugly project can be seen from North, East, South
on Highway #1. It can be seen from all of the
properties of Vint, Navarro, Luchini, the Buddhist
Monastery and from the Cowell Ranch Trail, etc. Most
of the forgoing are in the County of San Mateo.

Thank you for your consideration. Please contact at any
time for additional information.

Sincerely,

Carmel Navarro

Cuevas
April 19, 1997

Half Moon Bay City Council

Subject: Building at South Wavecrest Golf Course
3950 South Cabrillo Highway
CDP-23-97, PSD-06-97

Coastal Development Permit and Site and Design Permit

City of Half Moon Bay Local Coastal Program land use
Plan Amended 1993

Chapter 7: Visual Resources

Page 86 7.1 Coastal Act Policies

Natural land forms have been altered. The industrial type site can be seen for 1 mile (driving from South to North). It can be seen for 1/2 mile driving from North to South. The Half Moon Bay City Council admitted that the 2 acres would be impossible to screen. Character of setting at Highway #1 will be destroyed. Hikers, joggers, bicycle riders, hunker to hunker, cars use scenic Highway #1 for enjoyment.

30251 The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.

30253 New development shall:
(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Chapter 2

Page 17 Section 30250(a) of the Coastal Act

Destroy scenic Country views for visitors throughout the State. It is better to put site with existing golf support facilities on adjoining golf course.

requires the City to attempt to accommodate all development necessary to meet the economic and social needs, not only of its residents, but also of the mid-coast regional population and visitors from throughout the State. In pertinent part it reads as follows: "New residential, commercial, or industrial development . . . shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it."

Chapter 9

*Adverse effect to
surrounding properties
which could be used for
recreational or visitor serving
purposes. Lower land
values and quality of life.*

Page 121 (repeat) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accomodate it, or, where such areas are not able to accomodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resource

*No buffer zone,
Should be 200 feet,
No set back,
Forces rural to also,
become industrial.*

Page 123 ...Coastal Act policies would favor concentration of new development within the City as an urban area in lieu of development in substantially more rural areas to the north, east, or south...

In summary:

The snack bar and restroom for golfers as a golf support facility is not being challenged. Also, one mower to keep the lawn in shape when necessary can be accomodated. The access road for use in and out of Highway # 1 is unnecessary and disruptive, and tempts escalated use of the site. Offices and other facilities are better located near other existing structures on the extensive property. The rural, scenic, countryside, beauty at Highway #1 needs to be maintained. Busy car washing facilities, should be located elsewhere.

The sole purpose of the Coastal Act was to maintain the scenic, pastoral serenity of the rural Coastside. This project violates every plan to "save the Coast".

*State of California
County of Santa Barbara
City of Santa Barbara
California
4409-2518*

Compliance with General Plan Zoning Ordinances

Chapter 18.37

City of Half Moon Bay 18.37.015 Applicability all new development projects within adjacent to Visual Resource Areas shall meet the Visual Resource Standards established within this Chapter

Maintenance area of this vast size should be placed elsewhere.

18.37.020 Visual Resource Areas

A.1. Highway One Corridor. Located on both sides of Highway One, for a distance of 200 yards in those areas where Highway One is designated as a Scenic Highway by the State of California and in those areas shown on the Visual Resources Overlay Map in the City's Local Coastal Program Land Use Plan,

Destroys scenic views. It is incompatible with residential country property.

No appropriate set back,

1. protect any views scenic Coastal areas
3. Designed to be compatible with the environment
4. Set back appropriate distance from Highway One

(Continued) comments Planning Dept. H.M.B.

Site is visible from all sides, it is too large to screen. No room was provided to do that.

Site should be incorporated into existing maintenance of owner's property.

..... "site is within scenic corridor. The location of the maintenance facility adjacent to Highway One scenic corridor is not a location "least visible from public view". Similarly, the location of a Butler building and maintenance yard next to residential property is probably not high on the compatibility charts."

Carmel Mariano
17400 N Caballero Highway
Half Moon Bay, CA.
94019-2518

July 31, 1997

Half Moon Bay City Council
City of Half Moon Bay
City Hall, 501 Main Street
Half Moon Bay, California 94019-0338

Subject: Building at South Wavecrest Golf Course
3950 South Cabrillo Highway
CDP-23-97-, PSD-06-97

Coastal Development Permit and Site and Design Permit

This letter serves as an appeal to the decision on the Planning Commission on July 24, 1997.

There is a need to review, in its entirety, the proposed project in the rural area at Highway #1 in Half Moon Bay. The planning is vague and subject to future problems.

This industrial type, in looks and obvious activity, is incompatible with the visitor oriented and aesthetics of the area and will forever destroy the character of the area. Less than 100 feet South of the proposed industrial type complex is a historic house, built about 1850? Across the street and from a much higher elevation over-looking the site is the Buddhist Monastery. To the South is a farm road which has become a path for the public to reach the Beach. My own home overlooks the site from a distance of approximately 500 feet.

The projection of use of these properties in the future would be some type of visitor facilities or as the demand for housing is increasing, affordable housing. A church in the area would give the public a unique ethereal experience here on the Coast which would certainly increase their enjoyment of the area.

We feel the proposed industrial site serves none of the public needs and serves a limited group who pay approximately \$100 to use the golf course.

Some of the problems with the project are listed below:

Aesthetic: Destroys the scenic vista of the area from from all directions. A tin corrugated building is an ugly building. If a building is to be constructed in the area, there is an opportunity to make the appearance of the building pleasing.

Noise: Sound in these open areas carries for great distances. At the present time animals can be heard, the chanting of the Buddhist at prayer, the voices of people, and all the sounds of nature which constitutes the quiet, peaceful, serene, environment of the rural countryside.

In contrast the proposed metal building is inappropriate for the Coastal winds and severe storms. The sound of the elements on the building could be deafening. Also, the garage doors slamming and building doors opening and shutting, in a quiet area, can be jolting sounds. The winds and rains are stronger and more frequent on the Coast and anything loose or metal can have an enormous impact on the area.

Lighting: Provisions should be made not to allow glaring white lights. The recommendation would be carriage house lantern type lighting with amber color. These would give sufficient illumination without the harshness of white lights penetrating the night skies.

Hours: Specific hours when such an industrial type complex can be used in a rural area is necessary. Otherwise, when the hotel opens, this could become a 24 hour active operation.

Vehicles: They have asked for 30 maintenance vehicles to be on the site, plus 12 additional parking spaces. This is a total of 42 vehicles. This is approximately two blocks of parking on both sides of the street from the La Piazza at Miramontes Street, through Kelly, to Mills, on Main Street passing by Half Moon Bay City Hall. These spaces accommodate the front of the vehicle. The amount of vehicles appears to be very excessive. I have seen one, possibly two, grass cutting vehicles on the subject golf course and, that obviously, is only at the times the grass needs mowing.

Wash Area: How many vehicles need to be washed per day? With the amount of vehicles designated for this site, it could be a major car-washing facility? This appears unnecessary, if, in fact, one grass mower can do the job? This, also, can contribute to noise, if the winds carry the water to the tin buildings.

Tanks: "A propane tank, sewer filter and pump station are located on the south side of the building. A fuel tank is shown on the northerly portion of the site....." The size, noise, activity, and how many vehicles served, and for what specific purpose needs to be addressed. Plus the visual impact on the surrounding properties.

Four storage units: There are four 12' by 14' storage units included in this project. The height of these units is missing. Also, the specific use and how often materials are needed? What is the use of the other three bins? These are quite large structures for a new golf course with all new installations already completed.

Size of buildings: The size of the buildings alone have nearly doubled from what may have been the original intent of this particular 18 hole golf course. They have increased from approximately 3,300 square feet to 6,160 square feet. This does not include all the other out-door facilities previously mentioned. What is the size of the trash bin?

Materials used for buildings: The walls of these buildings should be thick enough to afford adequate sound-proofing. Whatever activity is supposed to take place inside these garages and the noise produced, needs to be regulated. If the buildings are to be built on this site, a competent architect should be engaged. Considering that it is a new building with choices, a carriage house type of building resembling a home or an attractive commercial type restaurant would lessen the impact on rural homes- and industrial type operations.


Screening: The extensive expansion of the operation considered, the representative for the project refused to screen the Southside of the site. He placed the burden on the owner of the historic house to screen the area for them. This area is on an elevation that is highly visible from the South and from the higher hills on the Eastside.

Dust: The dust from their present operation has been extensive with no apparent mitigation.

In Summary: We consider this type of industrial facility incompatible with the present use of surrounding properties and with future projections. The scenic corridor has been designated for visitor serving facilities, commercial recreation, etc. The visible impact reduces the quality of these conditions and reduces the value of adjoining and surrounding properties. A better location would be an area in back of the proposed hotel, which will already have activity and lights. Many hotels, including high rise have this type of facility well enclosed.

Carmel Navarro

Carmel Navarro
17400 Cabrillo Highway South
Half Moon Bay, California

| |
|---|
| EXHIBIT NO. 7 |
| APPLICATION NO. A-1-HMB-97-60 |
| Final Local Action Notice |
| (Page 1 of 16 pages) |
|  California Coastal Commission |

NOTICE OF FINAL ACTION Coastal Permit

CCC rec'd 8/21/97

City of Half Moon Bay Planning Department
501 Main Street, Half Moon Bay CA 94019
(415) 726-8250 FAX (415) 726-9389

Date: August 21, 1997

File: CDP-23-97, PSD-06-97

Applicant: Ocean Colony Partners
2002 Fairway Drive, Half Moon
Bay, CA 94019

Planner: Amy French

This notice is being distributed to the Coastal Commission and those who requested notice. The following project is located within the appealable area of the Coastal Zone. The public hearing was conducted and the Coastal Permit was approved by the Planning Commission at their meeting on July 24, 1997. The Planning Commission's decision was appealed to the City Council. The City Council approved the Coastal Permit at their meeting on August 19, 1997, with additional conditions of approval.

Project Description: Construction of a 16 foot high, 5,800 square foot Butler building which contains 4470 square feet for storage of golf course maintenance vehicles, 360 square feet of office space, 970 square feet for a breakroom with restrooms and locker room. A 300 square foot adjoining structure on the west side of the building contains a snack bar and restrooms for use by golfers on the course. Related improvements include a 1200 square foot concrete apron wash area, asphalt parking area providing 10 parking spaces, four connected 12' x 14' storage units, propane tank, sewer filter, pump station, and fuel tank. Landscape plantings are to be installed along the easterly property line to provide screening of the property from Highway One.

Project Location: 3950 S. Cabrillo Hwy

Assessor's Parcel Number: APN 066-580-020

APPROVED by the Planning Commission on July 24, 1997, based upon Findings for Approval contained in Resolution P-12-97 and Conditions of Approval contained in Exhibit A. Planning Commission approval upheld by City Council on August 19, 1997.

EXHIBIT A

FINDINGS AND CONDITIONS OF APPROVAL

COASTAL DEVELOPMENT PERMIT CDP-23-97

SITE AND DESIGN PERMIT PSD-06-97

FINDINGS:

1. The golf course maintenance facility and associated improvements as proposed or as modified by conditions, conforms to the Local Coastal Program and City's General Plan;
2. The proposal is consistent with the annual population limitation system established in the Land Use Plan and Zoning Ordinance;
3. The proposed project is consistent with the use limitations and property development standards of the base district as well as the other requirements of the Zoning Ordinance;
4. Evidence has been submitted with the permit application that the proposal will have adequate services and infrastructure at the time of occupancy in a manner that is consistent with the Local Coastal Program; and
5. The proposed project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.
6. The proposed project is exempt from CEQA under class 3, section 15303, small structure.
7. The buildings, structures, planting, paving and other improvements are designed and constructed such that they will not be of unsightly or obnoxious appearance to the extent that they will hinder the orderly and harmonious development of the City, impair the desirability or opportunity to attain the optimum use and the value of the land and the improvements, impair the desirability of living or working conditions in the same or adjacent areas and other otherwise adversely affect the general prosperity and welfare.

CONDITIONS:

1. Development shall be in substantial conformance with the approved site plan, floor plans, and elevations, except for any changes that may be required by these conditions of approval. Where appropriate, the plans submitted for building permits shall incorporate all conditions of approval. Any deviation from the approved plans shall be reviewed by the Planning Director. In the event the Planning Director determines that any proposed changes warrant further Planning Commission review, the applicant shall submit the revised plans for consideration at a public hearing before the Planning Commission.

2. This Coastal Development Permit CDP-23-97, and Site and Design Permit, PSD-06-97, shall expire one (1) year from ten working days after the Coastal Commission appeal period has begun, unless the project has commenced. The
3. Review and approval by the Architectural Review Committee shall be required for any architectural changes or landscape plans proposed beyond the scope of the proposed project. All ARC recommendations shall be met.
4. A trash enclosure shall be installed by the applicant according to the requirements of Zoning Code Chapter 18.39.
5. All fire protection requirements of the Half Moon Bay Fire Protection District shall be met prior to the issuance of Occupancy Permits.
6. Prior to the issuance of any building, grading, encroachment or demolition permits, any permits required by other agencies with permitting jurisdiction over the subject property shall be obtained by the applicant or the applicant's representative prior to construction.

Grading and Drainage

7. Any grading or geotechnical work required shall be carried out according to the recommendations of the applicant's geotechnical consultant. A Grading and Excavating Permit shall be required for all grading outside the street right-of-way, in accordance with Section 14.24.030 of the Half Moon Bay Municipal Code, where the work to be done is included within any one or more of the following provisions:
 - A. Fill will exceed two feet in vertical depth at its deepest point measured from the pre-existing ground surface;
 - B. An excavation will exceed two feet in vertical depth at its deepest point;
 - C. Grading will exceed an area of five thousand square feet;
 - D. Grading will exceed five hundred cubic yards.

A Grading Permit cannot be issued without an approved grading plan and an approved erosion/dust control plan that provides for winterization of the project site. The grading plan and the erosion/dust control plan shall be approved by the California Coastal Commission prior to issuance of a City Grading Permit.
8. If historic or archaeological artifacts are uncovered during grading activities, all work shall stop and a qualified archaeologist shall be retained by the applicant, at the applicant's expense, to perform an archaeological reconnaissance and develop mitigation measures to protect archaeological resources.
9. All surface and subsurface storm drainage facilities necessary for the development of this parcel shall be constructed. Runoff from and to adjacent properties must be considered in the proposed plans. All roof drainage shall be collected and conveyed directly to the gutter or street. All drainage from any paved parking area serving a commercial site shall be collected on site, routed through a silt and grease trap prior to discharge to a storm drain. The

City Council approved conditions

maintenance of the silt and grease trap shall be the responsibility of the property owner. Encroachment permit required.

Commercial Construction

10. All plans, specifications, engineering calculations, diagrams, reports, and other data for construction of the building(s) and required improvements shall be submitted with the appropriate permit application to the Building Department for review and approval. Computations and back-up data will be considered a part of the required plans. Structural calculations, engineering calculations, or both shall be prepared, wet stamped, and signed by an engineer or architect licensed by the State of California. A geotechnical report, when required, shall be prepared, wet stamped, and signed by an engineer licensed by the State of California.
11. All structures shall be constructed in compliance with the strictest standards listed in the Uniform Building Code Regulations for building and structure earthquake safety as required by Title 24 of the California Administrative Code.
12. Any structural modifications to the building, provision of accessible pathways, and mechanical appurtenances required to meet the Americans with Disabilities Act accessibility requirements shall be incorporated into the building prior to the building permit final inspection approval by the Building Inspector.

Utilities

13. Any public utilities requiring relocation as a result of the construction of the building(s) or improvements covered under this permit shall be relocated at the applicant's expense. Encroachment permit required.
14. All utilities for energy and communications shall be installed underground.
15. Letters shall be submitted from all utility agencies stating appropriate, adequate service is available for the proposed project.

Miscellaneous

16. The plans submitted for building permit shall include a ramp from the cart path which meets ADA standards, pathways to the restrooms and accessible restrooms.
17. Any security lighting proposed shall be reviewed by the Planning and Building Department prior to installation. The lighting shall be so designed as to minimize any harshness or glare onto Highway One and/or onto nearby residences. Fixture hoods directing the illumination downward to shield off-site glare shall be provided to the satisfaction of the Police Chief.
18. All requirements of the Uniform Building Code, Half Moon Bay Fire Protection District and State Law regarding tank enclosures, on-site emergency containment of potential spills from the above ground fuel tank shall be met in the design and construction of the above ground fuel tank and containment area.

City Council approved conditions

A final letter of acceptance from the Half Moon Bay Fire Protection District shall be submitted to the City prior to the issuance of a certificate of occupancy for this building.

19. NPDES requirements for containment and recycling of water used in the vehicle wash-down area shall be met in the containment and water recycling and drainage systems for the wash down area. Sedimentation and hazardous waste (oil, gasoline, etc.) shall be contained in a sedimentation and fossil fuel trap system for all water drained from the wash down area.
20. The septic tank and drain field system shall have the approval of the San Mateo County Environmental Health Services Division prior to issuance of a certificate of occupancy for the building.
21. No signage visible from Highway One shall be permitted without approval by the Architectural Review Committee and issuance of a sign permit from the City of Half Moon Bay.
22. Complete screening of the site shall be provided on the site and maintained in perpetuity, with appropriate plant species and spacing. Where necessary, an expansion of the planting area east and south of the parking lot shall be required to provide adequate area for plantings to screen the site. If the screening is deemed not to be complete by the Planning Director after one year, the building shall be painted a green color to blend with surrounding vegetation.
23. An earth berm shall be provided on the site, to the extent feasible, east and south of the parking lot for screening purposes. The parking lot shall be adjusted westward, as needed, to accommodate the berm.
24. The hours of operation shall be limited to 6 AM to 5 PM.
25. The noise levels of the applicant's use shall be consistent with the City's Noise Element, taking into consideration nearby residential uses and early hours of operation.
26. The use of the golf course maintenance facility shall be restricted to golf course users and staff.

City Council approved conditions

**BUSINESS OF THE CITY COUNCIL
OF THE CITY OF HALF MOON BAY**

AGENDA REPORT

For meeting of: August 19, 1997

TO: City Council

FROM: Amy French, Associate Planner

TITLE: Appeal of Planning Commission Approval of Coastal Development Permit
for South Wavecrest Golf Course Maintenance Facility

RECOMMENDATION:

Staff recommends the City Council consider the application for Coastal Development as a "de novo" hearing in response to the appeal, which was filed within the required ten day appeal period. The Planning Commission Staff report presented at the July 24, 1997 Planning Commission meeting is attached to this report. It should be noted that the City Council's decision may be appealed to the California Coastal Commission, because the project is within the appealable area of the Coastal Zone.

FISCAL IMPACT:

No direct fiscal impact to the City will occur with City Council action.

BACKGROUND:

As noted above, the Planning Commission Staff Report providing background information is attached to this report. The appeal was filed by a property owner of a parcel located south of the subject property, who is concerned that the project is not appropriate within the Highway One scenic corridor. The issues identified in the letter include aesthetics, noise, lighting, hours of operation, vehicle parking, vehicle washing, fuel tanks, storage units, building size and design, screening of the property from property to the south, and dust.

Prepared by:


for Amy French, Associate Planner

Approved by:


Blair King, City Manager

CCC read 10/15/97

**BUSINESS OF THE PLANNING COMMISSION
OF THE CITY OF HALF MOON BAY**

AGENDA REPORT

For meeting of: July 24, 1997

TO: Planning Commission

FROM: Amy French, Associate Planner

TITLE: Building at South Wavecrest Golf Course, 3950 S. Cabrillo,
CDP-23-97, PSD-06-97

A. SUMMARY:

The applicant requests approval of a Coastal Development Permit and Site and Design Permit for the proposed South Wavecrest golf course maintenance building and site improvements. The project is the implementation of the "Golf Support Facility" described on the Specific Plan and approved in concept as a part of the Subdivision and Use Permit for the South Wavecrest Planned Development. The project is appealable to the Coastal Commission.

There are some issues on this project related to: (1) conformance with the approved South Wavecrest Specific Plan and Development Plan, (2) adequacy of the approved EIR in fully addressing this part of the South Wavecrest project, (3) building design and visual impacts upon scenic Highway One corridor and gateway to the City of Half Moon Bay, and (4) visual impacts upon adjoining property.

B. PROJECT DATA:

1. Applicant/Owner: Ocean Colony Partners
2002 Fairway Drive, Half Moon Bay, CA 94019
2. Type of Request: Coastal Development Permit and Site and Design Permit
3. Location: 3950 S. Cabrillo Hwy., APN 066-580-020
4. Application Date: July 3, 1997
5. Existing Zoning: Planned Unit Development

6. Surrounding Zone: Planned Unit Development
7. L.C.P. Designation: Planned Unit Development
8. C.E.Q.A. Status: Exempt: Section 15.303; Class 3, Item c (small structure)
Included in Program EIR for South Wavecrest Specific Plan

C. SUBJECT PROPERTY:

The project site is adjacent to Highway One and the southerly boundary of site is coterminous with the southerly boundary of the City. The property boundary is located approximately 45 feet from the westerly edge of the paved Highway One roadway. Directly south of the site, located in the unincorporated San Mateo County jurisdiction, is a parcel developed with a single family residence and actively farmed agricultural fields.

The site has been graded in conformance with the approved golf course grading plan. The property is sloped toward Highway One at a 2:1 slope east of the proposed parking lot area across a 26 foot distance, such that there is drop off to the roadway elevation of Highway One ranging between four feet and eight feet. Earth mounds are strategically located for screening purposes between the golf course and the site of the proposed building.

An encroachment permit was obtained from CalTrans for driveway improvements on the existing driveway to the site from Highway One. The proposed green perimeter fence has been installed.

D. BACKGROUND:

The Specific Plan for the South Wavecrest development area was approved by the City Council in conjunction with an Environmental Impact Report prior to the approval of the Planned Development Use Permit and Vesting Tentative Maps for Subdivision of the project area. Condition of Approval #1 of Use Permit UP-01-93 states "That all activities and development of the site shall be designed, constructed, and utilized in accordance with the provisions and standards of the South Wavecrest Specific Plan, the final Conditions of Approval of Subdivision SUB-01-93 and Subdivision SUB-02-93, all applicable provision of the South Wavecrest Specific Plan and Rezoning REZ-01-93, and the Conditions set forth herein...."

The Development Plan that was included in the Specific Plan is attached to this report. The approved plan showed a two acre Golf Support Facility site, with two buildings (one building was approximately 80 feet by 30 feet, and the other building was approximately 30 feet by 30 feet), and a maintenance yard screened from Highway One by vegetation. The Specific Plan text noted that the storage and maintenance area was needed for mowers and irrigation equipment and other tools for upkeep of the 18-hole South

Wavecrest course. The facility was placed near Highway One so as not to conflict with the golf course and beach access improvements.

Since the Specific Plan for the golf maintenance facility were only conceptual at the time of approval, Staff determined that a Site and Design Permit and Coastal Development Permit are required at this time for the detailed improvement plans.

The Architectural Review Committee informally reviewed preliminary plans at their meeting on July 2, 1997. The ARC then formally reviewed project plans at their meeting on July 16, 1997. Their comments are included in the attached ARC letter.

E. CEQA CONFORMANCE:

The golf support facility site was mentioned in the Program EIR. However, the analysis in a project-specific EIR would have analyzed the building height and floor area, bulk and siting, and other site improvements such as parking lot and parking lot screening, landscaping and other structures or features on the site.

Typically, a small structure having an occupancy of less than 30 persons would be exempt from CEQA, as noted under the project data section above. However, should the Planning Commission determine that there are any potentially significant adverse environmental impacts which need to be addressed, CEQA requires further analysis of the project to ensure that adequate measures to mitigate any impacts are incorporated into the project. If these impacts cannot be mitigated by the project, an EIR is required.

F. PROPOSED PROJECT:

The project plans show a 32,500 square foot area on which a 16 foot high maintenance building and related improvements are proposed. Access to the site is provided from the golf course (two gates) and from Highway One via a 120 foot long 15 foot wide driveway.

The site plan shows a 5,800 square foot commercial Butler building which contains 4470 square feet for storage of approximately 30 vehicles such as riding mowers, tractors and materials transport vehicles. No equipment repair activities are proposed to occur at this site. Also contained in the building will be 360 square feet of office space, 970 square feet for a breakroom with restrooms and locker room. A 300 square foot adjoining structure on the west side of the building contains a snack bar and restrooms for use by golfers on the course.

The elevations show a standard Butler building, with four vehicle doors, three mandors and two windows on the east-facing elevation. A vehicle door is provided on the north facing elevation of the main building, with a restroom door and window on the attached building showing on this elevation as well. The south elevation shows a mandoor and several windows on the main building, with a restroom door and window on the attached building showing on this elevation. The west elevation shows windows

and the snack bar door and window. The elevations indicate "factory painted ribbed wall and roof panels", in a beige color, with 20 skylights in the roof and ridge vents.

The building is at a diagonal to Highway One, such that the northeasterly corner of the building will be set back 60 feet from the easterly property line, while the southeasterly corner will be setback 115 feet from this property line. The building setback from the residential/agricultural parcel to the south is 55 feet. The building is set back an average of 25 feet from the cart path, and will be set at an elevation six to eight feet lower than the elevation of the cart path.

Adjacent to the north side of the building is a 1200 square foot concrete apron to be used as a wash area. An asphalt parking area on the east side of the building will provide 10 parking spaces including one accessible van space which are perpendicular to Highway One. Four connected storage units, each 12' x 14', are shown alongside the driveway from Highway One, and will contain sand and other materials for daily maintenance of the 18-hole golf course.

A propane tank, sewer filter and pump station are located on the south side of the building. A fuel tank is shown on the northerly portion of the site. The propane tank is proposed to provide heat to the building. The fuel tank is proposed to provide fuel for maintenance equipment. The tanks will be painted a muted green color (at least the sides which could be seen from Highway One) in order to blend in with the surrounding landscaping.

A six foot high green plastic coated chain link fence will surround the site, with one gate opening to the driveway from Highway One, and two gates opening to the golf course (west and north sides). Landscape plantings are to be installed along the easterly property line to provide screening of the property from Highway One.

A sign regarding handicapped access is shown in the

G. ANALYSIS:

1. Lighting/Security:

Exterior lighting is proposed for site security reasons. The applicant has stated, and the ARC concurred, that a photo-cell type of lighting would be most desirable if located at the gate allowing access from the Highway One driveway. In this way, any glare seen from Highway One would be minimized because the light would turn on only when access is attempted. Condition of Approval #17 is included in the attached Exhibit A to address this issue.

2. ADA Compliance:

There is no pathway from the cart path to the snack bar and restrooms which meets ADA standards. Also, the restroom interiors do not appear to be in compliance with ADA standards. Conditions of approval #12 and #16 have been included in Exhibit A to address this issue.

3. Sewer and Water:

An existing 5/8 inch water connection on the property will be used for the proposed restrooms and wash area. A new septic system will be used, and the application is currently being reviewed by the San Mateo County Environmental Health Division. Condition #20 addresses this issue.

4. Drainage:

The surface water on the property will run from south to north to a catch basin, assisted by the 3 inch asphalt curb along the east edge of the parking lot. A sand-oil separator is provided adjacent to the wash area. An inlet is shown on the adjoining property to the south, which will collect water draining from agricultural operations which currently collects in the area. The adjacent property owner gave permission to the applicant to install the inlet. An encroachment permit was obtained from CalTrans in July 1996 for the proposed drainage system.

5. Fuel Tanks:

Tank enclosures and on-site emergency containment of potential spills must be met in design and construction of the above ground fuel tanks. The Half Moon Bay Fire Protection District will be consultant in the Building Permit Process to assure compliance with applicable codes. Condition #18 addresses this issue.

6. Trash Enclosure:

No trash enclosure is shown. The applicant states that a trash enclosure will be provided, most likely to the north of the building, and will be shown in plans submitted for a building permit. Condition #4 addresses this issue.

7. Visual Impact/Design:

As noted earlier in this report, Highway One is a scenic corridor in this area. In addition, the building site is located at the southernmost City gateway with public views across the site from Highway One.

Staff and the ARC members were concerned that, although it is recognized that the function of the building is for maintenance and storage, the architecture is not complementary nor appropriate for a building at the entrance to the City, which should reflect a high quality of design in Half Moon Bay. Staff is concerned that a consistent approach to design be used for all buildings proposed to be located in prominent gateway locations.

The site sections provided by the applicant describe the height of the building and site elevation in relation to the elevation of Highway One. The building will be seen from Highway One until the landscape plantings mature. Given the setbacks of the building from Highway One and the screening potential of the proposed landscaping, the non-descript, low-profile building may eventually be adequately screened when seen directly in front of the building on Highway One. However, the building will not be screened

from the properties to the south and Staff has received input from a neighbor who is not happy about a beige Butler building.

8. Landscaping:

The ARC suggested that the plantings along Highway One be placed in a more natural pattern and that more native plants be used in the project. The ARC's recommendations include placing a cypress tree on each side of the snack bar, adding Myrica on the southeast side of the fuel tank, providing cypress trees on the east side of the building where feasible, and extending the coyote brush to fill in the patchy existing coyote brush in Highway One right of way. The encroachment permit from CalTrans may need to be amended to allow the proposed landscaping.

9. Conformance with Specific Plan Approvals:

As noted in the background section of this report, the approved Development Plan indicated a golf maintenance facility with two buildings with a total of approximately 3,300 square feet (based upon the scaled map). The main building shown on the Development Plan was oriented such that the length of the main building was perpendicular to Highway One. The proposed building is 6,100 square feet, or about 2,800 square feet more than the floor area that was conceptually approved as shown on the Specific Plan map.

The proposal includes a storage facility for approximately 30 pieces of equipment and facilities for golf course employees including office space, a breakroom, locker-room, and restrooms. The building also includes a snack bar and restrooms for golfers. The exact requirements for maintenance facility for an 18-hole golf course were not fully described at the time of the approval of the Specific Plan. Similarly, the architectural style of the maintenance buildings was not addressed in the Specific Plan.

The approved Development Plan showed an alternative driveway location, with space for vegetation screening south of the driveway and surrounding the building site on all sides. The proposed project plans show the existing driveway which is adjacent to the southerly property line, with landscaping on the east, west and north sides of the building site. No vegetation is proposed between the driveway and southerly property line. Also, some of the landscaping screening the site from Highway One is within CalTrans' right of way and could eventually be removed if the highway is ever widened. Staff is concerned that the facility should be totally screened from the Highway One scenic corridor and residential property to the south. Condition #22 addresses this issue.

The approvals of the South Wavecrest project included the following:

The approved EIR identified a significant effect on Visual Quality noting that the "proposed residential uses would be visible from various locations in and around the project area", and noted that the mitigation measures would address these impacts.

No mention was made in the EIR of any visual impacts (or other impacts) from the golf maintenance facility. The Design Guidelines contained in the approved Specific Plan mentioned the facility (see attached excerpt) but did not address the design or visual impacts of the maintenance facility. It is likely that those reviewing the project determined that the vegetation providing screening of the facility from Highway One and from the property to the south (as shown on the Development Plan) was considered an adequate mitigation measure for any visual impacts. However, this was not mentioned. If adequate screening vegetation is not provided, the default mitigation measure will not have been carried out.

Condition of Approval #92 of the Subdivision SUB-01-93 approval mentioned the maintenance building as follows: "That the applicant shall design the golf support facility in such a manner as to facilitate visual surveillance from a police vehicle to the satisfaction of the Police Chief. Security shall also include nighttime lighting and fences."

The proposal for photo-cell night lighting was encouraged by the Architectural Review Committee as a system to reduce glare onto Highway One. However, the Police Chief stated that such a system will require gate access to be provided to Peace Officers to allow for adequate surveillance. If such access is not feasible, there will be an inherent conflict between security and screening with vegetation. If the vegetation is not allowed to completely screen the site, for security reasons, the building will be highly visible from Highway One and adjacent properties. In that case, the building should be designed as an attractive entry feature to the community - not as a Butler building. Condition of Approval # 17 addresses the issue of lighting.

10. Compliance with General Plan and Zoning Ordinances:

The City of Half Moon Bay's Local Coastal Program Land Use Plan (General Plan) required a Specific Plan to be prepared for the Wavecrest area. The development conditions for planned development in the area included the following: "At least 30 percent of the site shall be retained in open space for public and commercial recreation use and sited and designed to protect view corridors from Highway One and the ocean...". The North Wavecrest restoration plan indicates a view corridor to ocean views. There are no ocean views available from Highway One across the South Wavecrest area.

Zoning Code Chapter 18.37 Visual Resource Protection Standards defines Highway One, where designated as a scenic highway, as a Visual Resource Area. Development projects within 200 feet on eight side of Highway One are subject to Scenic Corridor Standards.

The following sections of Chapter 18.37 are applicable to this project:

18.37.015. Applicability. *Development projects, including additions and remodeling, are subject to the Standards for Review by the Planning Department Staff, Architectural*

Review Committee and Planning Commission as set forth in this Title. In addition, all new development projects within or adjacent to Visual Resource Areas shall meet the visual resource standards established within this Chapter."

18.37.020 Visual Resources Areas.

A. 1. Highway One Corridor. Located on both sides of Highway One, for a distance of 200 yards in those areas where Highway One is designated as a Scenic Highway by the State of California and in those areas shown on the Visual Resources Overlay Map in the City's Local Coastal Program Land Use Plan.

18.37.030. Scenic Corridor Standards. Public views within and from Scenic Corridors shall be protected and enhanced, according to the following standards:

- B. Development within the Highway One Corridor... where development does not exist. In general, structures shall be:
1. Situated and designed to protect any views of the ocean and scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance the scenic quality of visually degraded areas.
 2. Located where least visible from the public view. Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points.
 3. Designed to be compatible with the environment, in order to maintain the natural features such as streams major drainage, mature trees, and dominant vegetative communities.
 4. Set back an appropriate distance from the Highway One Right of Way and from scenic beach access routes in accordance with the intent of this Ordinance.
 5. Designed to maintain a low height above natural grade unless a greater height would not obstruct public views.

There are no views of the ocean, but the site is within a scenic corridor. The location of the maintenance facility adjacent to the Highway One scenic corridor is not a location "least visible from public view". Similarly, the location of a Butler building and maintenance yard next to residential property is probably not high on the compatibility charts. However, the maintenance site was selected by the applicant for its ease of access to Highway One and its location away from residents of Canada Cove and Pelican Point RV Park. The site was approved by both City and Coastal Commission actions, but without the necessary information as to building height and bulk.

The questions of whether or not the setbacks of the proposed structure from Highway One are "appropriate", and whether or not the 16 foot height of the proposed building constitutes a "low height above natural grade" are subjective. The applicant has

provided site sections showing the building, parking lot and landscaping along Highway One. Planning Staff has suggested that the applicant provide a perspective sketch of the project from Highway One to help the Planning Commission to make these findings.

18.37.055 Screening Standards. A. Landscaping shall be used to separate and or screen parking and storage areas from other areas, break up expanses of paved area, and define open space for usability and privacy. B. In addition to landscaping, earth berms shall be used for screening public parking lots, wherever possible.

Although the parking lot is a private lot, the concept of providing a berm in addition to landscaping to provide screening of the cars parking on the site is valid in this case. Staff suggests that the easterly edge of the parking lot be located farther to the west to allow space for a berm above the height of the parking lot and additional landscaping. Condition #23 addresses this issue.

11. Coastal Issues:

The development as conditioned conforms to the Local Coastal Program, since the Specific Plan received a Coastal Development Permit from the Coastal Commission. The development is not subject to the annual population limitation system. The development is consistent with the use limitations and property development standards of the Planned Development district as well as the other requirements of the Zoning Ordinance. The proposed development, as conditioned will be provided with adequate services and infrastructure at the time of occupancy in a manner that is consistent with the Local Coastal Program. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

H. RECOMMENDATION:

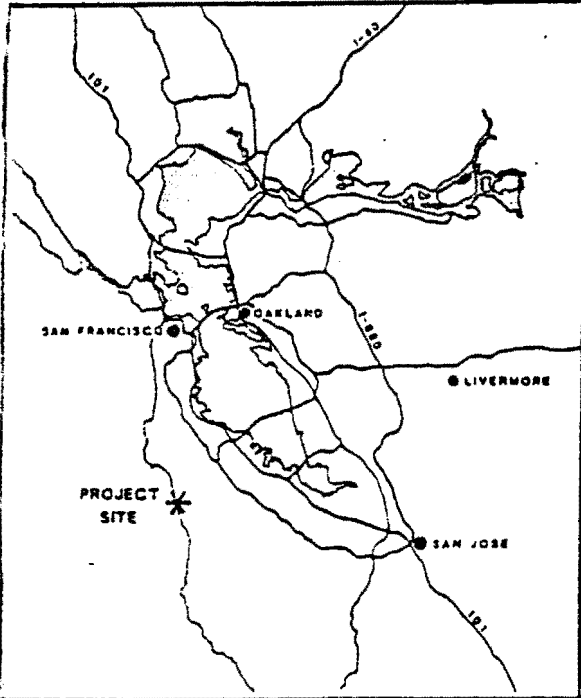
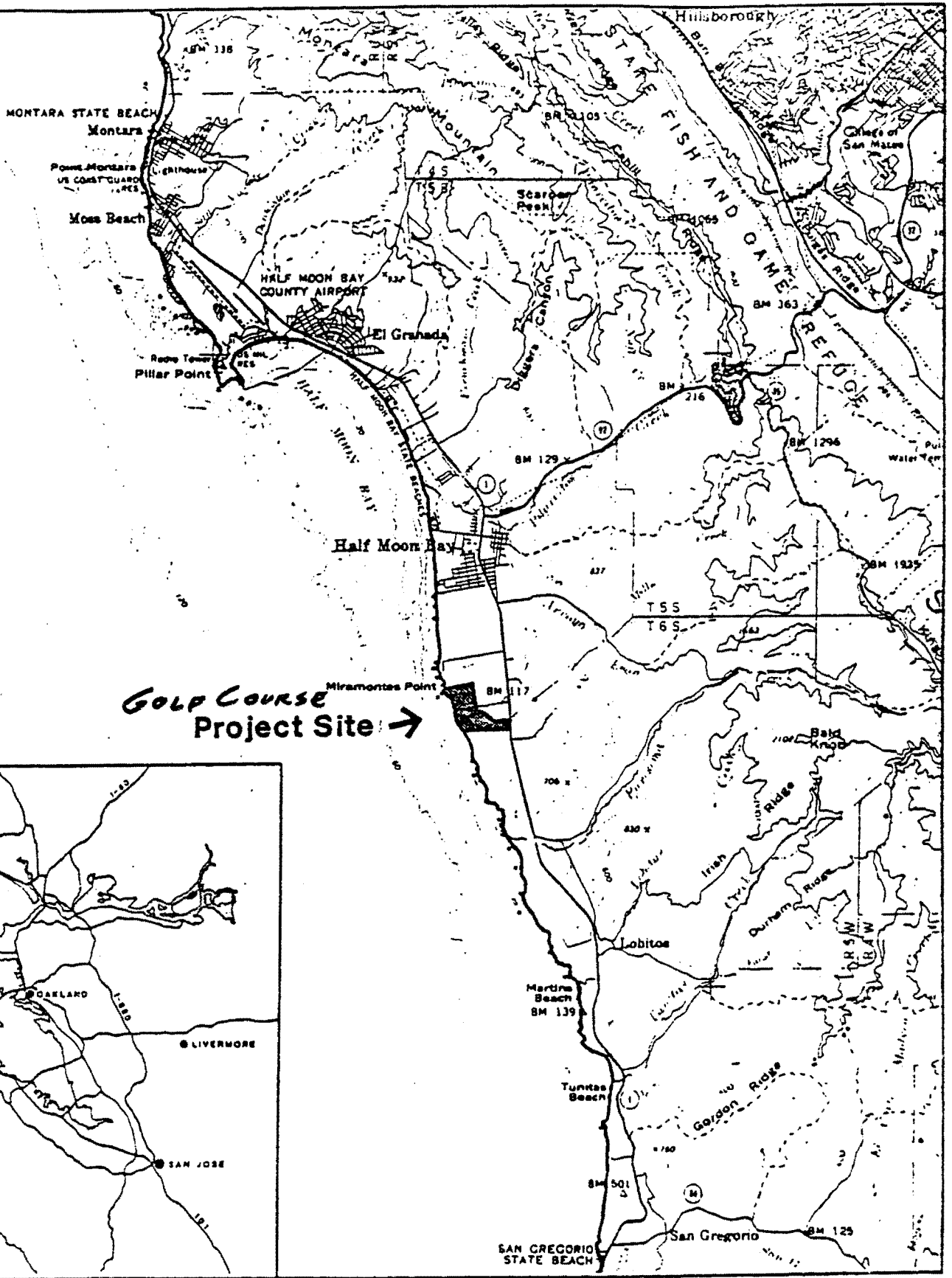
Alternative Actions:

1. Should the Planning Commission be of the opinion that Findings for Approval of CDP-23-97 and PSD-06-97 can be made at this time, Staff suggests the Planning Commission move and second the attached Resolution ordering approval based upon the Findings and Subject to the Conditions of Exhibit A, or as may be modified by the Planning Commission.
2. Should the Planning Commission wish to have additional visual analysis prior to taking action on the project, or wish to direct Staff to prepare and circulate an expanded initial study to examine any potential impact issues (such as the site screening and/or building design issues), Staff suggests the Planning Commission continue the public hearing on CDP-23-97 and PSD-06-97 to a date certain.

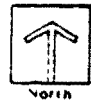
Attachments: Resolution supporting approval
 Exhibit A Findings and Conditions of Approval
 Vicinity Map
 ARC letter

**South Wavecrest Specific Plan Design Guidelines
South Wavecrest Development Plan
Project Plans**

P
A
C
I
F
I



Wallace Roberts & Todd
 121 Second Street - 7th Floor - San Francisco CA 94102-3008
 Scale 1" = 2 Mi.



| | |
|-------------------------------|---------------|
| EXHIBIT NO. | 8 |
| APPLICATION NO. | A-1-HMB-97-60 |
| Golf Course | |
| Location (1-94-4) | |
| California Coastal Commission | |

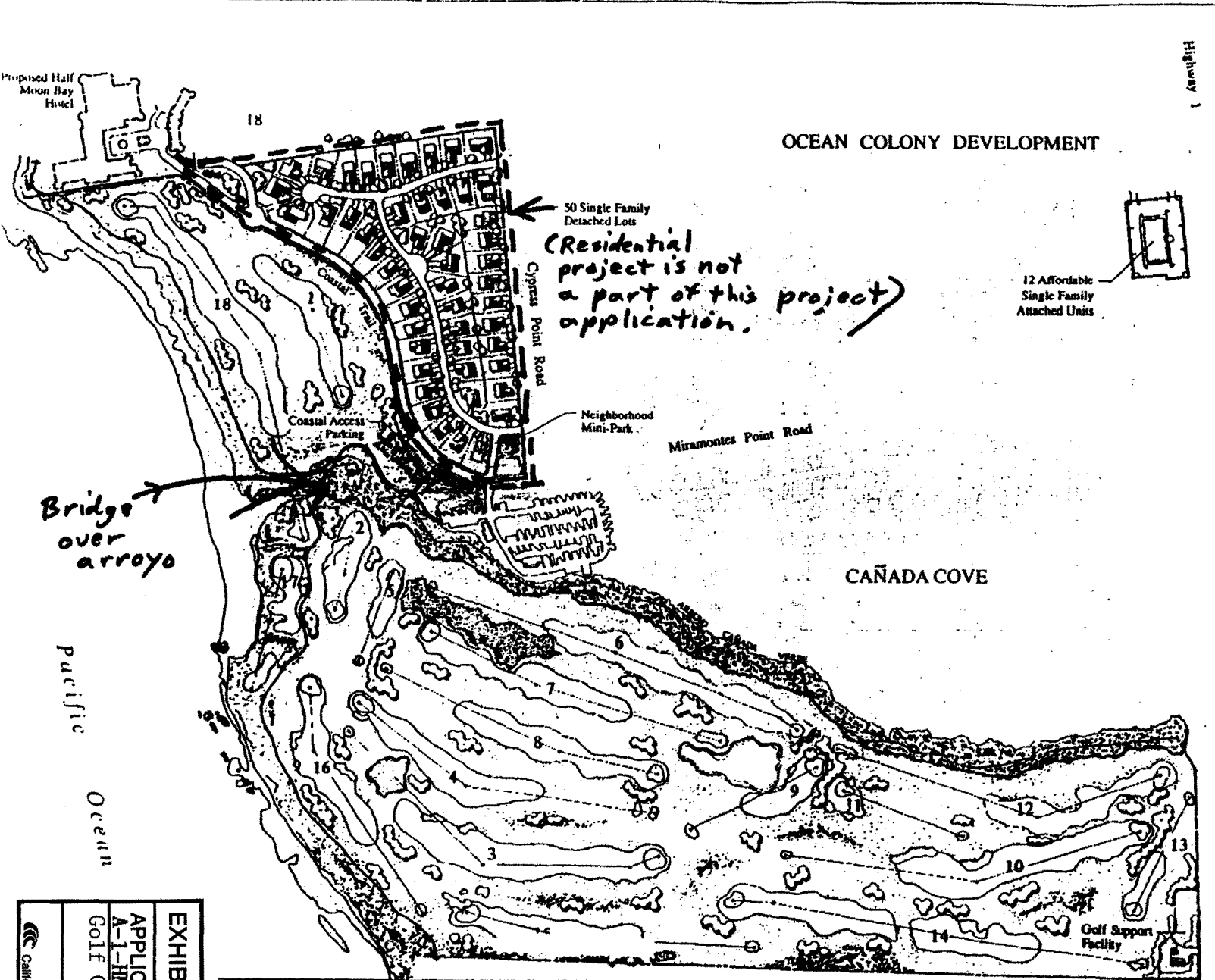
South Wavecrest EIR

REGIONAL LOCATION
 Figure 2-1



SPECIFIC PLAN / EIR

Figure 3-1
Development Plan



| |
|-------------------------------|
| EXHIBIT NO. 8 |
| APPLICATION NO. A-1-HMB-97-60 |
| Golf Course Plan |
| California Coastal Commission |




**LUCAST CONSULTING**

Coastal Land Use Planning & Advocacy
12760 High Bluff Drive, Suite 280
San Diego, California 92130
(619) 793-6020 FAX: (619) 793-0395

November 12, 1997

VIA FACSIMILE AND FIRST CLASS MAIL

| | |
|---|---------------|
| EXHIBIT NO. | 9 |
| APPLICATION NO. | A-1-HMB-97-60 |
| Project Description | Amendment |
| (page 1 of 2 pages) | |
|  California Coastal Commission | |

Mr. Bill Van Beckum
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Re: **A-1-HMB-97-60 (Ocean Colony Partners)**
AMENDED PROJECT DESCRIPTION

Dear Bill:

Thank you for meeting with Bill Barrett, Pat Fitzgerald and me the other day regarding the appeal of the maintenance building at the Half Moon Bay Golf Course. We understand that procedural and substantive questions raised by the City's approval are leading you to recommend that the Commission consider the application *de novo*. Based on our understanding of the facts and the City's action, we have no argument with that position.

Assuming, then, that the Commission does take up the matter, and as a means of curing the procedural flaw you pointed out, we hereby amend the permit application to incorporate the site grading required for construction of the maintenance building which had been approved by the City prior to its approval of the coastal development permit. The grading plan is being sent to you under separate cover.

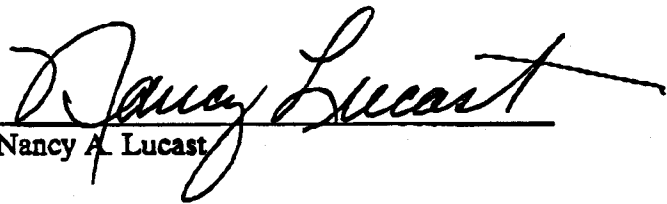
You pointed out the substantive concern regarding adherence to setbacks delineated in the LCP. We agreed to "flip flop" the maintenance building in order to conform to the required 50-foot setback from the south property line. Unfortunately, we could not prepare a revised site plan illustrating this change in time to accompany this letter; however, we are willing to accept such re-siting as a condition of approval.

ccc rec'd 11/12/97

November 12, 1997
Mr. Bill Van Beckum
California Coastal Commission
Page 2

Thank you, again, for your time. We are still hopeful that this appeal and permit can be considered by the Commission at its December, 1997 meeting in Northern California. Please call me or Pat Fitzgerald if you have any questions.

Yours very truly,


Nancy A. Lucast

cc: Patrick Fitzgerald