

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

5 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

F 5a



Date Filed: June 19, 1998
60th Day: Extended to 9/9/1999
Staff: J. Liebster-E
Staff Report: January 15, 1999
Hearing Date: February 5, 1999
Commission Action:

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Steven Scholl, Deputy Director
Robert Merrill, North Coast District Manager
Jack Liebster, Coastal Planner

SUBJECT: **Half Moon Bay LCP Amendment No. 1-98A, (Williamson Rezoning)** (For Public Hearing and Commission action at the meeting of February 5, 1999, in Coronado.)

SYNOPSISAmendment Description

This amendment proposes to rezone a 27,430-square-foot portion of a 45,707-square-foot parcel (APN 056-210-020) from R-1-B-2 Residential District to the C-R (Commercial-Residential) District to bring the LCP Implementation Program into consistency with the certified LUP. The LUP designation for the affected portion of the site is Commercial-General.

Summary of Staff Recommendation

The staff recommends that the Commission, upon completion of the public hearing, **certify** the Implementation Plan amendment as submitted. The amendment, which consists of changes to the Zoning Map, would correct a mapping error and make the zoning districts applied to the property consistent with the Land Use Plan designations for the property. The motion and resolution for certification are found on page 2.

Analysis Criteria

To approve the Implementation Plan amendment, the Commission must find that the Implementation Plan (IP), as amended, conforms with and is adequate to carry out the Land Use Plan (LUP) policies and map designations of the County's LCP.

Additional Information

For further information, please contact Jack Liebster at the North Coast District Office (415) 904-5267. Correspondence should be sent to the District Office at the above address.

I. STAFF RECOMMENDATION, MOTION AND RESOLUTION

Staff recommends that after a public hearing, the Commission adopt the following resolution and findings:

MOTION

"I move that the Commission **REJECT** the zoning map amendment in **LCP Amendment No. 1-98A (Major)** to the City of Half Moon Bay's Implementation Plan as submitted by the City."

Staff recommends a **NO** vote, and adoption of the following resolution and findings. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present would result in rejection of the amendment request.

RESOLUTION:

The Commission hereby certifies LCP Amendment No. 1-98A (Major) to the Implementation Plan of the City of Half Moon Bay's LCP for the specific reasons discussed in the following findings on the grounds that the zoning ordinances, zoning district maps, and other implementing materials as amended conform with and are adequate to carry out the provisions of the Land Use Plan as certified. There are no feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment. As submitted, the amendment will not have a significant adverse impact on the environment within the meaning of the California Environmental Quality Act (CEQA).

II. FINDINGS TO APPROVE THE ZONING MAP AMENDMENT AS SUBMITTED

A. Site Description

The subject property, APN 056-210-020, is slightly more than one acre in size and is located near Downtown Half Moon Bay, east of Highway One, at the intersection of Johnston and Monte Vista

Streets (see Exhibit Nos. 3-6). The Land Use Plan designates the western portion of the property as Commercial General and the eastern portion as Medium Density Residential. The entire property is currently zoned R-1-B-2. The eastern half of the property is currently vacant. The western portion of the parcel (the subject of the proposed LCP Amendment) is occupied by a private school (see Exhibit No. 6). The parcel does not contain any environmentally sensitive habitat and intervening development blocks all views of the coast through the site. The surrounding area is characterized by a mix of residential, professional/office use and light commercial, and is planned for general commercial and residential uses.

C. Description of Proposed LCP Amendment

The project involves a rezoning of approximately half of the subject parcel. This portion of the parcel is currently occupied by the school. The LUP designation for the affected portion of the site is Commercial-General (Exhibit No. 4), but its current zoning is a medium density residential zone (R-1-B-2). The rezoning would bring the certified LUP and Implementation Program into consistency, and has been reviewed and approved by the City.

Specifically, the proposed rezoning would amend the City's zoning map in its Implementation Program for the subject parcel to rezone a 27,430-square-foot portion of a 45,707-square-foot parcel from R-1-B-2 residential District to the C-R, Commercial-Residential, District.

D. LCP Amendment Analysis

To approve the amendment, the Commission must find that the amendment to the Zoning Ordinance Map will conform with and adequately carry out the provisions of the LUP as certified.

The LCP Implementation Zoning Map certified by the Coastal Commission in 1996 shows the subject property zoned R-1-B-2. That map was prepared by the City to be consistent with the previously-approved five-lot Monte Vista Estates residential subdivision and the City staff's interpretation of the Land Use map. The City has now determined that the LUP map (Ex. 4) actually shows the Commercial General graphic symbol extending east of the southerly extension of Johnston Street to encompass the western portion of the subject property. The amendment is proposed to bring the zoning into consistency with the LUP.

The LUP's Appendix B, in the paragraph titled "Commercial-General," describes the uses permitted for lands so-designated:

This designation has been used to denote areas suitable for many types of commercial activities, including downtown business uses and arterial commercial uses not restricted to visitor-serving facilities. Permitted uses range from convenience activities which serve day-to-day needs to general office, wholesale, retail and other commercial activities. It is intended to be consistent with existing zoning for general and neighborhood commercial uses.

The City's certified LUP has two commercial land use designations: Commercial-General and Commercial Visitor Serving. The Zoning Map has four implementing Zoning Districts: Commercial, Visitor Serving (C-VS); Commercial, General (C-G); Commercial, Downtown (C-D); and Commercial, Residential (C-R). Zoning Map District C-VS implements the LUP's Commercial Visitor Serving designation. The C-G, C-D, and C-R Zoning Districts implement the LUP's Commercial-General designation.

The Commercial, Visitor Serving (C-VS) zone was designed to accommodate the visitor serving uses given priority under the Coastal Act. The other commercial zones were intended to apply to various sub-sets of the broad range of commercial uses included in the General Commercial land use designation. In particular, the Commercial, Residential (C-R) zone was designed as a transitional commercial zone, with a list of uses more restrictive than the general commercial category.

Ordinance Section 18.07.015.B. (C-R Zoning District Established) states that "the intent of establishing the C-R district is to provide a transition zone between the active commercial districts and single family residential areas. In this transition zone between residential neighborhoods and the more intensive commercial areas, development is limited to residential uses, low intensity professional offices, and semi-public uses." Further, it is stated, "It is intended that commercial and professional uses be limited to those with low noise levels, minimal vehicular traffic from patrons, deliveries or pick ups, and hours of operation that would not adversely impact residents."

Additionally, the existing school use of the site is consistent with the proposed zoning. Section 18.070.020, Table C: Public and Quasi-Public Uses for the C-D and C-R Districts (Page 8 of Chapter 18-07) lists (C-11) School, Public or Private, as a use allowed with the approval of a Use Permit in the C-R District.

While the list of permitted land uses in the Commercial Residential zoning district that is proposed to be applied to the subject areas is more restrictive than that of the General Commercial land use designation, this fact raises no issues with regard to the Coastal Act. Coastal Act priority uses are already provided for in the existing areas designated Commercial Visitor Serving in the LUP and zoned Commercial, Visitor Serving (C-VS) on the Implementation Plan's zoning maps. There are also no coastal resources on this property that would be placed at risk by the proposed re-zoning. This property is located between a medium density residential area and an active commercial district, and is suitable for zoning for the kind of transitional uses provided by the C-R zoning district.

Therefore, the Commission finds that proposed rezone project conforms with and is adequate to carry out the requirements of the certified Land Use Plan.

D. California Environmental Quality Act (CEQA).

Pursuant to SB 1873, which amended the California Environmental Quality Act (CEQA), the Coastal Commission is the lead agency in terms of meeting CEQA requirements for local coastal programs. In approving the proposed amendment, the Commission must make a finding consistent with 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) requires that the Commission not approve or adopt an LCP:

... if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

As discussed in the findings, the proposed LCP amendment as submitted will not result in significant environmental effects within the meaning of CEQA. Thus, the Commission finds, the LCP amendment, as submitted, is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.”.

Exhibits

- Ex.1. Regional Location Map
- Ex.2. LCP Amendment Transmittal and Resolution
- Ex.3 LUP Map Excerpt
- Ex.4 LCP Zoning Map Excerpt
- Ex.5 Parcel Map
- Ex. 6 Site Map

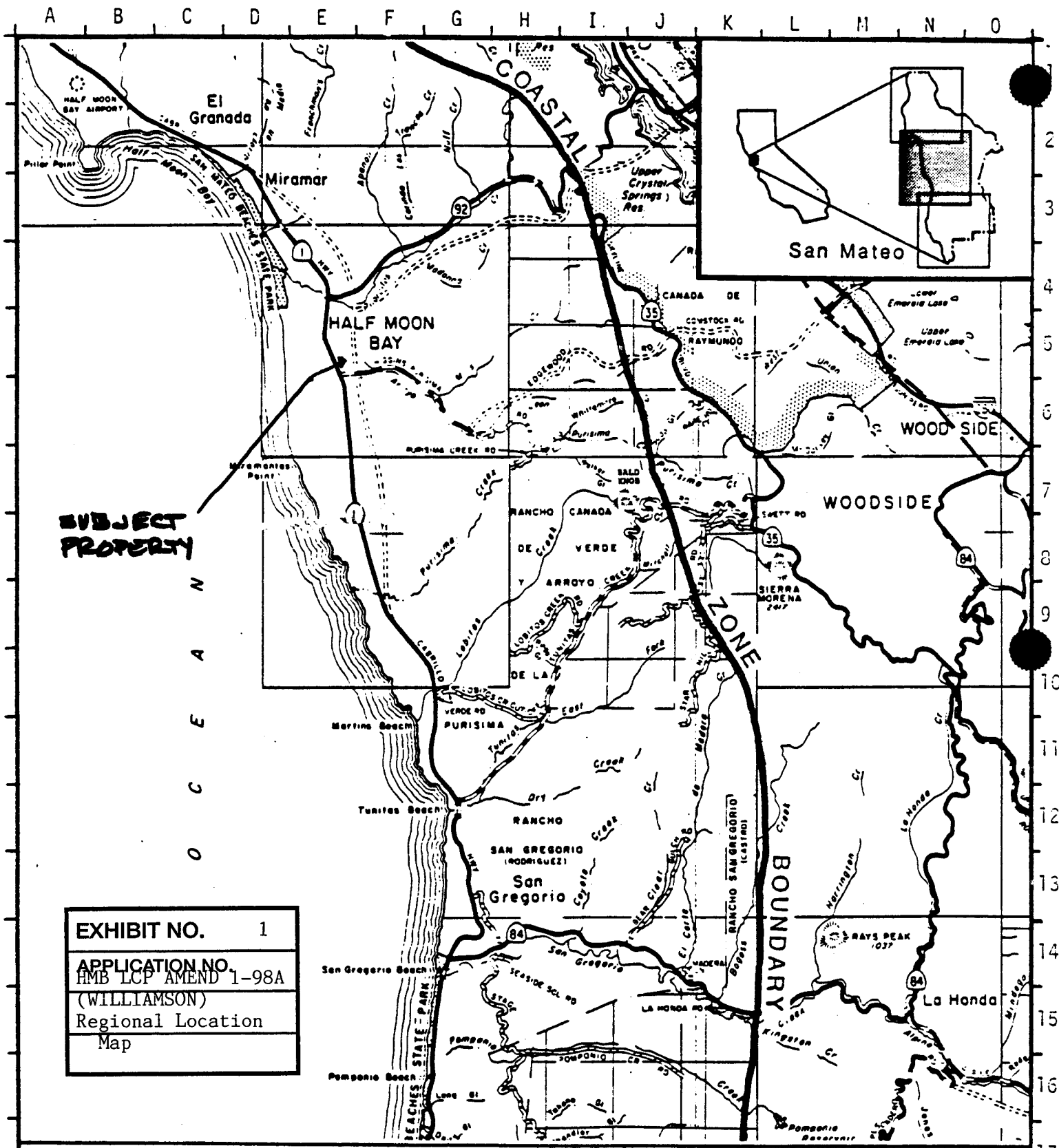
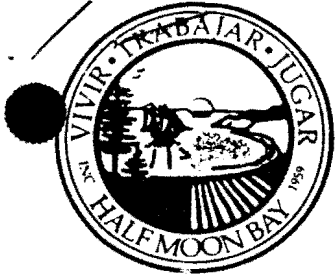


EXHIBIT NO.	1
APPLICATION NO.	HMB LCP AMEND 1-98A
	(WILLIAMSON)
	Regional Location
	Map

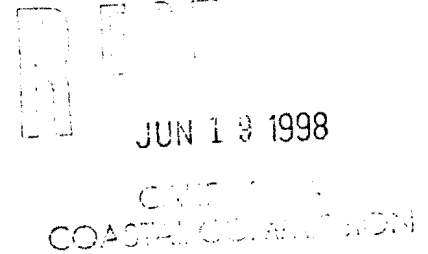


CITY OF HALF MOON BAY

City Hall, 501 Main Street
Half Moon Bay, CA 94019

EXHIBIT NO.	2
APPLICATION NO.	HMB LCP AMEND 1-98A
	(WILLIAMSON)
	LCP Amendment
	Transmittal and Resolution

June 17, 1998



Bill Van Beckum
California Coastal Commission
North Coast Area Office
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Subject: Local Coastal Plan Amendment, 1-98.

Dear Mr. Van Beckum,

This cover letter is intended to assist you in processing the City of Half Moon Bay's submittal of a Local Coastal Plan (LCP) Amendment. The submittal consists of two unrelated projects within the City's jurisdiction. The two projects are grouped together under one submittal application to preserve for future use two of the three allowed LCP amendment opportunities for this year.

The following sections provide a brief description of the two projects and their respective need for LCP amendment. In addition, the submission documents required for Coastal Commission processing of this amendment application are listed in project chronological order for clarity. These documents are attached to this letter in two separate folders, each labeled with their respective project name.

Williamson - PDP-02-98 / Rezoning from R-1-B-2 to C-R

Project Description: The Williamson application consists only of a zoning amendment to the LCP. The applicant requests a Rezoning of the 27,430 square foot westerly portion of a 45,707 square foot parcel in the Spanishtown South tract from R-1-B-2 Single Family Residential District to the C-R Commercial-Residential District. This project requires a Rezone only as it is in compliance with the current adopted Land Use Plan Map. The adopted Planning Commission Resolution and introduced City Council Ordinance will take effect upon formal City Council adoption at a future, duly noticed public hearing after Coastal Commission approval of an LCP Amendment.

Amendment's relationship to and effect on other sections of LCP: This Rezone application has no effect on other sections of the current adopted LCP as it consists of only a change in zoning on one individual parcel within the city. The access component of the certified LCP is not effected by this Rezone of a property not inside the Appealable Area of the Coastal Zone. No alteration or amendment of current Zoning Descriptions or Land Use Descriptions is proposed at this time.

CEQA Status: Project exempt from CEQA, Section 15061(b)(3), no potential for significant effect.

Documents Submitted with LCP Amendment Application:

1. Agenda Report to Planning Commission for February 12, 1998, public hearing.
2. Letter, dated 2/12/98, from project applicant requesting application alteration from C-D to C-R zoning.
3. Supplemental Agenda Report to Planning Commission for February 12, 1998, public hearing (changing C-D to C-R request).
4. Minutes of Planning Commission Meeting, February 12, 1998.
5. Agenda Report to Planning Commission for March 12, 1998, public hearing (Planning Commission approval of Resolution P-8-98).
6. Minutes of Planning Commission Meeting, March 12, 1998.
7. Agenda Report to City Council for April 7, 1998, public hearing (item was ultimately not placed on April 7, 1998, Council Agenda).
8. Minutes of the Regular Meeting of the City Council, April 7, 1998 (item does not appear in minutes - not discussed at public hearing).
9. Agenda Report to City Council for May 5, 1998, public hearing (motion to introduce the Ordinance as amended: unanimous vote of 5-0).
10. Minutes of the Regular Meeting of the City Council, May 5, 1998.
11. Copies of significant comments from interested persons regarding proposed project (for comments received at public hearing, see various meeting minutes).

12. Copies of official public notice sent for 300' notification of public hearing for each occasion (site was posted and hearings were noticed in a paper of local circulation as required).
13. Plot Plan of project showing area of zoning change.
14. Ordinance of the City Council approving PDP-02-98, Rezoning of Parcel 056-210-020 (Ordinance will be brought back to City Council and formally adopted once required California Coastal Commission approval is occurs).

Summary of Notification Measures: All required noticing measures for this application were performed at each stage and for each and every public hearing of the Planning Commission and City Council. Proper notice included posting of the site, publication in a newspaper of local circulation, 300' property notice mailing, participating and commenting agencies notice mailing and notice mailed to all interested parties requesting such notice throughout the process. Copies of sample notices are included in the attached documents as Williamson #12.

DeBenedetti- GPA-02-96, REZ-02-96, EIR-07-96 (Initial Study/Neg.Dec.)

Project Description: The DeBenedetti application consists of a land use and zoning amendment to the LCP. The General Plan Amendment, GPA-02-96, is requesting to remove from the boundaries of the Wavecrest Restoration Project area those properties, generally bounded by Magnolia Street on the north, Third Avenue on the east plus the first 10 lots fronting on Seymor Street to the east of Third Avenue, Seymore Street to the south, and Railroad Avenue to the west (See DeBenedetti #4- Attachment B). The requested General Plan Amendment would change the Land Use Designation from Planned Unit Development (PUD) to Medium Density Residential to be generally consistent with the balance of Arleta Park for lots 1-14, 19-24 and lots 28-31. Lots 15-18 and 25-27 are proposed for Local Recreation and Open Space.

The applicant is also requesting a Rezone, REZ-02-96, from Planned Unit Development (PUD) to R-1-B2 for lots 1-14 and 19-24 and from PUD to R-2 or R-1-B2 for lots 28-31 based upon the modified development standards as set forth in the approved Development Agreement Between the City of Half Moon Bay and Magnolia Associates, LLC (Attachment to DeBenedetti #8). Lots 15-18 and 25-27 will be dedicated to the City of Half Moon Bay by the applicant and staff is recommending this area be rezoned to Open Space- Passive (OS-P) which would allow a neighborhood park. The requested Rezoning shall be generally consistent with the balance of Arleta Park.

Ordinance C-____-98

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY APPROVING PDP-02-98, REZONING THE WESTERNMOST PORTION (27,430 SQ.FT.) OF PARCEL 056-210-020 FROM R-1-B-2 (Single Family Residential) TO C-R (Commercial Residential) IN ORDER TO BRING THE ZONING INTO CONFORMANCE WITH THE LAND USE PLAN DESIGNATION OF COMMERCIAL GENERAL

WHEREAS, an application was submitted requesting approval of rezoning a 27,430 sq.ft. portion of parcel APN 056-210-020 from R-1-B-2 to C-R; and

WHEREAS, the rezoning procedure was found to be exempt from CEQA and the procedures for processing the application has been followed as required by law; and

WHEREAS, the Planning Commission conducted duly noticed hearings on the matter on February 12 and March 12, 1998, at which all those in attendance were given an opportunity to be heard on the matter and considered all written and oral testimony presented for their consideration; and

WHEREAS, the Planning Commission has found and determined that the proposed zoning, C-R District, is in conformance with the Land Use Plan designation of General Commercial, and has adopted a Resolution recommending approval to the City Council; and

NOW, THEREFORE, BE IT ORDAINED that, the City Council of the City of Half Moon Bay supports the Planning Commission's recommendation for approval and hereby approves the rezoning request, PDP-02-98, subject to the Conditions presented in Exhibit "A" Conditions of Approval.

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly passed and adopted by the City Council of the City of Half Moon Bay, San Mateo County, California, at a meeting thereof held on the 5th day of May, 1998, by the following vote of the members thereof:

AYES, and in favor thereof,
Councilmembers

NOES, Councilmembers

ABSTAIN, Councilmembers

ABSENT, Councilmembers

Naomi Patridge, Mayor of Half Moon Bay

Attest:

Dorothy Robbins, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL

PDP-02-98, Rezoning from R-1-B-2 to C-R

1. The Parcel Map approval for the five lot subdivision known as Monte Vista Estates (City file: SUB-04-88) shall be amended by the applicant to adjust the proposed parcel lines to be coterminus with the boundaries of the C-R District and R-1-B-2 District established by approval of this rezoning. The minimum lot size of a new C-R zoned lot is 5,000 square feet with 50 feet minimum width.
2. Use Permit UP-04-96 runs with the land and will be applicable within the C-R District zoning. Any change in use of the school building and site shall be reviewed by the Planning Director to determine whether an amendment to the Use Permit may be required.

Planning Commission Resolution P - 8 - 98
Recommending City Council approval of PDP-02-98

WHEREAS. an application was submitted requesting approval of rezoning a 27,430 sq.ft. portion of parcel APN 056-210-020 from R-1-B-2 to C-R; and

WHEREAS. the rezoning procedure was found to be exempt from CEQA; and

WHEREAS. the procedures for processing the application has been followed as required by law; and

WHEREAS. the Planning Commission conducted duly noticed hearings on the matter on February 12, 1998, and March 12, 1998, at which all those in attendance were given an opportunity to be heard on the matter; and

WHEREAS. the Planning Commission considered all written and oral testimony presented for their consideration; and

WHEREAS. the Planning Commission has found and determined that:

1. The proposed zoning, C-R District, is in conformance with the Land Use Plan designation of General Commercial.
2. The proposed zoning, C-R District, is consistent with the intent of the C-R District, which is to provide a transition zone between the active commercial districts and single family residential areas.

NOW, THEREFORE, BE IT RESOLVED that, based upon the above Finding, the Planning Commission recommends City Council approval of the rezoning request, PDP-02-98, subject to the Conditions presented in Exhibit "A" - Conditions of Approval.

PASSED AND ADOPTED by the Half Moon Bay Planning Commission at a meeting held on March 12, 1998, by the following vote:

AYES, Commissioners Curtis, King, Heinz, Hansen and Chairman Sullivan

NOES, _____

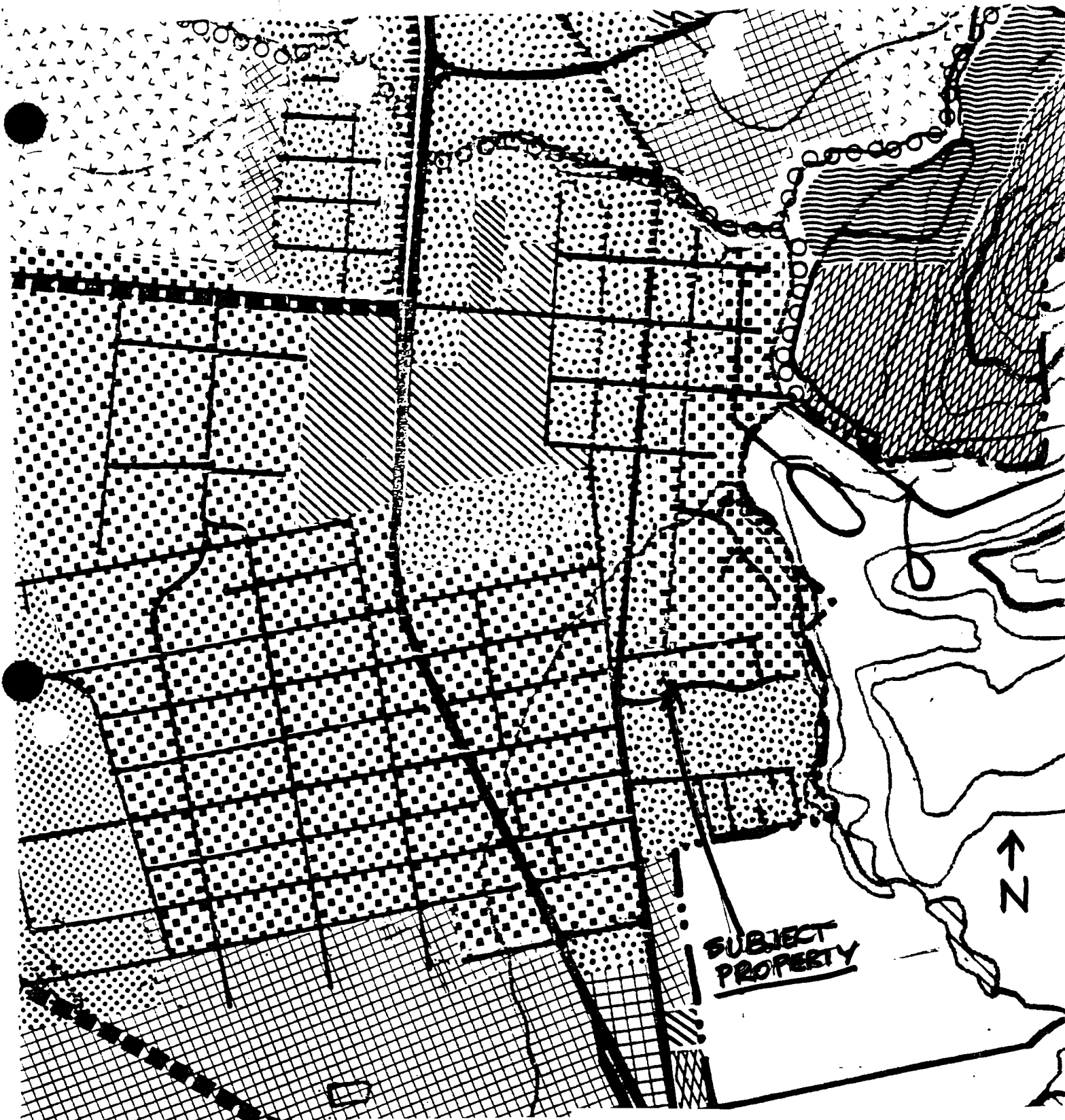
- ABSENT, Commissioner Mier

ABSTAIN, _____

APPROVED:

s/John Sullivan

John Sullivan, Planning Commission Chairman



**SUBJECT
PROPERTY**



Legend



Commercial-General



**Residential-Medium
Density**

EXHIBIT NO.	3
APPLICATION NO.	HMB LCP AMEND 1-98A
	(WILLIAMSON)
	LUP Map Excerpt

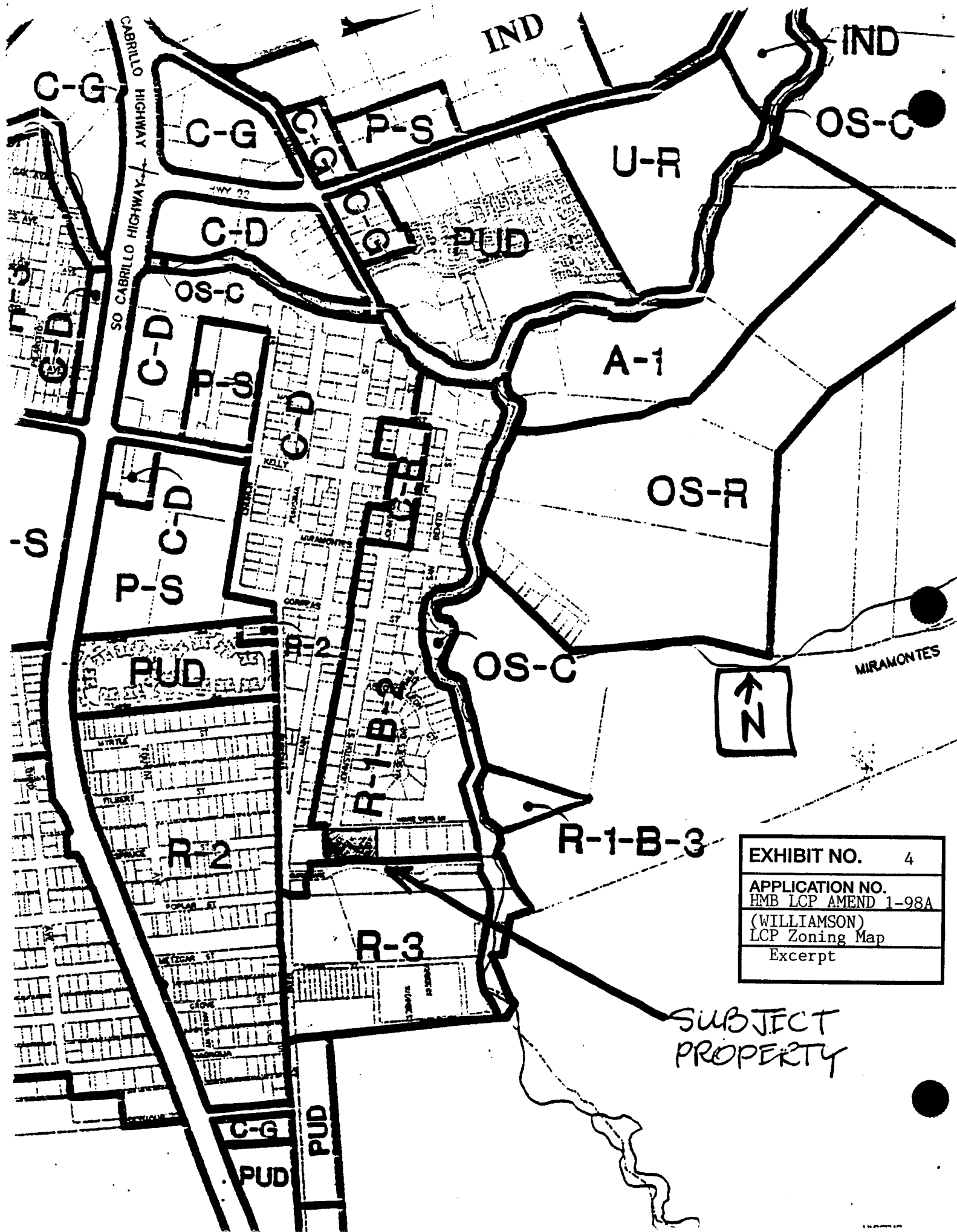


EXHIBIT NO.	4
APPLICATION NO.	HMB LCP AMEND 1-98A
	(WILLIAMSON)
	LCP Zoning Map
Excerpt	

SUBJECT
PROPERTY

Notice: This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.

APN MAP

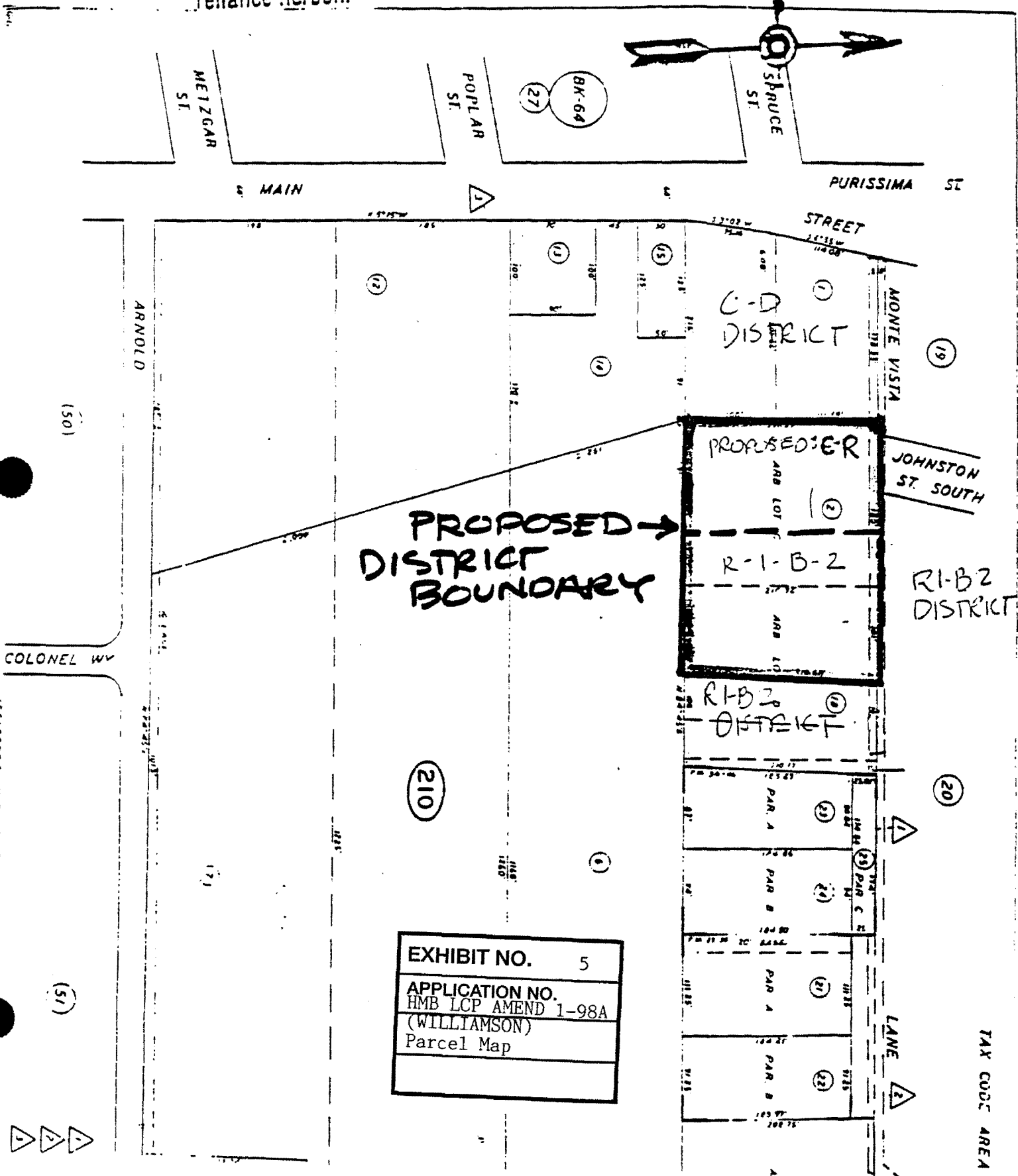


EXHIBIT NO.	5
APPLICATION NO.	HMB LCP AMEND 1-98A
	(WILLIAMSON)
	Parcel Map

ASSESSOR'S MAP COUNTY OF SAN MATEO

TAX CODE AREA

274'

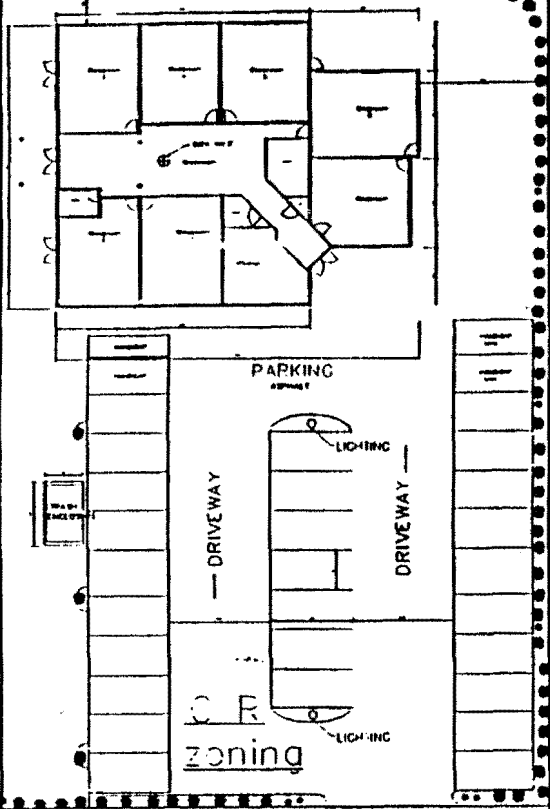
130'

144'



R-1
zoning

ZONING CHANGE
BOUNDARY



LAND OF GROWERS ASSOC.

PDP-02-98

DEDICATED STREET EASEMENT

25'

78'

MONTE VISTA LANE

30'

30'

JOHNSTON ST

LAND OF HAUPERT

PROPOSED ZONING CHANGE

SCALE 1" = 30'

RECEIVED
DEC 19 1998
CITY OF WILMINGTON PA
PLANNING DEPT

EXHIBIT NO.	6
APPLICATION NO.	HMB LCP AMEND 1-98
(WILLIAMSON)	
Site Map	