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STATE OF CALIFORNIA—THE RESOURCES AGENCY

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Staff:	Jack Liebster
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Meeting of:	April 8, 1998
Commission Action:	

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: Steve Scholl, Deputy Director
Robert Merrill, North Coast District Manager
Jack Liebster, North Coast Planner

SUBJECT: **COUNTY OF SAN MATEO LCP AMENDMENT NO. 2-97 (RESUBMITTAL) (Resubmittal of LCP Amendment 1-97-C related to proposals in the Coastsides Protection Initiative of 1994)** (For public hearing and Commission action at the April 7-10, 1997 meeting in Log Beach)

STAFF NOTE

Consistent with Public Resources Code Sections 30512 and 30513, the San Mateo County Board of Supervisors has chosen to respond to the Commission's denial of certification by revising its LCP in a manner other than suggested by the Commission. Because the Board transmitted the revised text within 6 months of the Commission adopting suggested modifications, the Board's action is considered a "resubmittal" of the Amendment. Pursuant to section 13541 of the Commission's regulations, resubmittal of a LCP in response to the Commission's denial of Certification causes the Commission's prior Certification with suggested modifications to expire. Finally, also consistent with Sections 30512(b) and 30513, the San Mateo County Board of Supervisors requested that the Commission not recommend or suggest modifications to the resubmittal.

SYNOPSIS

Amendment Description

The County of San Mateo has resubmitted proposed amendments to its Land Use Plan and corresponding Zoning Ordinance related to the Coastal Protection Initiative of 1994. The original amendments were considered by the Commission as Amendment 1-97-C. The Coastal Commission acted on Amendment 1-97-C at its meeting of August 14, 1997. By a series of 9-0 votes, the Commission denied the proposed Amendment as submitted, but certified the Amendment if the 18

modifications suggested by the Commission were made by the County. The San Mateo County Board of Supervisors considered the Commission's modifications and adopted 9 exactly as suggested, 5 with wording, grammatical, or technical revisions that do not change the substance of the suggested modification, and 4 with alternative text to comply with Coastal Act requirements. On November 18, 1997 and February 10, 1998, the Board adopted resolutions and ordinances resubmitting these modifications together with the LCP amendments the Commission approved in August.

The resubmitted amendments would:

- (1) Amend LCP policy 1.5 to clarify that the densities of rural land designated in the urban mid-coast are the same as the densities of rural designated land elsewhere in the coastal zone;
- (2) Amend LCP policy *1.8 and Table 1.3, and add Table 1.5, to change the permitted level of non-agricultural development in the rural coastal zone;
- (3) Amend policy 1.23 to provide a flexible limit on overnight accommodations in the rural area.
- (4) Amend LCP policy 3.24 to prohibit second dwelling units on residential parcels less than 5,000 sq.ft. in the urban mid-coast;
- (5) Amend LCP policy *5.11 to allow a density bonus for combining contiguous parcels in agricultural areas of the rural coastal zone only if the merger results in at least one parcel of greater size than the largest parcel before consolidation;
- (6) Amend policy *5.22 to limit the number of shared wells;
- (7) Amend LCP policy *8.5 to direct new development to the site least visible from scenic roads in the rural coastal zone;
- (8) Amend LCP policy *8.7 to limit siting and height (to 18 feet) for ridgeline development in the rural coastal zone;
- (9) Enact LCP policy 8.13 to reduce the height limit in part of the Princeton commercial recreation area, and increase shoreline view protection in the urban mid-coast;
- (10) Amend LCP policy *8.15 to make the definition of public viewpoints consistent;
- (11) Amend LCP policies *8.17 and *8.18 to strengthen landform alteration and development design regulations in the rural coastal zone;
- (12) Amend LCP policy 9.18 to strengthen steep slope development regulations in the rural coastal zone;
- (13) Amend LCP policies 11.1, 11.2 and 11.15 to clarify the permitted level of visitor-serving development;
- (14) Provide an exemption from compliance with these policies as amended for projects which have reached certain stages in the approval process on the effective date of these Amendments; and,
- (15) Make corresponding changes in the applicable zoning ordinances.

Summary of Staff Recommendation

Staff recommends that the Commission certify the LCP changes contained in Amendment 2-97 as resubmitted February 10, 1998.

The appropriate Motions and Resolutions to adopt the Staff Recommendation are found immediately following the Table of Contents on page 1 of this report.

Analysis Criteria

To approve the amendments to the Land Use Plan (LUP), the Commission must find the LUP, as amended, will remain consistent with the policies of Chapter 3 of the Coastal Act. To approve the amendments to the zoning ordinance, the Commission must find that the Implementation Plan (IP), as amended, will conform with and adequately carry out the policies of the LUP, as amended.

ADDITIONAL INFORMATION

The proposed findings in this report incorporated by reference the findings adopted by the Commission on August 14, 1997 for the originally submitted amendment. To receive a copy of the findings previously adopted by the Commission, or to obtain additional information about the proposed Amendment, please contact Jack Liebster at the North Coast Area office at the above address (415) 904-5267. Please mail correspondence to the Commission to the same address.

TABLE OF CONTENTS

I.	MOTIONS	
A.	STAFF RECOMMENDATION, MOTIONS AND, RESOLUTION FOR APPROVAL OF THE RESUBMITTED AMENDMENT	1
B.	STAFF RECOMMENDATION, MOTIONS, AND RESOLUTION FOR IP AMENDMENT	1
	PART ONE: COUNTY OF SAN MATEO LUP RESUBMITTAL AMENDMENT No. 2-97	3
I.	ANALYSIS CRITERIA	3
II.	FINDINGS	3
A.	INCORPORATION OF FINDINGS ON LCP AMENDMENT 1-97-C	3
B.	LUP AMENDMENT DESCRIPTION	3
C.	APPROVAL OF AMENDMENT AS RESUBMITTED	4
	1. Resubmittal of Previously Approved Amendments	4
	2. Amendments Resubmitted with Inconsequential Changes	4
	3. Amendments with Material Changes Consistent with the Coastal Act	6
	PART TWO: COUNTY OF SAN MATEO LCP IMPLEMENTATION PROGRAM AMENDMENT	9
I.	ANALYSIS CRITERIA	9
II.	FINDINGS	
A.	INCORPORATION OF FINDINGS ON LCP AMENDMENT 1-97-C	10
B.	LUP AMENDMENT DESCRIPTION	10
C.	GENERAL ADEQUACY OF PROPOSED IMPLEMENTATION PROGRAM (IP)	11
D.	APPROVAL OF AMENDMENT AS RESUBMITTED	11
	1. IP Amendments Incorporating LUP Text	10
	2. IP Amendments Differing from Suggested Modifications	11
	PART THREE: APPLICATION OF LCP AMENDMENT	12
	PART FOUR: CEQA	13
	EXHIBITS	
1.	Final Commission Suggested Modifications of August 14, 1998 to Amendment 1-97-C.	
2.	San Mateo County Resolution correcting Resubmittal 2-97.	
3.	San Mateo County Resolutions and Ordinances for LCP Amendment Resubmittal 2-97.	

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 1

I. MOTIONS

**A. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS FOR APPROVAL OF AMENDMENT
2-97 AS RESUBMITTED**

Staff recommends the Commission adopt the following resolution:

MOTION: Certification

"I move that the Commission certify the Land Use Plan Amendment (LUPA) as resubmitted by the County of San Mateo."

Staff Recommendation

Staff recommends a YES vote on the motion. This will result in certification of the Land Use Plan Amendment as resubmitted and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners appointed is required to pass the motion.

RESOLUTION: To Certify Land Use Plan as Resubmitted

The Commission hereby certifies the Land Use Plan Amendment as resubmitted by the County of San Mateo and finds for the reasons discussed below that the resubmitted Land Use Plan Amendment meets the requirements of and is in conformity with the policies of Chapter 3 of the California Coastal Act to the extent necessary to achieve the basic state goals specified in section 30001.5 of the Act, and meets the requirements of section 21080.5(d)(2)(A) of the California Environmental Quality Act in that there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Land Use Plan may have on the environment.

**B. STAFF RECOMMENDATION, MOTION AND RESOLUTION: APPROVAL OF AMENDMENT No.
2-97 IMPLEMENTATION PROGRAM AS RESUBMITTED**

Staff recommends that the Commission adopt the following resolution:

MOTION: Implementation Plan

"I hereby move that the Commission reject Amendment No. 2-97 to the Implementation Plan of the County of San Mateo Local Coastal Program as resubmitted."

Staff recommends a **NO** vote, which would result in certification of the Implementation Plan Amendment as resubmitted and the adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 2

RESOLUTION: Implementation Plan

The Commission hereby approves certification of Amendment No. 2-97 to the Implementation Program of the County of San Mateo Local Coastal Program, for the specific reasons discussed in the following findings on the grounds that, as resubmitted, the zoning ordinance, zoning map, and other implementing materials conform with and are adequate to carry out the provisions of the Land Use Plan as certified. Approval of the Zoning and Implementation Program as resubmitted would have no significant adverse effects on the environment within the meaning of CEQA.

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 3

PART ONE:

**STAFF RECOMMENDATION, MOTIONS AND RESOLUTIONS FOR THE LAND USE PLAN
AMENDMENT RESUBMITTAL 2-97**

I. ANALYSIS CRITERIA

To approve the Amendments to the Land Use Plan (LUP), the Commission must find the LUP, as amended, will remain consistent with the policies of Chapter 3 of the Coastal Act.

II. FINDINGS

The Commission finds and declares the following for Resubmitted Amendment No. 2-97:

A. INCORPORATION OF FINDINGS ON LCP AMENDMENT 1-97-C

The Commission hereby incorporates by reference the Findings adopted on August 14, 1997 regarding the LUP Policy portion of San Mateo County LCP Amendment 1-97-C, as supplemented or modified by the additional findings below.

B. LUP AMENDMENT DESCRIPTION

1. Background

The resubmitted LUP amendment includes changes to 14 LUP policies and their associated Zoning Code sections. These proposed changes generally relate to the areas of concern identified in the Coastside Protection Initiative of 1994, a proposed voter initiative. The County processed a set of amendments relating to these concerns from 1995 through 1996. These amendments were filed with the Coastal Commission on April 15, 1997 as Amendment No. 1-97-C.

On August 14, 1997, the Commission denied the Amendment as submitted, but certified it if 18 Suggested Modifications were made by the County. On November 18, 1997 and February 10, 1998, the San Mateo County Board of Supervisors adopted resolutions and ordinances resubmitting the LCP changes the Commission approved as submitted in August, adopting most of the Commission's suggested modifications, and submitting alternative text to comply with the intent of the Commission's suggested modifications on the remainder of the proposed amendments. Policy 1.6 to limit house size on substandard residential lots was denied by the Commission, and not resubmitted, pending a review of the small lot problem by the County Board.

2. Description of Resubmittal

The LCP amendments proposed in the Resubmittal are summarized below. Exhibit 1 shows the Suggested Modifications approved by the Commission on

COUNTY OF SAN MATEO LCP AMENDMENT NO. 2-97 (RESUBMITTAL)

Page 4

August 14, 1997. Exhibit 2 shows the County's February 10, 1998 Resolution 61697 correcting portions of the County's Resubmittal. Exhibit 3 are the County's Resolutions and Ordinances transmitting the Resubmittal.

C. APPROVAL OF THE AMENDMENT AS RESUBMITTED

1. Resubmittal of Previously Approved Amendments

The following amendments are being resubmitted exactly as they were approved by the Commission.

- Table 1.3 is amended to clarify that the number of lots a parcel can be subdivided into is limited to the number of density credits the parcel has.
- Table 1.5 is added to incorporate in a simplified form the pertinent parts of Table 7 of the Rural Area Water Use Study that are the basis for determining maximum allowable intensity of development.
- Policy *5.22: Amended to limit the number of shared wells;
- Policy *8.7: Amended to limit siting and height (to 18 feet) for ridgeline development in the rural coastal zone;
- Policy 8.13: Enacted to reduce the height limit in part of the Princeton commercial recreation area, and increase shoreline view protection in the urban mid-coast;
- Policy 8.15: Amended to add "coastal roads, roadside rests and vista points, recreation areas, and beaches" to the areas from which views should be protected;
- Policies *8.17 and *8.18 are amended to strengthen landform alteration and development design regulations in the rural coastal zone;
- Policy 9.18 is amended to strengthen steep slope development regulations in the rural coastal zone;
- Policies 11.1 and 11.2 are amended to clarify what constitutes visitor-serving and commercial recreation development;

Supplemental Findings The above-listed LUP policies are being resubmitted exactly as they were approved by the Commission in its action on Amendment 1-97-C. These policies either were approved as submitted at that time, or were revised by the County to incorporate verbatim the Suggested Modification adopted by the Commission. The Commission has previously found these policies as resubmitted to be in conformity with the Coastal Act, as detailed in the adopted Findings on LCP Amendment 1-97-C regarding these policies, and incorporates those Findings here by reference.

2. Amendments Resubmitted with Inconsequential Changes

The following amendments are being resubmitted in the form approved by the Commission, with only inconsequential grammatical or other corrections.

COUNTY OF SAN MATEO LCP AMENDMENT NO. 2-97 (RESUBMITTAL)

Page 5

- Policy 1.5: Amend to clarify that the densities of rural land designated in the urban mid-coast are the same as the densities of rural designated land elsewhere in the coastal zone;
- Policy 1.23 adds an interim limit of 600 to the number of visitor-serving units that could be permitted in the rural area.
- Policy 3.24 is amended to prohibit second dwelling units on residential parcels less than 5,000 sq.ft. in the urban mid-coast;
- Policy *5.11 is amended to allow a density bonus for combining contiguous parcels in agricultural areas of the rural coastal zone only if the merger results in at least one parcel of greater size than the largest parcel before consolidation;
- Policy 11.15 is amended to clarify the permitted level of visitor-serving development;

Supplemental Findings: The above-identified policies resubmitted by the County with minor grammatical or other changes have no policy consequences. The discussion below details how each of these revisions is consistent with the intent of the Commission's previous approval or modification to the cited policy. The Commission therefore finds that these policies as resubmitted also are in conformity with the Coastal Act, and incorporates the adopted Findings on LCP Amendment 1-97-C regarding these policies by reference here, with the supplemental findings below.:

Policy 1.5: The County adopted the Commission's Suggested Modification No. 6, but added the words "parcels in" to clarify the text.

Policy 1.23 The County adopted the Commission's Suggested Modification No. 4 (adding an interim limit of 600 to the number of visitor-serving units that may be permitted in the rural area) with a change to correct the Modification's reference to "South Coast" with the term "Rural Area" used consistently elsewhere in the LUP to describe the area to which the policy is intended to apply.

Policy 3.24 The County adopted the Commission's Suggested Modification No. 8, prohibiting second dwelling units on residential parcels less than 5,000 sq.ft. in the urban mid-coast with changes to correct the Modification's inadvertent omission of existing subsection "3.24c," and replace the reference to Policy 1.5c, which was not adopted by the Commission.

Policy *5.11 The County adopted the Commission's Suggested Modification No. 9 with changes to rephrase the requirement for recording a deed restriction "prior to issuance" to a requirement wherein "the CDP shall not be in effect until the deed restriction is recorded by the owner." The County's proposed language more accurately fits within the framework of the County's permit process. These changes do not materially affect the resubmitted policy's consistency with either the Coastal Act or with the intent of the Commission's previous action.

COUNTY OF SAN MATEO LCP AMENDMENT NO. 2-97 (RESUBMITTAL)

Page 6

Policy 11.15 The County adopted the Commission's Suggested Modification No. 5 with minor changes to Policy 11.15c. that (1) deleted a paragraph heading, and (2) changed the wording "prior to issuance condition" to a requirement wherein "the CDP shall not be in effect until the deed restriction is recorded by the owner." As stated above, the County's proposed language more readily conforms to the County's permit process. These changes do not materially affect the resubmitted policy's consistency with either the Coastal Act or with the intent of the Commission's previous action.

3. Amendments with Material Changes Consistent with the Coastal Act

These amendments are being resubmitted in a form different from that approved by the Commission, but they will nevertheless remain consistent with the policies of Chapter 3 of the Coastal Act.

- (a) The County resubmitted Policy *1.8 to change the permitted level of non-agricultural development in the rural coastal zone;
- (b) The County resubmitted LCP policy *8.5 to direct new development to the site least visible from scenic roads in the rural coastal zone;

Supplemental and Modified Findings.

(a) Policy *1.8: Policy *1.8 allocates allowed non-agricultural uses in the rural coastal zone by assigning "density credits" to parcels based on environmental factors such as presence of agricultural lands, landslide susceptibility, degree of slope and other characteristics. The policy requires one density credit for each residential unit permitted. For other types of uses, one density credit is required for the amount of that use that consumes the equivalent of one residential unit's water demand, defined by the LCP as 315 gallons per day (gpd). The existing LCP gives priority to commercial and public recreation uses by allowing them twice as much - 630 gpd - of water use/development per density credit:.

The County adopted the Commission's Suggested Modifications related to Policy *1.8 (Nos. 1 through 5) with one substantive and two minor changes.

The substantive change concerned Policy *1.8c.(1). As originally proposed this section would have exempted "a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator" from any density credit requirement. The County's intent in this exemption was to create an incentive promoting development of visitor-serving uses.

The Commission's Suggested Modification No. 1 deleted this exemption because the development it would permit, when added to development associated with other amendments the Commission did approve, would adversely affect limited water supplies in the rural area, the recreational travel capacity of Highway 1, and visually sensitive areas.

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 7

The County's resubmittal does delete the exemption, as suggested, but added a provision regarding how the density credit bonus for visitor-serving, commercial recreation and public recreation uses may be used. Under Policy *1.8c(3)(a) as approved by the Commission and resubmitted by the County, priority is given to these uses by allowing up to 945 gpd in water-demand equivalent development for the first density credit on a parcel used for these priority uses. Under the County amendment as resubmitted, an applicant would have a new option of allocating 315 gpd to the development of an onsite operator's unit for the visitor-serving facility, and 630 gpd to the visitor overnight units themselves. Pursuant to Table 1.5, which translates water demand into various types of permitted development and was resubmitted as approved by the Commission, the new option provides for 1 operator's unit combined with 6 visitor-overnight units for the first density credits as an alternative to the already-approved provision for 9 visitor-overnight units.

The County's proposed option as resubmitted will help promote the economic incentive and viability of smaller scale visitor-serving facilities without impacting available water resources or Highway One Capacity beyond levels the Commission determined consistent with the Coastal Act in its action on Amendment 1-97-C. The amount of water demand allowed by either option is exactly the same: 945 gpd for the first density credit. The traffic effects of the new option, based on the data used by the Commission in the cumulative effects analysis on Amendment 1-97-C, will be less than the 9 visitor unit option. Specifically, that data indicates that an onsite manager's unit would generate only 0.5 vehicle trips during the critical peak recreation hours, while the three hotel units it replaced would generate approximately 2.2 vehicle trips. Aside from these changes, the previously adopted findings on Amendment 1-97-C are applicable to Policy 1.8c.(3) as resubmitted, and are incorporated herein by reference.

The Resubmittal also makes two minor corrections and revisions to the Suggested Modification to Policy *1.8:

In *1.8c(2)(b): The phrase "Listed in the Kleinfelder Report" was consistently deleted from the policy, but inadvertently not deleted here. The resubmitted policy corrects this oversight.

In the second paragraph of *1.8c(3), the words "commercial recreation and public recreation" were inadvertently omitted from the Modification, and the Resubmittal corrects that omission.

These changes are entirely consistent with the Commission's Suggested Modification.

The Commission therefore finds that Policy *1.8 as resubmitted is in conformity with the Coastal Act.

(b) Policy *8.5 directs new development to the portion of a site where it will least impact scenic views. As resubmitted, the amendment differs from Suggested Modification 11 essentially in two ways.

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 8

First, the resubmitted amendment requires that new parcels have building sites that "will not significantly impact views from other public viewpoints rather than "building sites that are not visible from other public viewpoints." By requiring that significant impacts on such views be taken into account, the Policy remains consistent with Coastal Act Section 30251.

Second, Policy 8.5 as resubmitted adds the phrase "where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5." This phrase recants the cited Coastal Act section. With the addition to this Policy as resubmitted, the LCP remains consistent with Coastal Act.

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 9

PART TWO:

**STAFF RECOMMENDATION, MOTION, RESOLUTION & FINDINGS: LCP IMPLEMENTATION PROGRAM
AMENDMENT RESUBMITTAL 2-97**

I. ANALYSIS CRITERIA

To approve the amendments to the Implementation Plan, the Commission must find that the Implementation Plan, as resubmitted, will conform with and adequately carry out the policies of the LUP, as amended.

**STAFF RECOMMENDATION, MOTION AND RESOLUTION APPROVAL OF AMENDMENT No.
2-97 IMPLEMENTATION PROGRAM AS RESUBMITTED**

(Please see page 2)

II. FINDINGS

The Commission finds and declares the following for the Resubmitted Implementation Plan for Amendment No. 2-97:

A. INCORPORATION OF FINDINGS ON LCP AMENDMENT 1-97-C

The Commission hereby incorporates by reference the Findings adopted on August 14, 1997 regarding the Implementation Plan of San Mateo County LCP Amendment 1-97-C, as supplemented here.

B. LCP IMPLEMENTATION PLAN AMENDMENT DESCRIPTION

The resubmitted LCP Implementation Plan for the most part incorporates the Suggested Modifications adopted by the Commission. Variations from the Modifications are consistent with the intent of the Commission, as described below. Zoning Nonconformities Regulations Section 6133 and Use Permit Regulations Section 6503, the implementation provisions for Policy 1.6 (Limit House Size on Substandard Residential Lots), which all were denied by the Commission, were not resubmitted, pending a review of the small lot problem by the County Board of Supervisors.

Five ordinances were adopted and submitted to change various sections of the Zoning Ordinance as part of the Resubmittal. In addition, clerical omissions in the text of LUP Policy *1.8 and its verbatim incorporation in Sections 6356, 6906 and 6979 were corrected by San Mateo County Board of Supervisors Resolution No. 61697 and made part of the Resubmittal. The resubmitted Implementation Plan includes the following:

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 10

- (1) Ordinance No. 03798, amends the Planned agricultural District (PAD) regulations to: (a) delete reference to the visitor serving facility density calculation in the definition of "Density Credits" (Section 6351.J), (b) limit the number of newly subdivided parcels that may share a well (Section 6355.B), (c) reduce the permitted level of non-agricultural development (Section 6356), and (d) add an agriculturally protective requirement before granting a density bonus for combining contiguous parcels (Section 6357.A).
- (2) Ordinance No. 03799, amends the RM/CZ District regulations to reduce the permitted level of non-agricultural development (Section 6906).
- (3) Ordinance No. 03800, amends the TPZ/CZ District regulations to reduce the permitted level of non-agricultural development (Section 6979).
- (4) Ordinance No. 03801, amends Sections 6328.7 and 6328.14 to require demonstrated proof of an adequate water source at the time of permit application for certain categories of development, and as a condition of approval for all other affected development.
- (5) Ordinance No. 03802, amends the CCR District regulations to reduce the height limit east of Denniston Creek from 36 to 28 feet (Section 6269).

C. GENERAL ADEQUACY OF PROPOSED IMPLEMENTATION PROGRAM (IP)

To approve the proposed amendments to the Implementation Program (IP), the Commission must find that the IP, as amended, will conform with and adequately carry out the policies of the LUP, as amended.

Copies of the individual sections making up the Implementation Plan amendment as submitted are included in Exhibit 1, and a version showing the existing certified text of these sections text, with the County's proposed additions underlined and deletions crossed out, is included as Exhibit 3.

D. APPROVAL OF THE AMENDMENT AS RESUBMITTED

1. IP Amendments Incorporating LUP Text

Of the package of amendments resubmitted for certification, the following IP sections, as resubmitted, either incorporate or reference the text of the corresponding LUP Policy. The Commission has previously approved the Implementation Plan as providing an adequate framework to carry out these sections. Therefore the Commission finds these sections fully consistent with and adequate to carry out the noted policies of the Land Use Plan as amended.

- (a) Coastal Development (CD) District Section 6328.20 through 6328.31 (all LUP Policies)

Section 6328 directly refers back to and incorporates by reference all the policies of the various LUP Components to make them the principal standards of

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 11

review for any Coastal Development Permit (CDP). The CDP is the fundamental means of carrying out the San Mateo County LCP. The LUP policies as resubmitted upon approval of the Commission, will automatically become the effective CDP standard for any development subject to the standards of the resubmitted Local Coastal Program Amendment (LCPA).

- (b) Planned Agricultural District (PAD) Section 6351.J. (LCP Policies *1.8 and 11.15)

Section 6351.J is the definition of density credits in the PAD. The Commission approved the original amendment to delete specific water use values assigned to land uses and instead reference Section 6356 which incorporates the text of resubmitted Policy *1.8 verbatim.

- (c) Planned Agricultural District (PAD) Section 6357.A (LCP Policy *5.11)

Section "A" of the Planned Agricultural District (PAD) Section 6357 ("Density Bonus and Transfer") references and incorporates exactly the standards of Policy *5.11.

- (d) Coastside Commercial Recreation (CCR) District Section 6269 (LCP Policy 8.14)

Coastside Commercial Recreation (CCR) District Section 6269 specifies the Development Standards for that district. The amendment previously approved by the Commission changed subsection 3 to include the exact change to permissible building height as proposed Policy 8.14, for the exact geographic area described in that policy.

- (e) Planned Agricultural District (PAD) Section 6356.
Resource Management/Coastal Zone (RM/CZ) Zoning District Section 6906.
Timber Production/Coastal Zone (TPZ/CZ) Zoning District Section 6979.
(LCP Policies *1.8 and 11.15)

Each of the three sections listed above is the "Maximum Density of Development" section for the respective District Ordinance, incorporating the text of Policy *1.8 and Table 1.3 as resubmitted.

2. IP Amendments Differing from Suggested Modifications

- (a) Planned Agricultural District (PAD) Section 6355 (LCP Policy *5.22)

Section 6355 (Substantive Criteria for Issuance of a Planned Agricultural Permit) requires that "each application...shall be approved if found consistent with the following criteria." The resubmitted amendment to Section 6355 replaces part B, "Water Supply Criteria" with the verbatim text of Policy *5.22, and thus conforms to the LUP. However, in its original action on August 14, 1997 the Commission also found this section inadequate to carry out the LUP because it failed to require evidence of the availability of water at

COUNTY OF SAN MATEO LCP AMENDMENT NO. 2-97 (RESUBMITTAL)

Page 12

the permit application stage. Consequently, the Commission suggested Modification No. 16 to include such a requirement.

The County agrees that such a provision had merit. Requiring well water demonstration before the permit application would save the applicant a needless public review process if adequate ground water cannot be found. On the other hand, however, demonstrating well water availability subsequent to coastal permit action does allow an applicant to defer drilling costs until project approval.

The County Resubmittal therefore includes a revised approach that focuses on those situations where a lack of water resources is the more probable outcome, i.e., larger projects located on smaller parcels. For such projects it requires that water availability be proven before Coastal Development Permit application. Where (1) the proposed development is a single family residence, or (2) the parcel on which the development will be located is larger than 40 acres, (based on the County's Environmental Health staff experience, there is a strong probability of locating water on parcels this size), the demonstration of water will continue to be required only as a condition of approval.

The Commission finds that, as resubmitted these sections provide all approach that ultimately assures that the availability of a water source will be demonstrated, consistent with the requirement of Policy *5.22. The Commission therefore finds that Sections 6355, 6328.7 and 6328.14 are consistent with and adequate to carry out the provisions of the certified Land Use Plan, as amended.

PART IV: APPLICATION OF LCP AMENDMENT

Both the Land Use Plan and Implementation Plan amendments include a set of provisions that prevent the application of the amended policies to certain projects that have proceeded to a certain stage in the approval process. Specifically these provisions state that the amended policies and ordinances "shall not apply to development that has fulfilled at least one of the following requirements before the effective date" of the amendments:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. With respect to Section 6355, Subsection B of the San Mateo County Ordinance, a tentative subdivision map or tentative parcel map application has been submitted to the County and determined to be complete, or

COUNTY OF SAN MATEO LCP AMENDMENT NO. 2-97 (RESUBMITTAL)

Page 13

- 3 A building permit application has been submitted to the County and determined to be complete, if no development permit required by the County Zoning Regulations, or
4. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

At its August 12, 1997 hearing, the Commission approved Suggested Modification No. 17, "Effective Dates of the LCP," to add the specification that the proposed amendments shall apply to development that complies with the above-referenced criteria as of the date the Board of Supervisors of San Mateo County adopted the proposed Amendment: June 4, 1996 rather than the date the proposed amendment will become effective.

In its Resubmittal, the County retained its original language. As such, the County proposes to utilize the existing policies and ordinances now certified by the Commission to govern approval of any development that meets the above-referenced criteria as of the date these amendments become effective rather than as of June 4, 1996. In effect, a different set of policies will apply to developments that meet these criteria before and after the effective date of this resubmittal. However, this proposal is consistent with the Coastal Act in that the existing policies of the LCP have been certified as consistent with the Coastal Act, and review of development proposals against either set of certified policies is adequate to carry out the policies of the Act.

In order to simplify administration of this provision, the County's resubmittal provides for an Appendix to the LCP to identify the development projects and the specific policies covered by this provision. In this way, the applicant, approving entities and prospective appellants will know with assurance which LUP policies will govern consistent with the mandates of Coastal Act Sections 30603 and 30604.

PART V. CEQA

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirements of preparing an environmental impact report (EIR) in connection with a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. Additionally, the Commission's Local Coastal program review and approval procedures have been found by the Resources Agency to be functionally equivalent to the environmental review process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an environmental impact report for each local coastal program submitted for Commission review and approval. Nevertheless, the Commission is required when approving a local coastal program to find that the local coastal program does conform with the provisions of CEQA. The County of San Mateo's Amendment No. 1-97-C consists of Land Use Plan and Implementation Plan amendments.

**COUNTY OF SAN MATEO LCP AMENDMENT
NO. 2-97 (RESUBMITTAL)**

Page 14

The Land Use Plan and the Implementation Program amendment as resubmitted is adequate to carry out and is in conformity with the policies of Chapter 3 of the Coastal Act. The Commission finds that the County of San Mateo's Local Coastal Program, as resubmitted, will not result in significant adverse environmental effects under the meaning of the CEQA. Further, future individual projects would require coastal development permits, either issued by the County of San Mateo or, in the case of areas of original jurisdiction, by the Coastal Commission. Throughout the coastal zone, specific impacts associated with individual development projects are assessed through the CEQA environmental review process; thus, an individual project's compliance with CEQA would be assured. Therefore, the Commission finds that there are no feasible alternatives or mitigation measures under the meaning of CEQA which would reduce the potential for significant adverse environmental impacts which have not been explored.

9858p

FINAL SUGGESTED MODIFICATIONS
August 14, 1997Land Use PlanSUGGESTED MODIFICATION NO. 1: Policy *1.8 shall be modified as follows:

*1.8 Land Uses and Development Densities in Rural Areas

- a. Allow new development (as defined in Section 30106 of the California Coastal Act of 1976) in rural areas only if it is demonstrated that it will not: (1) have significant adverse impacts, either individually or cumulatively, on coastal resources and (2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture (as defined in the Agriculture Component) in agricultural production.
- b. Permit in rural areas land uses designated on the Local Coastal Program Land Use Plan Maps, and conditional uses ~~at~~ up to the densities specified in Tables 1.2 and 1.3.
- c. (1) Require Density Credits for Non-Agricultural Uses

Require density credits for all new or expanded non-agricultural uses in rural areas, including all residential uses, except ~~a residential/dwelling/unit/associated with a visitor-serving facility that is occupied by the facility owner or operator~~, affordable housing (to the extent provided in Local Coastal Program Policy 3.23) and farm labor housing, as defined in Local Coastal Program Policy 3.28, mining in accordance with General Plan Policies 3.11 and 3.12, and solid waste facilities under the policies in General Plan Chapter 13. The existence and number of density credits on a parcel shall be determined by applying Table 1.3.

Expanded or additional non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements of this policy for both (a) existing uses, and (b) any expanded or additional uses, and only where such development meets all other applicable policies of the Local Coastal Program.

- (2) Amount of Development Allowed for Non-agricultural Uses, Except Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For new or expanded non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for each 315 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from the non-agricultural use, including landscaping, swimming pools and all other appurtenant uses.

(a) Residential Uses

For new or expanded residential uses, a single-family dwelling unit shall be deemed to use 315 gallons of water per day during the two months of highest water use in a year (including landscaping, swimming pools and all other appurtenant uses).

(b) Non-Agricultural Uses Listed in the Kleinfelder Report, Except Visitor-Serving Uses

For ~~those~~ non-agricultural uses, except visitor-serving uses, ~~listed in Table 7/6 of the Kleinfelder/Rural Area Water Use Study/Final Report~~, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be the amount stated in Table 1.5/7/ in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

(3) Amount of Development Allowed for Visitor-Serving, Commercial Recreation, and Public Recreation, Uses ~~Listed in the Kleinfelder Report~~

For new or expanded visitor-serving, commercial and public recreation uses, one density credit shall be required for the first 945 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. One additional density credit shall be required for each 630 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from the visitor-serving, Commercial Recreation, and Public Recreation uses, including landscaping, swimming pools and all other appurtenant uses. The 945-gallon water use allowance for one density credit may be applied one time only on a parcel.

For ~~those~~ visitor-serving, Commercial Recreation, and Public Recreation uses ~~listed in Table 7/6 of the Kleinfelder/Rural Area Water Use Study/Final Report~~, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be:

- (a) For one density credit or the first density credit when multiple density credits are available, 1 1/2 times the amount stated in Table 1.5/7/ in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."
- (b) For each additional density credit, the amount stated in Table 1.5/7/ in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL	2-97
Suggested Modifications to Amendment	1-97-C (page 2 of 17)

- d. For the purpose of this policy, "visitor serving, commercial recreation, and public recreation uses" shall be only those lands and facilities listed in LCP Policies 11.1, 11.2 and 11.3, and only if those lands and facilities specifically enhance public opportunities for coastal recreation.
- e. As an interim limit, no more than 600 visitor serving lodging units may be approved in the rural area coastal zone as specified by Policy 1.23.

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifications to Amendment	
1-97-C	(page 3 of 17)

SUGGESTED MODIFICATION NO. 2: Table 1.3 of the Locating and Planning New Development Component of the LUP shall be modified as follows:

Table 1.3

MAXIMUM DENSITY CREDITS

In the rural areas of the Coastal Zone which are zoned Planned Agricultural District, Resource Management/Coastal Zone, or Timberland Preserve/Coastal Zone, determine the maximum number of density credits to which any legal parcel is entitled by using the method of calculation shown below, and further defined by the Planned Agriculture, Resource Management/Coastal Zone, and Timberland Preserve/Coastal Zone Zoning District regulations. All legal parcels shall accumulate at least one density credit. Except as provided in Policy 5.11, the sum of the density credits on parcels created by a land division shall not exceed the total credits on the original parcels or parcels divided....

SUGGESTED MODIFICATION NO. 3: Table 7 of the Kleinfelder Rural Area Water Use Study: Final Report shall be modified as follows and incorporated into The Locating and Planning New Development Component of the LUP as Table *1.5:

The Table shall present two of the columns included in Table 7:

1. The column headed "Type of Land Use and Water Using Features," and,
2. The column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL 2-97	Suggested Modifica-
	tions to Amendment
	1-97-C(page 4 of 17)

SUGGESTED MODIFICATION NO. 4: Policy 1.23 shall be modified as follows:

1.23 Timing of Development in the South Coast and the Rural Area

(a) South Coast: To insure that South Coast residential buildout proceeds at an even rate and does not overburden coastal resources or public services, and provides for priority coastal uses (agriculturally related development, public/private recreation, affordable housing and visitor serving commercial uses consistent with LUP policies) limit the building permits granted in any year for the construction of residences in rural areas, other than affordable and/or farm labor housing, in each watershed as specified in Table 1.4. Exceptions may be made by the appropriate County officials for large scale, master planned developments, on a case-by-case basis, when a qualified hydrologist determines that the cumulative impact of all new development on the relevant watershed(s) will not adversely affect coastal resources including wetlands, streams, riparian habitats, wildlife and agriculture. The hydrological study should include an analysis of the geological formation within the watershed(s) and stream flow data for both summer and winter flows, and should project expected drought-year flows, and should provide data pertaining to riparian and appropriative water rights of the property being planned and a correlation of those water rights with the agricultural activity proposed on the property. Hydrologic data collected by project and/or collectively within watersheds for different projects shall be utilized to consider changes in the size of any annual increment of development or total amount, and.

(b) Rural Area: Limit Coastal Development Permits granted for hotel, motel and country inn visitor serving uses in the rural area to an interim total of 600 lodging units. After that limit is reached, visitor serving development would only be permitted through an LCP amendment. The amount of additional visitor serving development allowed shall be based on the County demonstrating that additional visitor serving development in the rural area would not adversely affect coastal resources and public services.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL 2-97	Suggested Modifica-
	tions to Amendment
	1-97-C(page 5 of 17)

SUGGESTED MODIFICATION NO. 5: Policy 11.1, 11.2 and 11.15 shall be modified as follows:

11.1 Definition of Visitor Serving Facilities

Define visitor serving facilities as public and private developments that are exclusively available to the general public and provide necessary, basic visitor support services such as lodging, food, water, restroom and automobile services. Visitor serving facilities include, but are not limited to, hotels, motels, hostels, campground, group camps, grocery stores, food concessionaires, auto serving stations, public drinking water, restrooms, public parking for coastal recreation or access, restaurants, and country inns no more than two stories in height.

11.2 Definition of Commercial Recreation Facilities

Define commercial recreation facilities as developments serving primarily a recreation function which are operated by private business for profit and are exclusively available to the general public. Commercial recreation facilities include, but are not limited to, ~~private~~ beaches, stables, golf courses, specialty stores and sporting equipment sales and rentals.

Policy 11.15 shall be modified to add section 11.15c as follows:

11.15 c. Visitor Serving Uses: Any Coastal Development Permit for a visitor serving or commercial recreation use, shall include a prior to issuance condition that requires the applicant and owner of the land to execute and record a deed restriction over the entire parcel or parcels. The deed restriction shall specify that :

- (1) The development is a visitor serving use exclusively available to the general public and that visitor length of stays are limited to no more than 29 consecutive days, and no more than 90 days per year. The deed restriction shall be recorded with the County Recorder to run with the land free and clear of all prior liens and encumbrances.
- (2) Conversion of any portion of the visitor serving or commercial recreation facilities to a non-public, private, or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of such facilities by an individual or limited group or segment of the public shall require an amendment to the applicable permit, and shall require a reduction in project density to the amount prescribed by Policy *1.8 for uses which are not visitor serving.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL 2-97	Suggested Modifica-
tions to Amendment	1-97-C(page 6 of 17)

SUGGESTED MODIFICATION NO. 6: Policy 1.5 shall be modified as follows:

1.5 Land Uses and Development Densities in Urban Areas

- a. Incorporate the adopted Montara-Moss Beach-El Granada Community Plan into the land use plan for the Mid-Coast, but amend it where necessary to meet Local Coastal Program objectives.
- b. Permit in urban areas land uses designated on the Land Use Plan Maps and conditional uses at up to the densities specified in Tables 1.2 and 1.3. The use and amount of development allowed on a parcel, specifically including /In areas designated "General Open Space," "Agriculture," or "Public Recreation-Community Park" on the General Plan Land Use Map within the urban boundary in the Coastal Zone, ~~the use and amount of development allowed on a parcel~~ shall be limited to the uses and to the amount, density and size of development permitted by the Local Coastal Program, including the density credit requirements of Policy 1.8c. and ~~the density credit entitlements of~~ Table 1.3.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL	2-97
Suggested Modifica-	tions to Amendment
1-97-C	(page 7 of 17)

SUGGESTED MODIFICATION NO. 7: Policy 1.6 as submitted shall be deleted:

1/6 Development of Residential Substandard Parcels in the Urban Mid-Coast

Require a use permit to build or enlarge a structure on any residentially zoned parcel less than 5,000 sq/ft within the Urban Mid-Coast. This requirement does not apply to structures 30 inches or less above the ground, or fences and retaining walls. Consideration of a use permit application to develop a parcel greater than 3,500 sq/ft, but less than 5,000 sq/ft, shall be subject to the optional public hearing procedures of Zoning Regulations Section 6532. The use permit may be granted only if:

- a. All structures on the parcel, including garages and accessory buildings, will not cover more than 50% of the parcel area if all structures are less than 16 feet above the natural or finished grade, whichever is lower, or 35% of the parcel area if one or more of the structures is 16 feet or more above the natural grade.
- b. The aggregate square footage of all of the floors of a structure or structures, including garages and other accessory structures, will not exceed 60% of the number of square feet in the parcel, and
- c. The maximum height of any structure will not exceed 28 feet measured from the natural or finished grade, whichever is lower.

For purposes of subsections (a) and (b), walks, patios, in-ground swimming pools, pools that do not extend more than 30 inches above the ground, uncovered decks and porches 30 inches or less above the ground, and eaves projecting 30 inches or less from the exterior surface of a building wall shall not be included in calculation of the area covered by structures or the total square footage of floors.

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifications to Amendment 1-97-C (page 8 of 17)	

SUGGESTED MODIFICATION NO. 8: Policy 3.24 shall be modified as follows:

3.24: Second Dwelling Units in R-1 Zoning Districts

Permit second dwelling units on building sites containing a one-family residence in R-1 zoning districts subject to the following restrictions:

- a. Limit the total number of approved second units to 466 in the Coastal Zone.
- b. Limit the size of the units to 700 sq.ft. or 35% of the floor area of the existing principal residence, whichever is greater.
- c. Second dwelling units shall not be permitted on parcels covered by Local Coastal Program Policy 1.5c.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL 2-97	Suggested Modifica-
tions to Amendment	1-97-C(page 9 of 17)

SUGGESTED MODIFICATION NO. 9: Policy *5.11 shall be modified as follows:

d. A density credit bonus may only be allowed for the merger of contiguous parcels as part of a Coastal Development Permit, and provided that a deed restriction is recorded by the owner of the land prior to issuance of any Coastal Development Permit requiring that any subsequent land division of the merged property shall be consistent with all other applicable policies of the LCP including this Component and shall result in at least one agricultural parcel whose area is greater than the largest parcel before consolidation. The maximum bonus shall be calculated by:

- (1) Determining the total number of density credits on all parcels included in a master development plan; and
- (2) Multiplying that total by 25% if the merger is entirely of parcels of 40 acres or less, or by 10% if some or all of the parcels combined are larger than 40 acres.

The merged parcel shall be entitled to the number of density credits on the separate parcels prior to merger plus the bonus calculated under this subsection. The total number of density credits may be used on the merged parcel. Once a parcel or portion of a parcel has been part of a merger for which bonus density credit has been given under this subsection, no bonus credit may be allowed for any subsequent merger involving that parcel or portion of a parcel.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL 2-97	Suggested Modifica-
	tions to Amendment
	1-97-C(page 10 of 17)

SUGGESTED MODIFICATION NO. 10: Policy *5.22 shall be modified as follows:

*5.22 Protection of Agricultural Water Supplies

Before approving any division or conversion of prime agricultural land or other land suitable for agriculture, require that:

- a. ~~All non-agricultural uses permitted on a parcel demonstrate the existing availability of a potable and adequate on-site well water source~~

The existing availability of an adequate and potable well water source be demonstrated for all non-agricultural uses according to the following criteria: (1) each existing parcel developed with non-agricultural uses, or parcel legalized in accordance with Local Coastal Program Policy 1.29, shall demonstrate a safe and adequate well water source located on that parcel, and (2) each new parcel created by a land division shall demonstrate a safe and adequate well water source located either (a) on that parcel, or (b) on the larger property that was subdivided to create the new parcel, providing that a single well source may not serve more than four (4) new parcels.

- b. Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.
- c. All new non-agricultural parcels are severed from land bordering a stream and their deeds prohibit the transfer of riparian rights.

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifications to Amendment	
1-97-C	(page 11 of 17)

SUGGESTED MODIFICATION NO. 11: Policies *8.5 and *8.15 shall be modified as follows:

*8.5 Location of Development

- a. Require, ~~to the extent practicable~~ that new development be located on a portion of a parcel where the development (1) is least visible from State and County Scenic Roads and other public viewpoints, and (2) consistent with ~~that~~ all other LCP requirements, best preserves the visual and open space qualities of the parcel overall.

Public viewpoints include, but are not limited to coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

This provision does not apply to enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150 percent of the pre-existing floor area, or 2,000 sq. ft., whichever is greater.

This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation on the parcel. In such cases, agricultural development shall use appropriate building materials, colors, landscaping and screening to eliminate or minimize the visual impact of the development.

- b. Require, including by clustering if necessary, that new parcels have building sites that are not visible from State and County Scenic Roads and other public viewpoints. If (1) the entire property being subdivided is visible from State and County Scenic Roads or other public viewpoints, ~~or (2) compliance with this provision is not permissible under the General Plan and Local Coastal Program~~, then require that new parcels have building sites that minimize visibility from those roads and other public viewpoints.
- c. ~~The provisions of this policy do not apply to the extent that the application of this policy would direct development to a location prohibited by the application of other General Plan or Local Coastal Program policies~~

*8.15 Coastal Views

Prevent development (including buildings, structures, fences, un-natural obstructions, signs, and landscaping) from substantially blocking views to or along the shoreline from coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL	2-97
Suggested Modifications to Amendment	1-97-C (page 12 of 17)

SUGGESTED MODIFICATION NO. 12: Policy 8.7 shall be modified as follows:

*8.7 Development on Skylines and Ridgelines

- a. Prohibit the location of development, in whole or in part, on a skyline or ridgeline, or where it will project above a skyline or ridgeline, unless there is no other developable building site on the parcel.

This provision does not apply to the extent that the
/application/of/this/provision/would/direct/development/to/a/
/location/restricted/by/the/application/of/other/General/Plan/or
/Local/Coastal/Program/policies/

Consistent with Policy 9.18, a site of greater than 30% slope may be
deemed developable if it is the only other building site on the parcel
and can be developed consistent with all other applicable LCP policies.

Prohibit the location of development, in whole or in part, on a skyline,
or where it will project above a skyline, when a developable building
site exists on a ridgeline.

A skyline is the line where sky and land masses meet, and ridgelines are
the tops of hills or hillocks normally viewed against a background of
other hills, as/defined/by/General/Plan/Policy/4.7).

- b. Where no other developable building site exists on a parcel, limit
development on a skyline or ridgeline to 18 feet in height from the
natural or finished grade, whichever is lower.
- c. Prohibit the creation of new parcels which have no developable building site other than on a skyline or ridgeline, except/to/the
/extent/that/the/application/of/this/provision/would/direct/
development/to/a/location/restricted/by/the/application/of/other/
General/Plan/or/Local/Coastal/Program/policies/

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifica-	
tions to Amendment	
1-97-C(page 13 of 17)	

SUGGESTED MODIFICATION NO. 13: Policy 8.14 shall be modified as follows:

8/14 ~~Coastal Views~~

8.13 Special Design Guidelines for Coastal Communities

a. Montara-Moss Beach-El Granada...

- d (5) To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and other public viewpoints between Highway 1 ~~to~~ and the sea, ~~including publicly owned~~ Public viewpoints include coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches ~~lying between Highway 1 and the sea~~. This provision shall not apply in areas west of Denniston Creek zoned either Coastside Commercial Recreation or Waterfront.
- b (6) In areas east of Denniston Creek zoned Coastside Commercial Recreation, the height of development may not exceed 28 feet from the natural or finished grade, whichever is lower.

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifica-	
tions to Amendment	
1-97-C	(page 14 of 17)

SUGGESTED MODIFICATION NO. 14: Policy 9.18 shall be modified as follows:

9.18 Regulation of Development on 30% or Steeper Slopes

- a. Prohibit development on slopes of 30% or more, unless (1) no alternative exists or (2) the only practicable alternative site is on a skyline or ridgeline. Parcels ~~may~~ shall not be created where the only building site, in whole or in part, including roads or driveways, is on a slope of 30% or more. An engineering geologic report shall be required for any development on a slope of 30% or more. ~~THIS PROVISION DOES NOT APPLY TO THE EXTENT THAT IT IS INCONSISTENT WITH POLICIES OF THE GENERAL PLAN OF LOCAL COASTAL PROGRAM WHICH RESTRICT THE LOCATION OF DEVELOPMENT~~

Development less than 10 feet in height that does not constitute a building, road or driveway, or require grading, shall be exempt from the application of this provision.

- b. Employ the siting and grading criteria of the Design Review Zoning Ordinance and the Community Design Manual for Development on Slopes 30% or Greater.

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifica-	
tions to Amendment	
1-97-C(page 15 of 17)	

FINAL SUGGESTED MODIFICATIONS

August 14, 1997

Implementation Program

SUGGESTED MODIFICATION NO. 15: MODIFY SECTIONS 6356, 6906 and 6979 OF THE SAN MATEO COUNTY ORDINANCE CODE TO CONFORM TO SUGGESTED MODIFICATION NO. 1 TO POLICY *1.8: The County shall modify sections 6356, 6906 and 6979 to conform to the text of Policy *1.8 as included in Suggested Modification No. 1.

SUGGESTED MODIFICATION NO. 16: Section 6328.7 shall be modified as follows:

Section 6328.7 APPLICATION REQUIREMENTS. Application for a Coastal Development Permit shall be made to the Planning and Development Division on forms provided by the Planning Director. Where required by this Chapter, application for a Coastal Development Permit shall be made prior to or concurrently with application for any other permit or approvals required for the project by the San Mateo County Ordinance Code. The application for a Coastal Development Permit shall be accompanied by: . . .

- (e) Demonstrated proof of the existing availability of an adequate and potable water source for the proposed development, and that use of the water source will not impair surface streamflow, the water supply of other property owners, agricultural production or sensitive habitats.
- (f) Any additional information determined by the Planning Director to be necessary for evaluation of the proposed development.

EXHIBIT NO.	1
APPLICATION NO.	SAN MATEO COUNTY
RESUBMITTAL 2-97	Suggested Modifica-
tions to Amendment	1-97-C(page 16 of 17)

SUGGESTED MODIFICATION NO. 17: EFFECTIVE DATES OF THE LCP The County shall modify each reference to the effective date of the proposed amendment as follows:

The provisions of this [Resolution or Ordinance] shall not apply to development that has fulfilled at least one of the following requirements before June 4, 1997, the date the Board of Supervisors adopted the Resolution and Ordinances amending the Local Coastal Program through LCP Amendment 1-97-C ~~the effective date of this resolution/ordinance~~

In addition, the County shall: (a) provide the Commission with a definitive list of projects that met the following criteria as of June 4, 1996; (b) shall include that list in the LCP; (c) shall indicate within the LCP that the provisions of LCPA 1-97-C will not apply to the listed projects; and (d) shall specify policies that apply to that list of projects. The list shall be accompanied by evidence that the development has fulfilled at least one of the following requirements before June 4, 1997:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. With respect to Section 6355, Subsection B of the San Mateo County Ordinance, a tentative subdivision map or tentative parcel map application has been submitted to the County and determined to be complete, or
3. A building permit application has been submitted to the County and determined to be complete, if no development permit required by the County Zoning Regulations, or
4. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

SUGGESTED MODIFICATION NO. 18: The proposed amendments to San Mateo County Ordinance Code, Division VI, Part One, Chapter 4, Section 6133, Subsection 3. (Development of Non-Conforming Parcels), and San Mateo County Ordinance Code, Division VI, Part One, Chapter 24, Section 6503 (Procedure) shall be deleted, and the certified text in effect prior to Ordinance No. 03719 of the Board of Supervisors of San Mateo County shall be restored.

EXHIBIT NO.	1
APPLICATION NO.	
SAN MATEO COUNTY	
RESUBMITTAL 2-97	
Suggested Modifica-	
tions to Amendment	
1-97-C	(page 17 of 17)

Environmental Services Agency



Planning and Building Division

County of San Mateo

Mail Drop PLN122 · 590 Hamilton Street · 2nd Floor · Redwood City
California 94063 · Telephone 650/363-4161 · Fax 650/363-4849

Board of Supervisors

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**Director of
Environmental Services**
Paul M. Koenig

Planning Administrator
Terry L. Burnes

February 18, 1998

Jack Liebster
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Mr. Liebster:

The purpose of this letter is to transmit to the Coastal Commission for certification Resolution No. 61697, which was adopted by the San Mateo County Board of Supervisors on February 10, 1998, and which together with previously adopted Resolution No. 61538 and Ordinances No. 03798-03802, constitute the resubmittal of Coastal Commission File Number: LCP Amendment 1-97C (Coastside Protection Initiative). In particular, Resolution No. 61697 shall supersede only those sections of Resolution No. 61538 that are amended by Resolution No. 61697.

On January 5, 1998, you sent me a letter which identified several corrections to select LCP amendments contained Resolution No. 61538 which would reconcile terms, improve clarity, and assure overall internal consistency. The amendments included in Resolution No. 61697 contain such corrections.

Pursuant to State Public Resources Code Sections 30512(b) and 30513, the San Mateo County Board of Supervisors requests that the Coastal Commission not recommend or suggest modifications to the land use plan or zoning ordinance amendments that comprise the resubmittal of Coastal Commission File Number: LCP Amendment 1-97C.

Thank you for your continued assistance over the past 1 1/2 years. Should you have any questions, please feel free to call me at 650/363-1851.

Sincerely,

George Bergman
Senior Planner

GB:fc - GDBI0224.6FN

Attachments

EXHIBIT NO.	2
APPLICATION NO.	SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL	2-97 Resolution
Correcting Resubmit- tal 2-97 (1 of 11)	

RECEIVED
FEB 19 1998
CALIFORNIA
COASTAL COMMISSION

RESOLUTION NO. 61697

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

RESOLUTION AMENDING THE SAN MATEO COUNTY
LOCAL COASTAL PROGRAM (LCP) TO IMPROVE
THE INTERNAL CONSISTENCY AND CLARITY OF SELECT
AMENDMENTS CONTAINED IN RESOLUTION NO. 61538
APPROVED ON NOVEMBER 18, 1997

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that:

WHEREAS, on November 18, 1997, the San Mateo County Board of Supervisors considered modifications suggested by the California Coastal Commission to a set of Local Coastal Program (LCP) amendments originally derived from the Coastside Protection Initiative of 1994; and

WHEREAS, on November 18, 1997, the Board of Supervisors adopted Resolution No. 61538 and Ordinances No. 03798-03802, thereby approving a set of LCP amendments that: (1) incorporated most of the modifications suggested by the Coastal Commission, and (2) established limited alternative language that combined the best elements of the Coastal Commission suggested modifications and the Board of Supervisors' original submitted amendments; and

WHEREAS, pursuant to State Public Resources Code Section 30512(b), the Board of Supervisors directed staff to resubmit this set of LCP amendments to the Coastal Commission, with the request that the Commission not recommend or suggest any further modifications to said amendments; and

EXHIBIT NO.	2
APPLICATION NO.	
SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL	
2-97 Resolution	
Correcting Resubmit- tal 2-97 (2 of 11)	

WHEREAS, on January 5, 1998, the Coastal Commission staff identified several corrections to select amendments contained in Resolution No. 61538 and Ordinance No. 03801 which would reconcile terms, improve clarity, and assure overall internal consistency; and

WHEREAS, on February 10, 1998, the Board of Supervisors held a public hearing to consider the corrections identified by the Coastal Commission staff; and

WHEREAS, public notice was made of this hearing to ensure maximum public participation, and all interested parties were afforded the opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED, that the San Mateo County Board of Supervisors:

1. Amend the wording of LCP Policy 1.8 contained in Resolution No. 61538 to consistently represent commercial recreation, public recreation, and visitor serving facilities as being regulated equally, as shown in Exhibit A of this Resolution.
2. Amend the wording of LCP Policy 1.8 contained in Resolution No. 61538 to consistently delete a clause that limited the rural density calculation requirements to only those uses cited in a particular table, as shown in Exhibit A of this Resolution.
3. Amend the wording of LCP Policy 8.5 contained in Resolution No. 61538 to reconcile the public viewpoint view protection provisions applicable to new development and subdivision design, as shown in Exhibit A of this Resolution.
4. Amend the wording of LCP Policy 8.5 contained in Resolution No. 61538 to reference the Coastal Act section from which the conflict resolution provision was derived, as shown in Exhibit A of this Resolution.

EXHIBIT NO.	2
APPLICATION NO.	
SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL	
2-97 Resolution	
Correcting Resubmit-	
tal 2-97 (3 of 11)	

5. Amend the wording of LCP Policy 11.15 contained in Resolution No. 61538 to standardize the time required for deed restriction recordation, as shown in Exhibit A of this Resolution.
6. Amend the wording of LCP Policy 11.15 contained in Resolution No. 61538 to clarify the regulatory distinction between visitor serving facilities that are available to the general public and those converted to a non-public or private use, as shown in Exhibit A of this Resolution.
7. Amend the effective date of Resolution No. 61538 such that those LCP amendments contained in that Resolution shall not have the full force of law until thirty (30) days after the Coastal Commission has certified them, without modification, as conforming to the Coastal Act.

AND, BE IT FURTHER RESOLVED, that the provisions of this Resolution and Resolution No. 61538 do not apply to development that has fulfilled at least one of the following requirements before the effective date of this Resolution and Resolution No. 61538, and that for such development, the LCP policies and provisions effectively certified by the Coastal Commission prior to the effective date of this Resolution and Resolution No. 61538 shall remain applicable:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or

EXHIBIT NO.	2
APPLICATION NO. SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL 2-97 Resolution	
Correcting Resubmit- tal 2-97 (4 of 11)	

3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

AND, BE IT FURTHER RESOLVED, that pursuant to Public Resources Code Section 30512(b), the San Mateo County Board of Supervisors directs staff to resubmit the Local Coastal Program land use plan amendments to the Coastal Commission for certification of conformity with the California Coastal Act.

AND, BE IT FURTHER RESOLVED, that pursuant to Public Resources Code Section 30512(b), the San Mateo County Board of Supervisors requests that the Coastal Commission not recommend or suggest modifications to the Local Coastal Program land use plan amendments submitted herewith.

AND, BE IT FURTHER RESOLVED, that the Local Coastal Program amendments contained in this Resolution shall supersede only those sections of Resolution No. 61538 that are amended by this Resolution, and that Resolution No. 61538 and this Resolution together constitute the resubmittal of Coastal Commission File Number: LCP Amendment 1-97C.

AND, BE IT FURTHER RESOLVED, that the applicable Local Coastal Program amendments contained in Resolution No. 61538, and the LCP amendments contained in this Resolution shall not have the full force of law until thirty (30) days after the Coastal Commission has certified them, without modification, as conforming to the Coastal Act.

AND, BE IT FURTHER RESOLVED, that the San Mateo County Board of Supervisors intends to carry out the Local Coastal Program amendments in a manner fully in conformity with the Coastal Act.

GB:fc - GDBI0093.6FS

EXHIBIT NO.	2
APPLICATION NO. SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL 2-97 Resolution	
Correcting Resubmit- tal 2-97 (5 of 11)	

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

EXHIBIT A

*1.8 Land Uses and Development Densities in Rural Areas

- a. Allow new development (as defined in Section 30106 of the California Coastal Act of 1976) in rural areas only if it is demonstrated that it will not: (1) have significant adverse impacts, either individually or cumulatively, on coastal resources and (2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture (as defined in the Agriculture Component) in agricultural production.
- b. Permit in rural areas land uses designated on the Local Coastal Program Land Use Plan Maps, and conditional uses up to the densities specified in Tables 1.2 and 1.3.
- c. (1) Require Density Credits for Non-Agricultural Uses

Require density credits for all new or expanded non-agricultural land uses in rural areas, including all residential uses, except affordable housing (to the extent provided in Local Coastal Program Policy 3.23) and farm labor housing, as defined in Local Coastal Program Policy 3.28, mining in accordance with General Plan Policies 3.11 and 3.12, and solid waste facilities under the policies in General Plan Chapter 13. The existence and

EXHIBIT NO.	2
APPLICATION NO.	SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL	2-97 Resolution
Correcting Resubmittal	2-97 (6 of 11)

number of density credits on a parcel shall be determined by applying Table 1.3.

Expanded or additional non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements of this policy for both (a) existing uses, and (b) any expanded or additional uses, and only where such development meets all other applicable policies of the Local Coastal Program.

(2) Amount of Development Allowed for Non-agricultural Uses, Except Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For new or expanded non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for each 315 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from the non-agricultural use, including landscaping, swimming pools and all other appurtenant uses.

(a) Residential Uses

For new or expanded residential uses, a single-family dwelling unit shall be deemed to use 315 gallons of water per day during the two months of highest water use in a year (including landscaping, swimming pools and all other appurtenant uses).

EXHIBIT NO.	2
APPLICATION NO.	
SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL	
2-97 Resolution	
Correcting Resubmittal	
2-97 (7 of 11)	

(b) Non-Agricultural Uses Except Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be the amount stated in Table 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

(3) Amount of Development Allowed for Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For new or expanded visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for the first 945 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. One additional density credit shall be required for each 630 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year.

This requirement applies to water use by or resulting from the visitor-serving, commercial recreation, and public recreation use, including landscaping, swimming pools and all other appurtenant uses. The 945-gallon water use allowance for one density credit may be applied one time only on a parcel.

For visitor-serving, commercial recreation, and public recreation uses listed in Table 1.5, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be:

EXHIBIT NO.	2
APPLICATION NO.	SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL	2-97 Resolution
Correcting Resubmit-	tal 2-97 (8 of 11)

- (a) For one density credit or the first density credit when multiple density credits are available, either 1 1/2 times the amount stated in Table 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures," or the amount stated in that column and a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator.
- (b) For each additional density credit, the amount stated in Table 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."
- d. For the purpose of this policy, "visitor-serving, commercial recreation, and public recreation uses" shall be only those lands and facilities listed in LCP Policies 11.1, 11.2 and 11.3, and only if those lands and facilities specifically enhance public opportunities for coastal recreation.
- e. As an interim limit, no more than 600 visitor-serving lodging units may be approved in the rural Coastal Zone, as specified by LCP Policy 1.23.

8.5 Location of Development

- a. Require that new development be located on a portion of a parcel where the development (1) is least visible from State and County Scenic Roads, (2) is least likely to significantly impact views from public viewpoints, and (3) consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5.

EXHIBIT NO.	2
APPLICATION NO.	
SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL	
2-97 Resolution	
Correcting Resubmit-	
tal 2-97 (9 of 11)	

Public viewpoints include, but are not limited to coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

This provision does not apply to enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150 percent of the pre-existing floor area, or 2,000 sq. ft., whichever is greater.

This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation on the parcel. In such cases, agricultural development shall use appropriate building materials, colors, landscaping and screening to eliminate or minimize the visual impact of the development.

- b. Require, including by clustering if necessary, that new parcels have building sites that are not visible from State and County Scenic Roads and will not significantly impact views from other public viewpoints. If the entire property being subdivided is visible from State and County Scenic Roads or other public viewpoints, then require that new parcels have building sites that minimize visibility from those roads and other public viewpoints.

11.15 Private Recreation and Visitor-Serving Facilities

- a. Require that private recreation and visitor-serving facilities conform to: (1) the development and locational standards included throughout this component and as referred in other components, and (2) the design standards of the Visual Resources Component.
- b. Require that private recreation and visitor-serving facilities conform to the intensities of use appropriate to the rural or urban setting and to the requirements of the individual site. In rural areas, visitor-serving uses shall require density

EXHIBIT NO. 2

APPLICATION NO.
SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL
2-97 Resolution
Correcting Resubmit-

credits based on daily water use in accordance with the requirements set forth in Local Coastal Program Policy 1.8.

- c. Any Coastal Development Permit for a visitor-serving or commercial recreation use shall include a condition of approval that requires the owner of the land to execute and record a deed restriction over the entire parcel or parcels. The Coastal Development Permit deed restriction shall not be in effect until the deed restriction is recorded by the owner of the land ~~be recorded before a building or other construction permit is issued,~~ and shall specify that:
- (1) The development is a visitor-serving use exclusively available to the general public and that visitor length of stays are limited to no more than 29 consecutive days, and no more than 90 days per year. The deed restriction shall be recorded with the County Recorder to run with the land free and clear of all prior liens and encumbrances.
 - (2) Conversion of any portion of the visitor-serving or commercial recreation facilities from development allowed under subparagraph (1) above, to a non-public, private, or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of such facilities by an individual or limited group or segment of the public, ~~except as permitted under subparagraph (1) above,~~ shall require an amendment to the applicable permit, and shall require a reduction in project density to the amount prescribed by LCP Policy *1.8 for uses which are not visitor serving.

GB:fc - GDBI0093.6FS

EXHIBIT NO.	2
APPLICATION NO.	
SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL	
2-97 Resolution	
Correcting Resubmit-	
tal 2-97 (11 of 11)	



Planning and Building Division

County of San Mateo

Mail Drop PLN122 · 590 Hamilton Street · 2nd Floor · Redwood City
California 94063 · Telephone 650/363-4161 · Fax 650/363-4849

Board of Supervisors

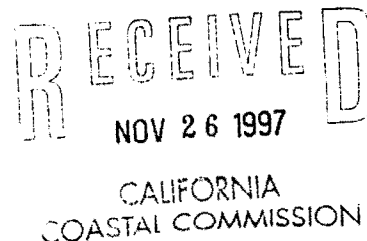
Ruben Barrales
Richard S. Gordon
Mary Griffin
Tom Huening
Michael D. Nevin

**Director of
Environmental Services**
Paul M. Koenig

Planning Administrator
Terry L. Burnes

November 25, 1997

Jack Liebster
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105



Dear Mr. ~~Liebster~~: *Jack*

The purpose of this letter is to resubmit to the California Coastal Commission for certification the set of Local Coastal Program (LCP) amendments originally filed as LCP Amendment 1-97-C (Coastside Protection Initiative).

On November 18, 1997, the San Mateo County Board of Supervisors approved by resolution and ordinance, a set of Local Coastal Program amendments that incorporate most of the modifications suggested by the Coastal Commission in its August 14, 1997 action on these amendments. For the few modifications that were not directly incorporated, the Board of Supervisors approved alternative policy language that combines the best elements of the Coastal Commission modifications and the originally submitted amendment, while increasing overall coastal resource protection.

Attached to this transmittal are the following documents, that when combined with all previously submitted materials, conforms with the LCP amendment transmittal requirements of California Code of Regulations Sections 13551 and 13552:

1. The Board of Supervisors' resolution and ordinances approving the amendments, and directing staff to resubmit them to the California Coastal Commission for certification.
2. The Board of Supervisors' November 18, 1997 staff report that describes and analyses the proposed amendments, with emphasis the limited wording changes that deviate from the suggested Coastal Commission modifications.
3. The Board of Supervisors' November 18, 1997, minutes identifying the motions and wording changes made at that hearing.
4. A comparative assessment of amendment wording before and after the Board of Supervisors' November 18, 1997 action using cross-out and underline technique.

EXHIBIT NO.	3
APPLICATION NO.	SAN MATEO COUNTY LCP
AMEND.	RESUBMITTAL
	2-97 Resolutions
	and Ordinances of
	Resubmittal(1 of 70)

Jack Liebster
November 25, 1997
Page 2

Pursuant to State Public Resources Code Sections 30512(b) and 30513, the San Mateo County Board of Supervisors requests that the Coastal Commission not recommend or suggest modifications to the land use plan and zoning ordinance amendments that comprise this LCP amendment resubmittal.

Thank you for your continued assistance throughout the past year. Should you have any questions, please feel free to call me at 650/363-1851.

Sincerely,



George Bergman
Senior Planner

GB:cdn - GDBH1779.6CN

Attachments

EXHIBIT NO.	3
APPLICATION NO.	
SAN MATEO COUNTY LCP	
AMEND. RESUBMITTAL	
2-97 Resolutions	
and Ordinances of	
Resubmittal(2 of 70)	

RESOLUTION NO. 61538

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

RESOLUTION AMENDING THE SAN MATEO COUNTY GENERAL
PLAN -- LOCALS COASTAL PROGRAM (LCP) AS FOLLOWS:

- (1) AMEND LCP POLICY 1.5 TO CLARIFY THE DENSITY OF
RURAL DESIGNATED LAND IN THE URBAN MID-COAST
- (2) AMEND LCP POLICY 1.8 TO ESTABLISH NEW LIMITS ON
THE LEVEL OF NON-AGRICULTURAL DEVELOPMENT IN
THE RURAL COASTAL ZONE
- (3) AMEND LCP POLICY 1.23 TO ESTABLISH AN INTERIM
LIMIT OF 600 VISITOR-SERVING LODGING UNITS IN THE
RURAL COASTAL ZONE
- (4) AMEND LCP POLICY 3.24 TO PROHIBIT SECOND DWEL-
LING UNITS ON SUBSTANDARD RESIDENTIAL PARCELS
IN THE URBAN MID-COAST
- (5) AMEND LCP POLICY 5.11 TO ADD AN AGRICULTURALLY
PROTECTIVE REQUIREMENT BEFORE GRANTING A
DENSITY BONUS FOR COMBINING CONTIGUOUS
PARCELS IN AGRICULTURAL AREAS OF THE RURAL
COASTAL ZONE
- (6) AMEND LCP POLICY 5.22 TO REGULATE THE NUMBER OF
SHARED WELLS IN THE RURAL COASTAL ZONE
- (7) AMEND LCP POLICY 8.5 TO DIRECT NEW DEVELOPMENT
TO THE LEAST VISIBLE SITE FROM SCENIC ROADS AND
CONTROL VIEWS FROM PUBLIC VIEWPOINTS IN THE
RURAL COASTAL ZONE
- (8) AMEND LCP POLICY 8.7 TO LIMIT THE HEIGHT OF
SKYLINE AND RIDGELINE DEVELOPMENT TO 18 FEET IN
THE RURAL COASTAL ZONE

- (9) AMEND LCP POLICY 8.13 TO REDUCE THE HEIGHT LIMIT IN SELECT COMMERCIAL RECREATION AREAS, AND INCREASE SHORELINE VIEW PROTECTION REGULATIONS IN THE URBAN MID-COAST
- (10) AMEND LCP POLICY 8.15 TO PROTECT SHORELINE VIEWS FROM TRAILS AND COASTAL ACCESSWAYS
- (11) AMEND LCP POLICIES 8.17 AND 8.18 TO STRENGTHEN LANDFORM ALTERATION AND DEVELOPMENT DESIGN REGULATIONS IN THE RURAL COASTAL ZONE
- (12) AMEND LCP POLICY 9.18 TO STRENGTHEN STEEP SLOPE DEVELOPMENT REGULATIONS IN THE RURAL COASTAL ZONE
- (13) AMEND LCP POLICIES 11.1 AND 11.2 TO SPECIFY THAT VISITOR-SERVING AND COMMERCIAL RECREATION FACILITIES ARE TO BE EXCLUSIVELY AVAILABLE TO THE GENERAL PUBLIC
- (14) AMEND LCP POLICY 11.15 TO CLARIFY THE PERMITTED INTENSITY, OCCUPANCY, AND LENGTH OF STAY OF VISITOR-SERVING DEVELOPMENT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that:

WHEREAS, in February, 1994, two organizations known as Save Our Coast and the Sierra Club filed a notice of intention to circulate an initiative petition, entitled Coastside Protection Initiative of 1994, with the County Clerk; and

WHEREAS, the Coastside Protection Initiative of 1994 generally included provisions that either clarify or further restrict the amount and location of development in the Coastal Zone; and

WHEREAS, on March 15, 1994, County Planning staff presented the Board of Supervisors with a preliminary assessment of the proposed Coastside Protection Initiative of 1994; and

WHEREAS, on May 23, 1994, the sponsoring organizations filed the proposed Coastside Protection Initiative of 1994 petition with the County Clerk; and

WHEREAS, in November, 1994, the County Clerk determined that the proposed Coastside Protection Initiative of 1994 failed to qualify as an initiative petition under the applicable provisions of the State Elections Code; and

WHEREAS, on December 6, 1994, at the request of Save Our Coast and Sierra Club, the Board of Supervisors authorized the Planning Commission to begin the legislative process to consider the Local Coastal Program amendments contained in the proposed Coastside Protection Initiative of 1994; and

WHEREAS, on May 1, 1995, Planning staff (1) prepared a report that comprehensively analyzed the content and implication of the proposed LCP amendments, and (2) distributed the report to all interested and key affected parties; and

WHEREAS, during May, 1995, Planning staff met with the Mid-Coast Community Council (MCC), Pescadero Municipal Advisory Council (PMAC), and Agricultural Advisory Committee (AAC) to describe the content of the proposed LCP amendments; and

WHEREAS, on May 17, 1995, Planning staff presented the Planning Commission with an overview of major policies contained in the County Local Coastal Program, in preparation for consideration of the proposed LCP amendments; and

WHEREAS, on June 14, 1995, the Planning Commission held a public hearing to begin consideration of the proposed LCP amendments, and Planning staff presented a comprehensive analysis of the proposed amendments' content and implication; and

WHEREAS, between June 14, 1995 and January 24, 1996, the Planning Commission held ten public meetings in both Redwood City and the Mid-Coast to consider the proposed LCP amendments; and

WHEREAS, between June 14, 1995 and January 24, 1996, Planning staff provided the Planning Commission with studies and illustrations to assess the implication of the proposed amendments on Coastal Zone property; and

WHEREAS, between June 14, 1995 and January 24, 1996, members of the public representing many perspectives provided the Planning Commission with substantial testimony and numerous letters; and

WHEREAS, maximum opportunity for public participation in the hearing process was provided through: (a) publication of all Planning Commission meeting announcements in the San Mateo Times and Half Moon Bay Review newspapers, and (b) direct mailing of meeting announcements and staff reports to approximately 200 concerned San Mateo County citizens; and

WHEREAS, on February 14 and 28, 1996, the Planning Commission thoughtfully considered the merits of all concerns and issues presented during the public hearing process, and on February 28, 1996, approved its recommendation to the Board of Supervisors; and

WHEREAS, on April 23, May 7, May 21, and June 4, 1996, the San Mateo County Board of Supervisors held public hearings to consider the proposed amendments; and

WHEREAS, on August 6, 1997, the California Coastal Commission staff convened a public workshop on the Coastsides to discuss the proposed amendments; and

WHEREAS, on August 14, 1997, the California Coastal Commission held a public hearing to consider certifying the proposed amendments as conforming with the Coastal Act; and

WHEREAS, on November 18, 1997, the San Mateo County Board of Supervisors held a public hearing to consider modifications to the amendments suggested by the Coastal Commission; and

WHEREAS, public notice was made of these hearings to insure maximum public participation, and all interested parties were afforded the opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the San Mateo County Board of Supervisors:

1. Amend the San Mateo County Local Coastal Program-Locating and Planning New Development Component to: (a) revise Policy 1.5 to clarify the development density of rural designated land in the urban Mid-Coast, (b) revise Policy 1.8 to establish new limits on the level of non-agricultural development in the rural Coastal Zone, (c) revise Policy 1.23 to establish an interim limit on rural area lodging units, (d) revise Table 1.3 to assure that the number of available density credits is not exceeded, and (e) establish Table 1.5 to incorporate the Kleinfelder Rural Area Water Use Study, as shown in Exhibit A of this Resolution.
2. Amend the San Mateo County Local Coastal Program-Housing Component to revise Policy 3.24 to prohibit second dwelling units on substandard residential parcels, as shown in Exhibit B of this Resolution.

3. Amend the San Mateo County Local Coastal Program-Agriculture Component to (a) revise Policy 5.11 to add an agriculturally protective requirement before granting a density bonus for combining contiguous parcels, and (b) revise Policy 5.22 to regulate the number of shared wells in rural agricultural areas, as shown in Exhibit C of this Resolution.
4. Amend the San Mateo County Local Coastal Program-Visual Resources Component to: (a) revise Policies 8.5, 8.7, 8.17, and 8.18 to direct new development to the least visible site from designated scenic roads, control views from public viewpoints, reduce the height limit for skyline and ridgeline development, and strengthen existing landform alteration and development design regulations in the rural Coastal Zone, (b) revise Policy 8.13 to reduce the height limit in select urban commercial recreation areas, and strengthen shoreline view protection regulations in the urban Mid-Coast, and (c) revise Policy 8.15 to protect shoreline views from trails and coastal accessways, as shown in Exhibit D of this Resolution.
5. Amend the San Mateo County Local Coastal Program-Hazards Component to revise Policy 9.18 to strengthen rural steep slope development regulations, as shown in Exhibit E of this Resolution.
6. Amend the San Mateo County Local Coastal Program-Recreation/Visitor-Serving Facilities Component to: (a) revise Policies 11.1 and 11.2 to specify that visitor-serving and commercial recreation facilities are to be exclusively available to the general public, and (b) revise Policy 11.15 to clarify the permitted intensity, occupancy, and length of stay of visitor-serving development, as shown in Exhibit F of this Resolution.
7. Amend the San Mateo County Local Coastal Program to establish an Appendix which (1) identifies all development proposals that, in accordance

with this resolution, are not affected by the policies as amended by this resolution, and (2) identifies the LCP policies which apply to such development proposals, in lieu of the policies as amended by this resolution. This Appendix shall become a part of the Local Coastal Program thirty (30) days after the effective date of this resolution, and shall be deemed repealed at that time when all of the development proposals identified in (1) above becomes final.

AND, BE IT FURTHER RESOLVED, that the provisions of this resolution do not apply to development that has fulfilled at least one of the following requirements before the effective date of this resolution:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or
3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

AND, BE IT FURTHER RESOLVED, that the Local Coastal Program amendments shall not have the force of law until the California Coastal Commission has certified them, without modification, as conforming with the California Coastal Act.

AND, BE IT FURTHER RESOLVED, that the San Mateo County Board of Supervisors intends to carry out the Local Coastal Program amendments in a manner fully in conformity with the Coastal Act.

AND, BE IT FURTHER RESOLVED, that the San Mateo County Board of Supervisors direct staff to: (a) submit the Local Coastal Program amendments to the Coastal Commission for certification of conformity with the California Coastal Act, and (b) within thirty (30) days of the effective date of this resolution, submit evidence of how the development proposals identified in the Local Coastal Program Appendix established by this resolution are not affected by the policies as amended by this resolution.

GB:fc - GDBH1320.6FS

(9/10/97)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

EXHIBIT A

1.5 Land Uses and Development Densities in Urban Areas

- a. Incorporate the adopted Montara-Moss Beach-El Granada Community Plan into the land use plan for the Mid-Coast, but amend it where necessary to meet Local Coastal Program objectives.
- b. Permit in urban areas land uses designated on the Land Use Plan Maps and conditional uses at up to the densities specified in Tables 1.2 and 1.3. The use and amount of development allowed on a parcel, including parcels in ~~in~~ areas designated "General Open Space," "Agriculture," or "Public Recreation-Community Park" on the General Plan Land Use Map within the urban boundary in the Coastal Zone, ~~the use and amount of development allowed on a parcel~~ shall be limited to the uses and to the amount, density and size of development permitted by the Local Coastal Program, including the density credit requirements of Policy 1.8c. and ~~the density credit entitlements of Table 1.3.~~

***1.8 Land Uses and Development Densities in Rural Areas**

- a. Allow new development (as defined in Section 30106 of the California Coastal Act of 1976) in rural areas only if it is demonstrated that it will not: (1) have significant adverse impacts, either individually or cumulatively, on coastal resources and

(2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture (as defined in the Agriculture Component) in agricultural production.

- b. Permit in rural areas land uses designated on the Local Coastal Program Land Use Plan Maps, and conditional uses at up to the densities specified in Tables 1.2 and 1.3.

c. (1) Require Density Credits for Non-Agricultural Uses

Require density credits for all new or expanded non-agricultural land uses in rural areas, including all residential uses, except ~~a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator~~, affordable housing (to the extent provided in Local Coastal Program Policy 3.23) and farm labor housing, as defined in Local Coastal Program Policy 3.28, mining in accordance with General Plan Policies 3.11 and 3.12, and solid waste facilities under the policies in General Plan Chapter 13. The existence and number of density credits on a parcel shall be determined by applying Table 1.3.

Expanded or additional non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements of this policy for both (a) existing uses, and (b) any expanded or additional uses, and only where such development meets all other applicable policies of the Local Coastal Program.

(2) Amount of Development Allowed for Non-agricultural Uses. Except Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For new or expanded non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required

for each 315 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from the non-agricultural use, including landscaping, swimming pools and all other appurtenant uses.

(a) Residential Uses

For new or expanded residential uses, a single-family dwelling unit shall be deemed to use 315 gallons of water per day during the two months of highest water use in a year (including landscaping, swimming pools and all other appurtenant uses).

(b) Non-Agricultural Uses ~~Listed in the Kleinfelder Report~~, Except Visitor-Serving Uses

For ~~those~~ non-agricultural uses, except visitor-serving uses, ~~listed in Table 7 of the Kleinfelder, Rural Area Water Use Study: Final Report,~~ the amount of development allowed for each density credit in accordance with the requirements of this policy shall be the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

(3) Amount of Development Allowed for Visitor-Serving, Commercial Recreation, and Public Recreation Uses ~~Listed in the Kleinfelder Report~~

For new or expanded visitor-serving, commercial and public recreation uses, one density credit shall be required for the first 945 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. One additional density credit shall be required for each 630

gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year.

This requirement applies to water use by or resulting from the visitor-serving use, including landscaping, swimming pools and all other appurtenant uses. The 945-gallon water use allowance for one density credit may be applied one time only on a parcel.

For ~~those visitor-serving, commercial recreation and public recreation~~ uses listed in Table 7 1.5 ~~of the Kleinfelder, Rural Area Water Use Study: Final Report~~, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be:

- (a) For one density credit or the first density credit when multiple density credits are available, either 1 1/2 times the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures," or the amount stated in that column and a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator.
 - (b) For each additional density credit, the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."
- d. For the purpose of this policy, "visitor-serving, commercial recreation, and public recreation uses" shall be only those lands and facilities listed in LCP Policies 11.1, 11.2 and 11.3, and only if those lands and facilities specifically enhance public opportunities for coastal recreation.

- e. As an interim limit, no more than 600 visitor-serving lodging units may be approved in the rural Coastal Zone, as specified by LCP Policy 1.23.

1.23 Timing of Development in the ~~South Coast~~ Rural Area

- a. To insure that ~~South Coast~~ rural area residential buildout proceeds at an even rate and does not overburden coastal resources or public services, and provides for priority coastal uses (agriculturally related development, public/private recreation, affordable housing and visitor serving commercial uses consistent with LUP policies) limit the building permits granted in any year for the construction of residences in rural areas, other than affordable and/or farm labor housing, in each watershed as specified in Table 1.4. Exceptions may be made by the appropriate County officials for large scale, master planned developments, on a case-by-case basis, when a qualified hydrologist determines that the cumulative impact of all new development on the relevant watershed(s) will not adversely affect coastal resources including wetlands, streams, riparian habitats, wildlife and agriculture. The hydrological study should include an analysis of the geological formation within the watershed(s) and stream flow data for both summer and winter flows, and should project expected drought-year flows, and should provide data pertaining to riparian and appropriate water rights of the property being planned and a correlation of those water rights with the agricultural activity proposed on the property. Hydrologic data collected by project and/or collectively within watersheds for different projects shall be utilized to consider changes in the size of any annual increment of development or total amount.
- b. Limit Coastal Development Permits granted for hotel, motel and country inn visitor-serving uses in the rural area to an interim total of 600 lodging units. After that limit is reached, visitor-serving development would only be permitted through an LCP amendment. The amount of additional visitor-serving development allowed shall be based on the County demonstrating that additional visitor-serving

development in the rural area would not adversely affect coastal resources and public services.

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(9/10/97)

***TABLE 1.3**

MAXIMUM DENSITY CREDITS

In the rural areas of the Coastal Zone which are zoned Planned Agricultural District, Resource Management/Coastal Zone, or Timberland Preserve/Coastal Zone, determine the maximum number of density credits to which any legal parcel is entitled by using the method of calculation shown below, and further defined by the Planned Agriculture, Resource Management/Coastal Zone, and Timberland Preserve/Coastal Zone Zoning District regulations. All legal parcels shall accumulate at least one density credit. Except as provided in Policy 5.11, the sum of the density credits on parcels created by a land division shall not exceed the total credits on the original parcels or parcels divided.

A. Prime Agricultural Lands

One density credit per 160 acres for that portion of a parcel which is prime agricultural land as defined in Policy 5.1 (i.e., the number of acres of Prime Agricultural Land divided by 160).

B. Lands With Landslide Susceptibility

One density credit per 160 acres for that portion of a parcel which lies within any of the three least stable categories (Categories V, VI and L) as shown on the U.S. Geological Survey Map MF 360, "Landslide Susceptibility in San Mateo County" or its current replacement (i.e., the number of acres of land susceptible to landslides divided by 160).

C. Land With Slope 50% or Greater

One density credit per 160 acres for that portion of a parcel which has a slope 50% or greater (i.e., the number of acres of land with a slope 50% or greater divided by 160).

D. Remote Lands

One density credit per 160 acres for that portion of a parcel over 1/2 mile from a public road that was an existing, all-weather through public road before the County Local Coastal Program was initially certified in November 1980 (i.e., the number of acres of remote land divided by 160).

E. Land With Slope 30% But Less Than 50%

One density credit per 80 acres for that portion of a parcel which has a slope 30% but less than 50% (i.e., the number of acres of land with a slope 30%, but less than 50% divided by 80).

F. Land Within Rift Zones or Active Faults

One density credit per 80 acres for that portion of a parcel which is located within the rift zone or zone of fractured rock of an active fault as defined by the U.S. Geological Survey and mapped on USGS Map MF 355, "Active faults, probably active faults, and associated fracture zones in San Mateo County," or its current replacement (i.e., the number of acres of land within rift zones or active faults divided by 80).

G. Lands Within 100-Year Floodplain

One density credit per 60 acres for that portion of a parcel falling within a 100-year floodplain as most recently defined by the Federal Emergency Management Agency, the U.S. Geological Survey, or the U.S. Army Corps of Engineers (i.e., the number of acres of land within the 100-year floodplain divided by 60).

H. Land With Slope 15% But Less Than 30%

One density credit per 60 acres for that portion of a parcel with a slope in excess of 15% but less than 30% (i.e., the number of acres of land with a slope 15%, but less than 30% divided by 60).

I. Land Within Agricultural Preserves or Exclusive Agricultural Districts

One density credit per 60 acres for that portion of a parcel within agricultural preserves or the exclusive Agricultural Districts as defined in the Resource Conservation Area Density Matrix policy on March 25, 1986 (i.e., the number of acres of land within Agricultural Preserves or Exclusive Agricultural Districts divided by 60).

J. All Other Lands

One density credit per 40 acres for that portion or portions of a parcel not within the above areas (i.e., the number of acres of all other land divided by 40).

K. Bonus Density Credit for New Water Storage Capacity

One bonus density credit shall be allowed for each 24.5 acre feet of new water storage capacity demonstrated to be needed and developed for agricultural cultivation or livestock. Water from this storage may be used only for agricultural purposes. These bonus credits may be used on site or transferred to another parcel. However, none of the credits may be used on prime agricultural lands or in scenic corridors. Use of the credits shall be subject to Planning Commission approval in accordance with the provisions of this and other County ordinances.

If the same portion of a parcel is covered by two or more of the subsections A. through J., the density credit for that portion shall be calculated solely on the basis of the subsection which permits the least density credit.

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(9/10/97)

TABLE 1.5

Type of Land Use and Water Using Features	Measuring Unit	Number of Measuring Units Per Density Credit Based On Peak Daily Water Use With Conservation Fixtures
<u>Irrigated Lawns</u>	<u>1,000 sq. ft.</u> <u>1,000 sq. ft.</u>	<u>3.56</u> <u>7.13</u>
<u>Irrigated Landscaping</u>	<u>1,000 sq. ft.</u> <u>1,000 sq. ft.</u>	<u>7.13</u> <u>14.30</u>
<u>Irrigated Drought-Tolerant Plantings</u>	<u>1,000 sq. ft.</u> <u>1,000 sq. ft.</u>	<u>14.30</u> <u>28.50</u>
<u>Swimming Pools</u>	<u>100 sq. ft. of pool surface</u> <u>100 sq. ft. of pool surface</u>	<u>10.60</u> <u>21.20</u>
<u>Small Hostelrys</u>		
<u>Hotel/Motel Rooms</u>	<u>Rentable Room</u>	<u>6.33</u>
<u>Restaurant</u>	<u>Seat</u>	<u>26.80</u>
<u>Irrigated Lawn</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Swimming Pool</u>	<u>100 sq. ft. of pool surface</u>	<u>21.20</u>
<u>Large Hostelrys</u>		
<u>Hotel/Motel Rooms</u>	<u>Rentable Room</u>	<u>6.33</u>
<u>Restaurant</u>	<u>Seat</u>	<u>26.80</u>
<u>Irrigated Lawn</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Swimming Pool</u>	<u>100 sq. ft. of pool surface</u>	<u>21.20</u>
<u>Resort Facilities</u>		
<u>Hotel/Motel Rooms</u>	<u>Rentable Room</u>	<u>6.33</u>
<u>Restaurant/Banquet Rooms</u>	<u>Seat</u>	<u>26.80</u>
<u>Spa/Gym (with showers)</u>	<u>1,000 sq. ft.</u>	<u>1.46</u>
<u>Spa/Gym (without showers)</u>	<u>1,000 sq. ft.</u>	<u>2.16</u>
<u>Laundry</u>	<u>Rentable Unit</u>	<u>10.30</u>
<u>Convention Facilities/Meeting Rooms</u>	<u>1,000 sq. ft.</u>	<u>21.20</u>
<u>Live-In Staff</u>	<u>Person</u>	<u>12.20</u>
<u>Irrigated Lawn</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Irrigated Landscaping</u>	<u>1,000 sq. ft.</u>	<u>14.30</u>
<u>Irrigated Drought-Tolerant Plantings</u>	<u>1,000 sq. ft.</u>	<u>28.50</u>
<u>Swimming Pool</u>	<u>100 sq. ft. of pool surface</u>	<u>21.20</u>
<u>Residential Day Care Facilities for Children</u>		
<u>Residents</u>	<u>Bed</u>	<u>2.22</u>
<u>Day Users</u>	<u>Person</u>	<u>14.60</u>
<u>Residential Full-Time Care Facilities for Children</u>		
<u>Residents</u>	<u>Bed</u>	<u>2.33</u>
<u>Foster Family Homes</u>		
<u>Residents</u>	<u>Bed</u>	<u>2.33</u>
<u>Residential Day Care Facilities for Adults</u>		
<u>Residents</u>	<u>Bed</u>	<u>2.22</u>
<u>Day Users</u>	<u>Person</u>	<u>14.60</u>

EXHIBIT NO. 3

SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL 2-97
Resolutions and Ordinances of
Resubmittal (21 of 70)

<u>Type of Land Use and Water Using Features</u>	<u>Measuring Unit</u>	<u>Number of Measuring Units Per Density Credit Based On Peak Daily Water Use With Conservation Fixtures</u>
<u>Residential Full-Time Care Facilities for Adults Residents</u>	<u>Bed</u>	<u>2.33</u>
<u>Residential Day Care Facilities for the Elderly Residents</u>	<u>Bed</u>	<u>2.22</u>
<u>Day Users</u>	<u>Person</u>	<u>14.60</u>
<u>Shared Housing Facilities for the Elderly Residents</u>	<u>Bed</u>	<u>2.33</u>
<u>Restaurants</u>		
<u>Eating Area</u>	<u>Seat</u>	<u>28.60</u>
<u>Bar or Cocktail Lounge (additional)</u>	<u>Patron</u>	<u>315.00</u>
<u>Food Establishments Specializing in Carry-Out or Delivery Service</u>		
<u>Building Area</u>	<u>1,000 sq. ft.</u>	<u>1.62</u>
<u>Bars</u>	<u>Seat</u>	<u>25.80</u>
<u>Motor Vehicle Sales</u>		
<u>Service Area</u>	<u>Fuel Pump</u>	<u>1.78</u>
<u>Car Wash (tunnel type)</u>	<u>1,000 sq. ft.</u>	<u>0.048</u>
<u>Motor Vehicle Service Stations</u>		
<u>Service Area</u>	<u>Fuel Pump</u>	<u>1.78</u>
<u>Car Wash (tunnel type)</u>	<u>1,000 sq. ft.</u>	<u>0.048</u>
<u>Religious Facilities</u>		
<u>Meeting Facilities</u>	<u>1,000 sq. ft.</u>	<u>1.24</u>
<u>Rectory</u>	<u>Unit</u>	<u>1.00</u>
<u>Club and Organization Meeting Facilities</u>		
<u>Building Area</u>	<u>1,000 sq. ft.</u>	<u>8.77</u>
<u>Interpretive Centers</u>	<u>Visitors</u>	<u>63.00</u>
<u>Botanical and Zoological Gardens</u>		
<u>Domestic Use</u>	<u>Visitors</u>	<u>63.00</u>
<u>Animal Use</u>	<u>1,000 sq. ft.</u>	<u>4.32</u>
<u>Irrigated Lawns</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Irrigated Landscaping</u>	<u>1,000 sq. ft.</u>	<u>14.30</u>
<u>Irrigated Drought-Tolerant Plantings</u>	<u>1,000 sq. ft.</u>	<u>28.50</u>
<u>Institutional Day Care Facilities for Children</u>		
<u>Building Area</u>	<u>1,000 sq. ft.</u>	<u>1.13</u>
<u>Institutional Day Care Facilities for Adults</u>		
<u>Building Area</u>	<u>1,000 sq. ft.</u>	<u>1.13</u>
<u>Institutional Day Care Facilities for the Elderly</u>		
<u>Building Area</u>	<u>1,000 sq. ft.</u>	<u>1.13</u>
<u>Skilled Nursing Facilities</u>		
<u>Residents</u>	<u>Bed</u>	<u>2.33</u>

<u>Type of Land Use and Water Using Features</u>	<u>Measuring Unit</u>	<u>Number of Measuring Units Per Density Credit Based On Peak Daily Water Use With Conservation Fixtures</u>
<u>Intermediate Care Facilities</u> <u>Residents</u>	<u>Bed</u>	<u>2.33</u>
<u>Honor Camps</u> <u>Dust Control</u> <u>Cafeteria, Dining Room</u> <u>Drinking Water, Sinks, Central Flush</u> <u>Toilets, Showers</u>	<u>100 sq. ft.</u> <u>Persons Served</u> <u>Users</u>	<u>21.30</u> <u>210.00</u> <u>12.90</u>
<u>Wineries</u> <u>Winery</u> <u>Tasting Room</u>	<u>1,000 sq. ft.</u> <u>Visitors</u>	<u>1.98</u> <u>46.30</u>
<u>Outdoor Sports Facilities</u> <u>Drinking Water Only</u> <u>Drinking Water and Flush Toilets</u> <u>Drinking Water, Flush Toilets and Showers</u> <u>Irrigated Lawn</u> <u>Irrigated Landscaping</u> <u>Irrigated Drought-Tolerant Plantings</u> <u>Swimming Pools</u>	<u>Users</u> <u>Users</u> <u>Users</u> <u>1,000 sq. ft.</u> <u>1,000 sq. ft.</u> <u>1,000 sq. ft.</u> <u>100 sq. ft. of pool surface</u>	<u>126.00</u> <u>49.20</u> <u>35.00</u> <u>7.13</u> <u>14.30</u> <u>28.50</u> <u>21.20</u>
<u>Golf Courses and Clubs</u> <u>Clubhouse, Caddyshack, etc.</u> <u>Lawn Irrigation</u> <u>Swimming Pool</u>	<u>Golfers</u> <u>1,000 sq. ft.</u> <u>100 sq. ft. of pool surface</u>	<u>38.60</u> <u>7.13</u> <u>21.20</u>
<u>Hunting and Fishing Club Facilities</u> <u>Clubhouse</u>	<u>Users</u>	<u>203.00</u>
<u>Commercial Stables and Riding Academies</u>	<u>Horses Boarded</u>	<u>26.80</u>
<u>Parks</u> <u>Drinking Water Only</u> <u>Drinking Water and Flush Toilets</u> <u>Drinking Water, Flush Toilets and Showers</u>	<u>Users</u> <u>Users</u> <u>Users</u>	<u>126.00</u> <u>49.20</u> <u>35.00</u>
<u>Recreation Areas</u> <u>Drinking Water Only</u> <u>Drinking Water and Flush Toilets</u> <u>Drinking Water, Flush Toilets and Showers</u>	<u>Users</u> <u>Users</u> <u>Users</u>	<u>126.00</u> <u>49.20</u> <u>35.00</u>

<u>Type of Land Use and Water Using Features</u>	<u>Measuring Unit</u>	<u>Number of Measuring Units Per Density Credit Based On Peak Daily Water Use With Conservation Fixtures</u>
<u>Camps</u>		
<u>Camp, Dust Control</u>	<u>100 sq. ft.</u>	<u>42.60</u>
<u>Camp, Cafeteria, Dining Room</u>	<u>Camper</u>	<u>420.00</u>
<u>Camp, Drinking Water Only</u>	<u>Camper</u>	<u>126.00</u>
<u>Camp, Drinking Water and Sinks</u>	<u>Camper</u>	<u>51.20</u>
<u>Camp, Drinking Water, Sinks, Central Flush Toilets</u>	<u>Camper</u>	<u>25.70</u>
<u>Camp, Drinking Water, Sinks, Central Flush Toilets and Showers</u>	<u>Camper</u>	<u>25.70</u>
<u>Camp, Drinking Water, Sinks, Private Baths</u>	<u>Camper</u>	<u>17.10</u>
<u>Swimming Pool</u>	<u>100 sq. ft. pool surface</u>	<u>21.20</u>
<u>Irrigated Lawns</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Irrigated Landscaping</u>	<u>1,000 sq. ft.</u>	<u>14.30</u>
<u>Irrigated Drought-Tolerant Plants</u>	<u>1,000 sq. ft.</u>	<u>28.50</u>
<u>Campgrounds</u>		
<u>Camp, Dust Control</u>	<u>100 sq. ft.</u>	<u>42.60</u>
<u>Camp, Cafeteria, Dining Room</u>	<u>Camper</u>	<u>420.00</u>
<u>Camp, Drinking Water Only</u>	<u>Camper</u>	<u>126.00</u>
<u>Camp, Drinking Water and Sinks</u>	<u>Camper</u>	<u>51.20</u>
<u>Camp, Drinking Water, Sinks, Central Flush Toilets</u>	<u>Camper</u>	<u>25.70</u>
<u>Camp, Drinking Water, Sinks, Central Flush Toilets and Showers</u>	<u>Camper</u>	<u>25.70</u>
<u>Camp, Drinking Water, Sinks, Private Baths</u>	<u>Camper</u>	<u>25.70</u>
<u>R.V. Park, Dust Control</u>	<u>100 sq. ft.</u>	<u>42.60</u>
<u>R.V. Park, No Water or Sewer Hookups</u>	<u>Space</u>	<u>10.00</u>
<u>R.V. Park, with Water or Sewer Hookups</u>	<u>Space</u>	<u>7.29</u>
<u>Swimming Pool</u>	<u>100 sq. ft. pool surface</u>	<u>21.20</u>
<u>Irrigated Lawns</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Irrigated Landscaping</u>	<u>1,000 sq. ft.</u>	<u>14.30</u>
<u>Irrigated Drought-Tolerant Plants</u>	<u>1,000 sq. ft.</u>	<u>28.50</u>
<u>Off-Road Vehicle Recreation Facilities</u>		
<u>Drinking Water Only</u>	<u>Users</u>	<u>126.00</u>
<u>Drinking Water and Flush Toilets</u>	<u>Users</u>	<u>49.20</u>
<u>Boat Launching and Docking Facilities</u>		
<u>Drinking Water Only</u>	<u>Users</u>	<u>126.00</u>
<u>Drinking Water and Flush Toilets</u>	<u>Users</u>	<u>49.20</u>
<u>Boat Washing</u>	<u>Users</u>	<u>6.30</u>
<u>Marine Related Clubs, Schools and Administrative Offices</u>		
<u>Boat Charter Offices, Tour Operator Offices</u>	<u>1,000 sq. ft.</u>	<u>3.52</u>
<u>Boat Clubs</u>	<u>User</u>	<u>203.00</u>
<u>Sailing and Marine Skill Schools</u>	<u>1,000 sq. ft.</u>	<u>1.92</u>
<u>Small Craft Marina Administrative Offices</u>	<u>1,000 sq. ft.</u>	<u>3.37</u>

EXHIBIT NO. 3

SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL 2-97
Resolutions and Ordinances of
Resubmittal (24 of 70)

<u>Type of Land Use and Water Using Features</u>	<u>Measuring Unit</u>	<u>Number of Measuring Units Per Density Credit Based On Peak Daily Water Use With Conservation Fixtures</u>
<u>Permanent Showgrounds and Exhibition Facilities</u>		
<u>Irrigated Lawn</u>	<u>1,000 sq. ft.</u>	<u>7.13</u>
<u>Irrigated Landscaping</u>	<u>1,000 sq. ft.</u>	<u>14.30</u>
<u>Irrigated Drought-Tolerant Plantings</u>	<u>1,000 sq. ft.</u>	<u>28.50</u>
<u>Drinking Water Only</u>	<u>Users</u>	<u>126.00</u>
<u>Drinking Water and Flush Toilets</u>	<u>Users</u>	<u>49.20</u>
<u>Temporary Showgrounds and Exhibition Facilities</u>		
<u>Drinking Water Only</u>	<u>Attendees</u>	<u>630.00</u>
<u>Commercial Dog Kennels</u>	<u>1,000 sq. ft.</u>	<u>2.16</u>
<u>Medical Treatment Facilities for Small Animals</u>	<u>1,000 sq. ft.</u>	<u>2.37</u>
<u>Medical Treatment Facilities for Large Animals</u>	<u>1,000 sq. ft.</u>	<u>2.37</u>
<u>Animal Shelters</u>	<u>1,000 sq. ft.</u>	<u>2.16</u>
<u>Animal Experimental Research Institutes</u>	<u>1,000 sq. ft.</u>	<u>2.37</u>

GB:cdn/fc - GDBH1328.6FS
(9/10/97)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

EXHIBIT B

3.24 Second Dwelling Units in R-1 Zoning Districts

Permit second dwelling units on building sites containing a one-family residence in R-1 zoning districts subject to the following restrictions:

- a. Limit the total number of approved second units to 466 in the Coastal Zone.
- b. Limit the size of the units to 700 sq. ft. or 35% of the floor area of the existing principal residence, whichever is greater.
- c. Comply with all applicable policies and procedures as required by the LCP.
- d. Second dwelling units shall not be permitted on non-conforming parcels less than 5,000 sq. ft.

GB:fc - GDBH1320.6FS
(9/10/97)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

EXHIBIT C

***5.11 Maximum Density of Development Per Parcel**

d. A density credit bonus may only be allowed for the merger of contiguous parcels provided that (1) the density bonus is granted as part of a Coastal Development Permit, (2) a deed restriction is required as a condition of approval of that Coastal Development Permit, (3) the deed restriction requires that any subsequent land division of the merged property shall be consistent with all other applicable LCP policies, including Agriculture Component policies, and shall result in at least one agricultural parcel whose area is greater than the largest parcel before consolidation, and (4) the Coastal Development Permit is not in effect until the deed restriction is recorded by the owner of the land. The maximum bonus shall be calculated by:

- (1) Determining the total number of density credits on all parcels included in a master development plan; and
- (2) Multiplying that total by 25% if the merger is entirely of parcels of 40 acres or less, or by 10% if some or all of the parcels combined are larger than 40 acres.

The merged parcel shall be entitled to the number of density credits on the separate parcels prior to merger plus the bonus calculated under this subsection. The total

number of density credits may be used on the merged parcel. Once a parcel or portion of a parcel has been part of a merger for which bonus density credit has been given under this subsection, no bonus credit may be allowed for any subsequent merger involving that parcel or portion of a parcel.

***5.22 Protection of Agricultural Water Supplies**

Before approving any division or conversion of prime agricultural land or other land suitable for agriculture, require that:

- a. ~~All non-agricultural uses permitted on a parcel demonstrate the existing availability of a potable and adequate on-site well water source.~~

The existing availability of an adequate and potable well water source be demonstrated for all non-agricultural uses according to the following criteria: (1) each existing parcel developed with non-agricultural uses, or parcel legalized in accordance with LCP Policy 1.29, shall demonstrate a safe and adequate well water source located on that parcel, and (2) each new parcel created by a land division shall demonstrate a safe and adequate well water source located either (a) on that parcel, or (b) on the larger property that was subdivided to create the new parcel, providing that a single well source may not serve more than four (4) new parcels.

- b. Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.
- c. All new non-agricultural parcels are severed from land bordering a stream and their deeds prohibit the transfer of riparian rights.

XXXX - Original amendment wording
XXXX - Deleted wording
XXXX - Added wording

EXHIBIT D

8.5 Location of Development

- a. Require, ~~to the extent practicable,~~ that new development be located on a portion of a parcel where the development (1) is least visible from State and County Scenic Roads, (2) is least likely to significantly impact views from public viewpoints, and (2) (3) consistent with ~~that~~ all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel.

Public viewpoints include, but are not limited to coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

This provision does not apply to enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150 percent of the pre-existing floor area, or 2,000 sq. ft., whichever is greater.

This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation on the parcel. In such cases, agricultural development shall use appropriate building materials, colors, landscaping and screening to eliminate or minimize the visual impact of the development.

- b. Require, including by clustering if necessary, that new parcels have building sites that are not visible from State and County Scenic Roads. If ~~(1)~~ the entire property being subdivided is visible from State and County Scenic Roads, ~~or (2) compliance with this provision is not permissible under the General Plan and Local Coastal Program,~~ then require that new parcels have building sites that minimize visibility from those roads and other public viewpoints.
- c. ~~The provisions of this policy do not apply to the extent that the application of this policy would direct development to a location prohibited by the application of other General Plan or Local Coastal Program policies.~~

***8.7 Development on Skylines and Ridgelines**

- a. Prohibit the location of development, in whole or in part, on a skyline or ridgeline, or where it will project above a skyline or ridgeline, unless there is no other developable building site on the parcel.

Consistent with Policy 9.18, a site of greater than 30% slope may be deemed developable if it is the only other building site on the parcel and can be developed consistent with all other applicable LCP policies.

Prohibit the location of development, in whole or in part, on a skyline, or where it will project above a skyline, when a developable building site exists on a ridgeline.

A skyline is the line where sky and land masses meet, and rRidgelines are the tops of hills or hillocks normally viewed against a background of other hills, as defined by (General Plan Policy 4.7). ~~This provision does not apply to the extent that the application of this provision would direct development to a location restricted by the application of other General Plan or Local Coastal Program policies.~~

- b. Where no other developable building site exists on a parcel, to limit development on a skyline or ridgeline to 18 feet in height from the natural or finished grade, whichever is lower.
- c. Prohibit the creation of new parcels which have no developable building site other than on a skyline or ridgeline, ~~except to the extent that the application of this provision would direct development to a location restricted by the application of other General Plan or Local Coastal Program policies.~~

8.13 Special Design Guidelines for Coastal Communities

The following special design guidelines supplement the design criteria in the Community Design Manual:

a. Montara-Moss Beach-El Granada

- (1) Design structures which fit the topography of the site and do not require extensive cutting, grading, or filling for construction.
- (2) Employ the use of natural materials and colors which blend with the vegetative cover of the site.
- (3) Use pitched, rather than flat, roofs which are surfaced with non-reflective materials except for the employment of solar energy devices.
- (4) Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban scape.

8.14 Coastal Views

- a. (5) To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 to and other public viewpoints between Highway 1 and the sea, Public viewpoints including coastal roads, roadside rests and vista points, publicly-owned recreation areas, trails, coastal accessways, and beaches lying between Highway 1 and the sea. This provision shall not apply in areas west of Denniston Creek zoned either Coastsides Commercial Recreation or Waterfront.
- b. (6) In areas east of Denniston Creek zoned Coastsides Commercial Recreation, the height of development may not exceed 28 feet from the natural or finished grade, whichever is lower.

b. Princeton-by-the-Sea

(1) Commercial Development

Design buildings which reflect the nautical character of the harbor setting, are of wood or shingle siding, employ natural or sea colors, and use pitched roofs.

(2) Industrial Development

Employ architectural detailing, subdued colors, textured building materials, and landscaping to add visual interest and soften the harsh lines of standard or stock building forms normally used in industrial districts.

c. San Gregorio

Encourage new buildings to incorporate traditional design features found in the San Gregorio House and other houses in the community, i.e., clean and simple lines, steep roof slopes, placement of windows and doors at regular intervals, doors and windows of equal proportions, and wood construction. Require remodeling of existing buildings to retain and respect their traditional architectural features, if any.

d. Pescadero

Encourage new buildings to incorporate architectural design features found in the historic buildings of the community (see inventory listing), i.e., clean and simple lines, precise detailing, steep roof slopes, symmetrical relationship of windows and doors, wood construction, white paint, etc. Require remodeling of existing buildings to retain and respect their traditional architectural features, if any.

*8.15 Coastal Views

Prevent development (including buildings, structures, fences, un-natural obstructions, signs, and landscaping) from substantially blocking views to or along the shoreline from coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

*8.17 Alteration of Landforms: Roads and Grading

- a. Require that development be located and designed to conform with, rather than change landforms. Minimize the alteration of landforms as a consequence of grading, cutting, excavating, filling or other development.

- b. To the degree possible, ensure restoration of preexisting topographic contours after any alteration by development, except to the extent necessary to comply with the requirements of Policy 8.18.
- c. Control development to avoid the need to construct access roads visible from State and County Scenic Roads. Existing private roads shall be shared wherever possible. New access roads may be permitted only where it is demonstrated that use of existing roads is physically or legally impossible or unsafe. New roads shall be (1) located and designed to minimize visibility from State and County Scenic Roads and (2) built to fit the natural topography and to minimize alteration of existing landforms and natural characteristics.

This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation, or convert agricultural soils. In such cases, build new access roads to minimize alteration of existing landforms and natural characteristics.

8.18 Development Design

- a. Require that development (1) blend with and be subordinate to the environment and the character of the area where located, and (2) be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area, including but not limited to siting, design, layout, size, height, shape, materials, colors, access and landscaping.

The colors of exterior materials shall harmonize with the predominant earth and vegetative colors of the site. Materials and colors shall absorb light and minimize reflection. Exterior lighting shall be limited to the minimum necessary for safety. All lighting, exterior and interior, must be placed, designed and shielded so as to confine direct rays to the parcel where the lighting is located.

Except for the requirement to minimize reflection, agricultural development shall be exempt from this provision. Greenhouse development shall be designed to minimize visual obtrusiveness and avoid detracting from the natural characteristics of the site.

- b. Require screening to minimize the visibility of development from scenic roads and other public viewpoints. Screening shall be by vegetation or other materials which are native to the area or blend with the natural environment and character of the site.
- c. Require that all non-agricultural development minimize noise, light, dust, odors and other interference with persons and property off the development site.

GB:fc - GDBH1320.6FS

(9/10/97)

XXXX - Original amendment wording
XXXX - Deleted wording
<u>XXXX</u> - Added wording

EXHIBIT E

9.18 Regulation of Development on 30% or Steeper Slopes

- a. Prohibit development on slopes of 30% or more, unless (1) no alternative exists or (2) the only practicable alternative site is on a skyline or ridgeline. Parcels ~~may~~ shall not be created where the only building site, in whole or in part, including roads and driveways, is on a slope of 30% or more. An engineering geologic report shall be required for any development on a slope of 30% or more. ~~This provision does not apply to the extent that it is inconsistent with policies of the General Plan or Local Coastal Program which restrict the location of development.~~

Development less than 10 feet in height that does not constitute a building, road or driveway, or require grading shall be exempt from the application of this provision.

- b. Employ the siting and grading criteria of the Design Review Zoning Ordinance and the Community Design Manual for Development on Slopes 30% or Greater.

GB:fc - GDBH1320.6FS

(9/10/97)

EXHIBIT NO. 3
SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL 2-97
Resolutions and Ordinances of
Resubmittal (36 of 70)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

EXHIBIT F

11.1 Definition of Visitor Serving Facilities

Define visitor serving facilities as public and private developments that are exclusively available to the general public and provide necessary, basic visitor support services such as lodging, food, water, restroom and automobile services. Visitor serving facilities include, but are not limited to, hotels, motels, hostels, campgrounds, group camps, grocery stores, food concessionaires, auto serving stations, public drinking water, restrooms, public parking for coastal recreation or access, restaurants, and country inns no more than two stories in height.

11.2 Definition of Commercial Recreation Facilities

Define commercial recreation facilities as developments serving primarily a recreation function which are operated by private business for profit and are exclusively available to the general public. Commercial recreation facilities include, but are not limited to, private beaches, stables, golf courses, specialty stores and sporting equipment sales and rentals.

11.15 Private Recreation and Visitor-Serving Facilities

- a. Require that private recreation and visitor-serving facilities conform to: (1) the development and locational standards included throughout this component and as

referred in other components, and (2) the design standards of the Visual Resources Component.

- b. Require that private recreation and visitor-serving facilities conform to the intensities of use appropriate to the rural or urban setting and to the requirements of the individual site. In rural areas, visitor-serving uses shall require density credits based on daily water use in accordance with the requirements set forth in Local Coastal Program Policy 1.8.
- c. Any Coastal Development Permit for a visitor-serving or commercial recreation use shall include a condition of approval that requires the owner of the land to execute and record a deed restriction over the entire parcel or parcels. The deed restriction shall be recorded before a building or other construction permit is issued, and shall specify that:
 - (1) The development is a visitor-serving use exclusively available to the general public and that visitor length of stays are limited to no more than 29 consecutive days, and no more than 90 days per year. The deed restriction shall be recorded with the County Recorder to run with the land free and clear of all prior liens and encumbrances.
 - (2) Conversion of any portion of the visitor-serving or commercial recreation facilities to a non-public, private, or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of such facilities by an individual or limited group or segment of the public, except as permitted under subparagraph (1) above, shall require an amendment to the applicable permit, and shall require a reduction in project density to the amount prescribed by LCP Policy *1.8 for uses which are not visitor serving.

GB:fc/cdn - GDBH1320.6FS

(11/25/97)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

ORDINANCE NO. 03798

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX), DIVISION VI, PART ONE, CHAPTER 21A TO REVISE SECTION 6351, SUBSECTION J TO CLARIFY THE DEFINITION OF "DENSITY CREDITS"; SECTION 6355, SUBSECTION B, TO LIMIT THE NUMBER OF NEWLY SUBDIVIDED PARCELS THAT MAY SHARE A WELL; SECTION 6356 TO ESTABLISH NEW LIMITS ON THE LEVEL OF NON-AGRICULTURAL DEVELOPMENT; AND SECTION 6357, SUBSECTION A TO ADD AN AGRICULTURALLY PROTECTIVE REQUIREMENT BEFORE GRANTING THE DENSITY BONUS FOR COMBINING CONTIGUOUS PARCELS IN THE PLANNED AGRICULTURAL DISTRICT

* * * * *

The Board of Supervisors of the County of San Mateo, State of California, ORDAIN as follows:

Section 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 21A, Section 6351, Subsection J be amended to read as follows:

J. Density Credits

The maximum number of land divisions permitted for a parcel computed in accordance with Section 6356. Credits may be combined for uses on a single parcel if the number of land divisions permitted is reduced accordingly;

however, only one credit shall be assigned to an agricultural parcel. Only one dwelling unit or non-agricultural use shall be permitted per parcel.

Section 2. San Mateo County Ordinance Code, Division VI, Part One, Chapter 21A, Section 6355, Subsection B be amended to read as follows:

B. Water Supply Criteria

1. The existing availability of an adequate and potable well water source shall be demonstrated for all non-agricultural uses according to the following criteria: (a) each existing parcel developed with non-agricultural uses, or parcel legalized in accordance with Local Coastal Program Policy 1.29, shall demonstrate a safe and adequate well water source located on that parcel, and (b) each new parcel created by a land division shall demonstrate a safe and adequate well water source located either (1) on that parcel, or (2) on the larger property that was subdivided to create the new parcel, provided that a single well water source may not serve more than four (4) new parcels.
2. Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.
3. All new non-agricultural parcels are severed from land bordering a stream and their needs prohibit the transfer of riparian rights.

Section 3. San Mateo County Ordinance Code, Division VI, Part One, Chapter 21A, Section 6356 be amended to read as follows:

SECTION 6356. MAXIMUM DENSITY OF DEVELOPMENT. In the Planned Agricultural District, for purposes of determining the maximum total number of density credits accumulated on any parcel, the following system shall be used:

The total parcel shall be compared against the criteria of this section in the order listed. Once considered under a criterion, a segment of the parcel shall not be considered under subsequent criteria. When the applicable criteria have been determined for each of the areas, any portion of the parcel which has not yet been assigned a maximum density accumulation shall be assigned a density of one density credit per 40 acres.

The sum of densities accrued under all applicable categories shall constitute the maximum density of development permissible under this section. If the fractional portion of the number of density credits allowed is equal to or greater than .5, the total number of density credits allowed shall be rounded up to the next whole density credit. If the fraction is less than .5, the fractional unit shall be deleted. All legal parcels shall accumulate at least one density credit.

Expanded or additional non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements of this Section for both (a) existing uses, and (b) any expanded or additional uses, and only where such development meets all other applicable policies of the Local Coastal Program.

Amount of Development Allowed for Non-agricultural Uses, Except Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For new or expanded non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for each 315 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from

the non-agricultural use, including landscaping, swimming pools and all other appurtenant uses.

Residential Uses

For new or expanded residential uses, a single-family dwelling unit shall be deemed to use 315 gallons of water per day during the two months of highest water use in a year (including landscaping, swimming pools and all other appurtenant uses).

Non-Agricultural Uses ~~Listed in the Kleinfelder Report. Except Visitor-Serving~~ Uses

For those non-agricultural uses, except visitor-serving uses, ~~listed in Table 7 of the Kleinfelder, Rural Area Water Use Study: Final Report,~~ the amount of development allowed for each density credit in accordance with the requirements of this policy shall be the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

Amount of Development Allowed for Visitor-Serving, Commercial Recreation, and Public Recreation Uses ~~Listed in the Kleinfelder Report~~

For new or expanded visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for the first 945 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. One additional density credit shall be required for each 630 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year.

This requirement applies to water use by or resulting from the visitor-serving use, including landscaping, swimming pools and all other appurtenant uses. The 945-gallon water use allowance for one density credit may be applied one time only on a parcel.

For ~~those~~ visitor-serving, commercial recreation, and public recreation uses listed in Table 7 1.5 of the ~~Kleinfelder, Rural Area Water Use Study: Final Report~~, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be:

First Density Credit

For one density credit or the first density credit when multiple density credits are available, either 1 1/2 times the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures," or the amount stated in that column and a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator.

Additional Density Credits

For each additional density credit, the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

For the purpose of this provision, "visitor-serving, commercial recreation, and public recreation uses" shall be only those lands and facilities listed in LCP Policies 11.1, 11.2 and 11.3, and only if those lands and facilities specifically enhance public opportunities for coastal recreation.

As an interim limit, no more than 600 visitor-serving lodging units may be approved in the rural Coastal Zone, as specified by LCP Policy 1.23.

The provisions of this section will not apply to agriculture, farm labor housing, a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator, or affordable housing to the extent authorized in Policy 3.23 of the Local Coastal Program on March 25, 1986, or other structures considered to be accessory to agriculture under the same ownership.

A. Prime Agricultural Lands

One density credit per 160 acres for that portion of a parcel which is prime agricultural land as defined in Section 6351 (i.e., the number of acres of Prime Agricultural Land divided by 160).

B. Lands With Landslide Susceptibility

One density credit per 160 acres for that portion of a parcel which lies within any of the three least stable categories (Categories V, VI and L) as shown on the U.S. Geological Survey Map MF 360, "Landslide Susceptibility in San Mateo County" or its current replacement (i.e., the number of acres of land susceptible to landslides divided by 160).

C. Land With Slope 50% or Greater

One density credit per 160 acres for that portion of a parcel which has a slope 50% or greater (i.e., the number of acres of land with a slope 50% or greater divided by 160).

D. Remote Lands

One density credit per 160 acres for that portion of a parcel over 1/2 mile from a public road that was an existing, all-weather through public road before the County Local Coastal Program was initially certified in November 1980 (i.e., the number of acres of remote land divided by 160).

E. Land With Slope 30% But Less Than 50%

One density credit per 80 acres for that portion of a parcel which has a slope 30% but less than 50% (i.e., the number of acres of land with a slope 30%, but less than 50% divided by 80).

F. Land Within Rift Zones or Active Faults

One density credit per 80 acres for that portion of a parcel which is located within the rift zone or zone of fractured rock of an active fault as defined by the U.S. Geological Survey and mapped on USGS Map MF 355, "Active faults, probably active faults, and associated fracture zones in San Mateo County," or its current replacement (i.e., the number of acres of land within rift zones or active faults divided by 80).

G. Lands Within Flood Hazard Areas

One density credit per 60 acres for that portion of a parcel falling within a 100-year floodplain as most recently defined by the Federal Emergency Management Agency, the U.S. Geological Survey, or the U.S. Army Corps of Engineers (i.e., the number of acres of land within the 100-year floodplain divided by 60).

H. Land With Slope 15% But Less Than 30%

One density credit per 60 acres for that portion of a parcel with a slope in excess of 15% but less than 30% (i.e., the number of acres of land with a slope 15%, but less than 30% divided by 60).

I. Land Within Agricultural Preserves or Exclusive Agricultural Districts

One density credit per 60 acres for that portion of a parcel within agricultural preserves or the exclusive Agricultural Districts as defined in the Resource Conservation Area Density Matrix policy on March 25, 1986 (i.e., the number of acres of land within Agricultural Preserves or Exclusive Agricultural Districts divided by 60).

J. All Other Lands

One density credit per 40 acres for that portion or portions of a parcel not within the above areas (i.e., the number of acres of all other land divided by 40).

If the same portion of a parcel is covered by two or more of the subsections A. and J., the density credit for that portion shall be calculated solely on the basis of the subsection which permits the least density credit.

Section 4. San Mateo County Ordinance Code, Division VI, Part One, Chapter 21A, Section 6357, Subsection A be amended to read as follows:

A. Consolidating Parcels

In addition to the maximum density of development permitted, bonus densities may be granted when contiguous parcels are combined to form a larger

parcel, provided that the density bonus is granted in accordance with LCP Policy 5.11, including deed restriction requirements that any subsequent land division of the merged property shall result in at least one agricultural parcel whose area is greater than the largest parcel before consolidation. The bonuses for a proposed combination shall be calculated by:

1. determining the total number of density credits on all parcels included in a master development plan, and
2. multiplying that total by 25% if the merger is entirely of parcels of 40 acres or less, or by 10% if some or all of the parcels combined are larger than 40 acres.

The merged parcel shall be entitled to the number of density credits allowed prior to merger, plus the bonus calculated under this subsection. Once a parcel or portion of a parcel has been granted bonus density credits as a result of a merger under this subsection, no additional bonus credit(s) may be granted for subsequent merger activities involving that parcel or a portion of that parcel.

Section 5. The provisions of this Ordinance shall not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or

2. With respect to Section 6355, Subsection B of the San Mateo County Zoning Regulations, a tentative subdivision map or tentative parcel map application has been submitted to the County and determined to be complete, or
3. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or
4. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

Section 6. Incorporate into the Appendix established by Resolution _____, (1) the names of all development proposals that, in accordance with this ordinance, are not affected by the zoning regulations as amended by this ordinance, and (2) the regulations which apply to such development proposals, in lieu of the zoning regulations as amended by this ordinance.

Section 7. This ordinance shall be in full force and effect thirty (30) days after the Coastal Commission has certified it, without modification, as conforming with the California Coastal Act.

GB:fc - GDBH1334.6FQ

(9/11/97)

EXHIBIT NO. 3
SAN MATEO COUNTY LCP
AMEND. RESUBMITTAL 2-97
Resolutions and Ordinances of
Resubmittal (48 of 70)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

ORDINANCE NO. 03799

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SAN MATEO COUNTY ORDINANCE CODE
(ZONING ANNEX) DIVISION VI, PART ONE, CHAPTER 36
TO REVISE SECTION 6906 TO ESTABLISH NEW LIMITS ON THE
LEVEL OF NON-AGRICULTURAL DEVELOPMENT IN THE
RESOURCE MANAGEMENT COASTAL ZONE (RM/CZ) DISTRICT

* * * * *

The Board of Supervisors of the County of San Mateo, State of California, ORDAIN as follows:

Section 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 36,
Section 6906 be amended to read as follows:

SECTION 6906. MAXIMUM DENSITY OF DEVELOPMENT. In the RM/CZ
District, for purposes of determining the maximum total number of dwelling units
permissible on any parcel, the following system shall be used:

The total parcel shall be compared against the criteria of this section in the order listed.
Once considered under a criterion, a segment of the parcel shall not be considered
under subsequent criteria. When the applicable criteria have been determined for each
of the areas, any portion of the parcel which has not yet been assigned a maximum
density accumulation shall be assigned a density of one density credit per 40 acres.

The sum of densities accrued under all applicable categories shall constitute the maximum density of development permissible under this section. If the fractional portion of the number of dwelling credits allowed is equal to or greater than .5, the total number of dwelling credits allowed shall be rounded up to the next whole density credit. If the fraction is less than .5, the fractional unit shall be deleted. All legal parcels shall accumulate at least one density credit.

Expanded or additional non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements of this Section for both (a) existing uses, and (b) any expanded or additional uses, and only where such development meets all other applicable policies of the Local Coastal Program.

Amount of Development Allowed for Non-Agricultural Uses, Except Visitor-Serving, Commercial Recreation and Public Recreation Uses

For new or expanded non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for each 315 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from the non-agricultural use, including landscaping, swimming pools and all other appurtenant uses.

Residential Uses

For new or expanded residential uses, a single-family dwelling unit shall be deemed to use 315 gallons of water per day during the two months of highest water use in a year (including landscaping, swimming pools and all other appurtenant uses).

Non-Agricultural Uses Listed in the Kleinfelder Report, Except Visitor-Serving Uses

For those non-agricultural uses, except visitor-serving uses, listed in Table 7 of the Kleinfelder, Rural Area Water Use Study: Final Report, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

Amount of Development Allowed for Visitor-Serving, Commercial Recreation, and Public Recreation Uses, Listed in the Kleinfelder Report

For new or expanded visitor-serving, commercial recreation and public recreation uses, one density credit shall be required for the first 945 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. One additional density credit shall be required for each 630 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year.

This requirement applies to water use by or resulting from the visitor-serving use, including landscaping, swimming pools and all other appurtenant uses. The 945-gallon water use allowance for one density credit may be applied one time only on a parcel.

For those visitor-serving, commercial recreation, and public recreation uses listed in Table 7 1.5 of the Kleinfelder, Rural Area Water Use Study: Final Report, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be:

First Density Credit

For one density credit or the first density credit when multiple density credits are available, either 1 1/2 times the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures," or the amount stated in that column and a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator.

Additional Density Credits

For each additional density credit, the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

For the purpose of this provision, "visitor-serving, commercial recreation, and public recreation uses" shall be only those lands and facilities listed in LCP Policies 11.1, 11.2 and 11.3, and only if those lands and facilities specifically enhance public opportunities for coastal recreation.

As an interim limit, no more than 600 visitor-serving lodging units may be approved in the rural Coastal Zone, as specified by LCP Policy 1.23.

The provisions of this section will not apply to farm labor housing, other structures considered to be accessory to agriculture under the same ownership, a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator, or density credits transferred in accordance with the provisions established by the Planned Agricultural District Regulations.

(a) Prime Agricultural Lands

One density credit per 160 acres for that portion of a parcel which is prime agricultural land as defined in Section 6351 (i.e., the number of acres of Prime Agricultural Land divided by 160).

(b) Lands With Landslide Susceptibility

One density credit per 160 acres for that portion of a parcel which lies within any of the three least stable categories (Categories V, VI and L) as shown on the U.S. Geological Survey Map MF 360, "Landslide Susceptibility in San Mateo County" or its current replacement (i.e., the number of acres of land susceptible to landslides divided by 160).

(c) Land With Slope 50% or Greater

One density credit per 160 acres for that portion of a parcel which has a slope 50% or greater (i.e., the number of acres of land with a slope 50% or greater divided by 160).

(d) Remote Lands

One density credit per 160 acres for that portion of a parcel over 1/2 mile from a public road that was an existing, all-weather through public road before the County Local Coastal Program was initially certified in November 1980 (i.e., the number of acres of remote land divided by 160).

(e) Land With Slope 30% but Less Than 50%

One density credit per 80 acres for that portion of a parcel which has a slope 30% but less than 50% (i.e., the number of acres of land with a slope 30%, but less than 50% divided by 80).

(f) Lands Within Rift Zones or Active Faults

One density credit per 80 acres for that portion of a parcel which is located within the rift zone or zone of fractured rock of an active fault as defined by the U.S. Geological Survey and mapped on USGS Map MF 355, "Active faults, probably active faults, and associated fracture zones in San Mateo County," or its current replacement (i.e., the number of acres of land within rift zones or active faults divided by 80).

(g) Lands Within Flood Hazard Areas

One density credit per 60 acres for that portion of a parcel falling within a 100-year floodplain as most recently defined by the Federal Emergency Management Agency, the U.S. Geological Survey, or the U.S. Army Corps of Engineers (i.e., the number of acres of land within the 100-year floodplain divided by 60).

(h) Land With Slope 15% But Less Than 30%

One density credit per 60 acres for that portion of a parcel with a slope in excess of 15% but less than 30% (i.e., the number of acres of land with a slope 15%, but less than 30% divided by 60).

(i) Land Within Agricultural Preserves or Exclusive Agricultural Districts

One density credit per 60 acres for that portion of a parcel within agricultural preserves or the exclusive Agricultural Districts as defined in the Resource Conservation Area Density Matrix policy on March 25, 1986 (i.e., the number of acres of land within Agricultural Preserves or Exclusive Agricultural Districts divided by 60).

(j) All Other Lands

One density credit per 40 acres for that portion or portions of a parcel not within the above areas (i.e., the number of acres of all other land divided by 40).

If the same portion of a parcel is covered by two or more of the subsections (a) and (j), the density credit for that portion shall be calculated solely on the basis of the subsection which permits the least density credit.

Section 2. The provisions of this Ordinance shall not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or

3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

Section 3. Incorporate into the Appendix established by Resolution _____, (1) the names of all development proposals that, in accordance with this ordinance, are not affected by the zoning regulations as amended by this ordinance, and (2) the regulations which apply to such development proposals, in lieu of the zoning regulations as amended by this ordinance.

Section 4. This ordinance shall be in full force and effect thirty (30) days after the Coastal Commission has certified it, without modification, as conforming with the California Coastal Act.

GB:cdn/fc - GDBH1338.6CQ
(9/11/96)

XXXX - Original amendment wording
~~XXXX~~ - Deleted wording
XXXX - Added wording

ORDINANCE NO. 03800

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SAN MATEO COUNTY ORDINANCE CODE
(ZONING ANNEX), DIVISION VI, PART ONE, CHAPTER 37 TO REVISE
SECTION 6979 TO ESTABLISH NEW LIMITS ON THE LEVEL
OF NON-AGRICULTURAL DEVELOPMENT IN THE TIMBER
PRESERVE ZONE/COASTAL ZONE (TPZ/CZ) DISTRICT

* * * * *

The Board of Supervisors of the County of San Mateo, State of California, ORDAIN as follows:

Section 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 7,
Section 6979 be amended to read as follows:

SECTION 6979. MAXIMUM DENSITY OF DEVELOPMENT. In the TPZ/CZ
District, for purposes of determining the maximum total number of density credits
accumulated on any parcel, the following system shall be used.

The total parcel shall be compared against the criteria of this section in the order listed.
Any segment of a parcel to which a criterion first applies shall be allowed a maximum
accumulation of that density. Once considered under a criterion, a segment of the
parcel shall not be considered under subsequent criteria. When the applicable criteria
have been determined for each of the areas, any portion of the parcel which has not yet

been assigned a maximum density accumulation shall be assigned a density of one density credit per 40 acres.

The sum of densities accrued under all applicable categories shall constitute the maximum density of development permissible under this section. If the fractional portion of the number of density credits allowed is equal to or greater than .5, the total number of density credits allowed shall be rounded up to the next whole density credit. If the fraction is less than .5, the fractional unit shall be deleted. All legal parcels shall accumulate at least one density credit.

Expanded or additional non-agricultural uses shall only be permitted on a parcel when there are enough density credits available to that parcel to meet the density credit requirements of this Section for both (a) existing uses, and (b) any expanded or additional uses, and only where such development meets other applicable policies of the Local Coastal Program.

Amount of Development Allowed for Non-Agricultural Uses, Except Visitor-Serving, Commercial Recreation, and Public Recreation Uses

For new or expanded non-agricultural uses, except visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for each 315 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. This requirement applies to water use by or resulting from the non-agricultural use, including landscaping, swimming pools and all other appurtenant uses.

Residential Uses

For new or expanded residential uses, a single-family dwelling unit shall be deemed to use 315 gallons of water per day during the two months of highest

water use in a year (including landscaping, swimming pools and all other appurtenant uses).

Non-Agricultural Uses ~~Listed in the Kleinfelder Report~~, Except Visitor-Serving Uses

For ~~those~~ non-agricultural uses, except visitor-serving uses, ~~listed in Table 7 of the Kleinfelder, Rural Area Water Use Study: Final Report~~, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

Amount of Development Allowed for Visitor-Serving, Commercial Recreation, and Public Recreation Uses ~~Listed in the Kleinfelder Report~~

For new or expanded visitor-serving, commercial recreation, and public recreation uses, one density credit shall be required for the first 945 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year. One additional density credit shall be required for each 630 gallons, or fraction thereof, of average daily water use during the two months of highest water use in a year.

This requirement applies to water use by or resulting from the visitor-serving use, including landscaping, swimming pools and all other appurtenant uses. The 945-gallon water use allowance for one density credit may be applied one time only on a parcel.

For ~~those~~ visitor-serving, commercial recreation, and public recreation uses listed in Table 7 1.5 of the Kleinfelder, Rural Area Water Use Study: ~~Final Report~~, the amount of development allowed for each density credit in accordance with the requirements of this policy shall be:

First Density Credit

For one density credit or the first density credit when multiple density credits are available, either 1 1/2 times the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures," or the amount stated in that column and a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator.

Additional Density Credits

For each additional density credit, the amount stated in Table 7 1.5 in the column headed "Number of Measuring Units Per Density Credit Based on Peak Daily Water Use With Conservation Fixtures."

For the purpose of this provision, "visitor-serving, commercial recreation, and public recreation uses" shall be only those lands and facilities listed in LCP Policies 11.1, 11.2 and 11.3, and only if those lands and facilities specifically enhance public opportunities for coastal recreation.

As an interim limit, no more than 600 visitor-serving lodging units may be approved in the rural Coastal Zone, as specified by LCP Policy 1.23.

The provisions of this section will not apply to farm labor housing, other structures considered to be accessory to agriculture under the same ownership, a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator, or density credits transferred in accordance with the provisions established by the Planned Agricultural District Regulations.

A. Prime Agricultural Lands

One density credit per 160 acres for that portion of a parcel which is prime agricultural land as defined in Section 6351 (i.e., the number of acres of Prime Agricultural Land divided by 160).

B. Lands With Landslide Susceptibility

One density credit per 160 acres for that portion of a parcel which lies within any of the three least stable categories (categories V, VI and L) as shown on the U.S. Geological Survey Map MF 360, "Landslide Susceptibility in San Mateo County" or its current replacement (i.e., the number of acres of land susceptible to landslides divided by 160).

C. Land With Slope 50% or Greater

One density credit per 160 acres for that portion of a parcel which has a slope 50% or greater (i.e., the number of acres of land with a slope 50% or greater divided by 160).

D. Remote Lands

One density credit per 160 acres for that portion of a parcel over 1/2 mile from a public road that was an existing, all-weather through public road before the County Local Coastal Program was initially certified in November 1980 (i.e., the number of acres of remote land divided by 160).

E. Land With Slope 30% But Less Than 50%

One density credit per 80 acres for that portion of a parcel which has a slope 30% but less than 50% (i.e., the number of acres of land with a slope 30%, but less than 50% divided by 80).

F. Lands Within Rift Zones or Active Faults

One density credit per 80 acres for that portion of a parcel which is located within the rift zone or zone of fractured rock of an active fault as defined by the U.S. Geological Survey and mapped on USGS Map MF 355, "Active faults, probably active faults, and associated fracture zones in San Mateo County," or its current replacement (i.e., the number of acres of land within rift zones or active faults divided by 80).

G. Lands Within Flood Hazard Areas

One density credit per 60 acres for that portion of a parcel falling within a 100-year floodplain as most recently defined by the Federal Emergency Management Agency, the U.S. Geological Survey, or the U.S. Army Corps of Engineers (i.e., the number of acres of land within the 100-year floodplain divided by 60).

H. Land With Slope 15% But Less Than 30%

One density credit per 60 acres for that portion of a parcel with a slope in excess of 15% but less than 30% (i.e., the number of acres of land with a slope 15%, but less than 30% divided by 60).

I. Land Within Agricultural Preserve or Exclusive Agricultural Districts

One density credit per 60 acres for that portion of a parcel within agricultural preserves or the exclusive Agricultural Districts as defined in the Resource Conservation Area Density Matrix policy on March 25, 1986 (i.e., the number of acres of land within Agricultural Preserves or Exclusive Agricultural Districts divided by 60).

J. All Other Lands

One density credit per 40 acres for that portion or portions of a parcel not within the above areas (i.e., the number of acres of all other land divided by 40).

If the same portion of a parcel is covered by two or more of the subsections A. and J., the density credit for that portion shall be calculated solely on the basis of the subsection which permits the least density credit.

Section 2. The provisions of this Ordinance shall not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or

3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

Section 3. Incorporate into the Appendix established by Resolution _____, (1) the names of all development proposals that, in accordance with this ordinance, are not affected by the zoning regulations as amended by this ordinance, and (2) the regulations which apply to such development proposals, in lieu of the zoning regulations as amended by this ordinance.

Section 4. This ordinance shall be in full force and effect thirty (30) days after the Coastal Commission has certified it, without modification, as conforming with the California Coastal Act.

GB:fc - GDBH1350.6FQ

(9/11/97)

XXXX - Original amendment wording
XXXX - Deleted wording
XXXX - Added wording

ORDINANCE NO. 03801

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SAN MATEO COUNTY ORDINANCE CODE
(ZONING ANNEX), DIVISION VI, PART ONE, CHAPTER 20B TO REVISE
SECTIONS 6328.7 AND 6328.14 TO ESTABLISH TIMING REQUIREMENTS
FOR DEMONSTRATING WELL WATER AVAILABILITY

* * * * *

The Board of Supervisors of the County of San Mateo, State of California, ORDAIN as follows:

Section 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 20B, Section 6328.7 is hereby amended to read as follows:

SECTION 6328.7. APPLICATION REQUIREMENTS. Application for a Coastal Development Permit shall be made to the Planning and ~~Development~~ Building Division on forms provided by the Planning Director. Where required by this Chapter, application for a Coastal Development Permit shall be made prior to or concurrently with application for any other permit or approvals required for the project by the San Mateo County Ordinance Code. The application for a Coastal Development Permit shall be accompanied by:

- (a) A nominal fee set by resolution of the Board of Supervisors.

(b) A location map showing the lot to be developed in relation to nearby lots, streets, highways and major natural features such as the ocean, beaches, wetlands and major landforms.

(c) A site plan, to scale, showing:

1. Existing and proposed property lines of the lot to be developed, including all easements over or adjacent to the lot.
2. Existing and proposed topography, at a contour interval appropriate to the size of the site to be developed.
3. All existing and proposed structures, roads, utility lines, signs, fences and other improvements.
4. Major natural and man-made landscape features, including location, type and size of any trees or other vegetation to be removed or planted.
5. For projects proposed between the first through public road and the sea, indicate on the site plan existing and/or proposed public access to and along the shoreline.

(d) Building elevations showing:

1. All exterior walls.
2. Type and color of roof and other exterior materials.
3. Location and design of roof equipment, trash enclosures, fences, exterior lights, signs and other exterior structures and equipment.

(e) For all proposed development requiring a domestic well water source, except single-family residences and any permitted use on a parcel of 40 acres or greater, demonstrated proof of the existing availability of an adequate and potable water source for the proposed development, and that use of the water source will not impair surface streamflow, the water supply of other property owners, agricultural production or sensitive habitats.

(e)

(d) Any additional information determined by the Planning Director to be necessary for evaluation of the proposed development.

Section 2. San Mateo County Ordinance Code, Division VI, Part One, Chapter 20B, Section 6328.14 is hereby amended to read as follows:

SECTION 6328.14. CONDITIONS. Approval of a Coastal Development Permit shall be conditioned as necessary to ensure conformance with and implementation of the Local Coastal Program. The approving authority may require modification and resubmittal of project plans, drawings and specifications to ensure conformance with the Local Coastal Program. When modification and resubmittal of plans is required, action shall be deferred for a sufficient period of time to the project.

For all proposed development requiring a domestic well water source and not subject to the provisions of Section 6328.7(e), require as a condition of approval demonstrated proof of the existing availability of an adequate and potable water source for the proposed development, and that use of the water source will not impair surface streamflow, the water supply of other property owners, agricultural production or sensitive habitats.

Section 3. The provisions of this Ordinance shall not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or
2. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or
3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

Section 4. Incorporate into the Appendix established by Resolution _____, (1) the names of all development proposals that, in accordance with this ordinance, are not affected by the zoning regulations as amended by this ordinance, and (2) the regulations which apply to such development proposals, in lieu of the zoning regulations as amended by this ordinance.

Section 5. This ordinance shall be in full force and effect thirty (30) days after the Coastal Commission has certified it, without modification, as conforming with the California Coastal Act.

GB:fc - GDBH1323.6FQ
(9/11/97)

ORDINANCE NO. 03802

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SAN MATEO COUNTY ORDINANCE CODE
(ZONING ANNEX), DIVISION VI, PART ONE, CHAPTER 16.5 TO
REVISE SECTION 6269, SUBSECTION 3 TO REDUCE THE HEIGHT
LIMIT FROM 36 TO 28 FEET IN THE COASTSIDE COMMERCIAL
RECREATION DISTRICT (EAST OF DENNISTON CREEK)

* * * * *

The Board of Supervisors of the County of San Mateo, State of California, ORDAIN as follows:

Section 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 16.5, Section 6269, Subsection 3 is hereby amended to read as follows:

3. Building Height Limit. The maximum building height is thirty-six (36) feet, except when a lower limit is imposed in accordance with this Chapter, and except in areas east of Denniston Creek, where the maximum building height shall be twenty-eight (28) feet from the natural or finished grade, whichever is lower. Height is measured from finished grade to the highest point of the roof.

Section 2. The provisions of this Ordinance shall not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County and determined to be complete, or

2. A building permit application has been submitted to the County and determined to be complete, if no development permit is required by the County Zoning Regulations, or
3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

Section 3. Incorporate into the Appendix established by Resolution _____, (1) the names of all development proposals that, in accordance with this ordinance, are not affected by the zoning regulations as amended by this ordinance, and (2) the regulations which apply to such development proposals, in lieu of the zoning regulations as amended by this ordinance.

Section 4. This ordinance shall be in full force and effect thirty (30) days after the Coastal Commission has certified it, without modification, as conforming with the California Coastal Act.

GB:fc - GDBH1325.6FQ

(9/11/97)