

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200
 FAX (415) 904-5400



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 Staff: Bill Van Beckum
 Staff Report: February 25, 1999
 Hearing Date: March 11, 1999
 Commission Action:

TO: Commissioners and Interested Parties

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

SUBJECT: **City of Half Moon Bay LCP Amendment No. 1-98B (deBenedetti)**
 (For public hearing and Commission action at the meeting of March 11, 1999, in Carmel.)

SYNOPSIS:

Amendment Description

The City of Half Moon Bay is proposing to amend the certified Local Coastal Program (LCP) as it affects 102 Arleta Park area lots. The City proposes to (1) amend the Land Use Plan to redesignate 87 lots from Planned Development to Medium Density Residential and another 15 lots from Planned Development to Local Recreation and Open Space, and (2) amend the Implementation Program to rezone 77 of the 87 lots from Planned Unit Development (PUD) to R-1-B2 (with amended site-specific modified development standards for 46 of the lots), rezone 10 of the 87 lots from PUD to R-2 or R-1-B2 (with amended site-specific modified development standards), and rezone 15 of the lots from PUD to Open Space-Passive (OS-P).

Summary of Staff Recommendation

The staff recommends that the Commission **certify the amendment if modified as suggested** to incorporate certain recommended changes. To adopt the staff recommendation, the Commission's procedures require the Commission first deny the amendment as submitted, and then certify the amendment if modified as suggested. As

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modified, staff believes that the Land Use Plan amendment is consistent with the Coastal Act, and the Implementation Program conforms with and is adequate to carry out the amended LUP. The appropriate motions to adopt the staff recommendation are found on pages 2, 3, 13 and 14.

Analysis Criteria

To approve the Land Use Plan (LUP) amendment, the Commission must find that the LUP, as amended, will remain consistent with the policies of Chapter 3 of the Coastal Act. To approve the amendment to the Implementation Program portion of the LCP, the Commission must find that the Implementation Program, as amended, conforms with and is adequate to carry out the amended LUP.

Additional Information

For additional information, please contact Bill Van Beckum at the North Coast District Office (415) 904-5260. Correspondence should be sent to the District Office at the above address.

**PART I STAFF RECOMMENDATION, MOTIONS, RESOLUTIONS, AND
SUGGESTED MODIFICATIONS FOR THE LAND USE PLAN
PORTION OF AMENDMENT NO. 1-98B**

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

A. Denial of Amendment No. 1-98B as Submitted

Motion I:

“I move that the Commission certify **Amendment No. 1-98B (Major)** to the City of Half Moon Bay Land Use Plan as submitted by the City.”

Staff recommends a **NO** vote which would result in the adoption of the following resolutions and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution I:

The Commission hereby denies certification of Amendment No. 1-98B to the Land Use Plan of the City of Half Moon Bay Local Coastal Program as submitted and adopts the following findings on the grounds that it does not meet the requirements of the policies of Chapter 3 of the Coastal Act to the extent

necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act, and certification of the Land Use Plan as submitted does not meet the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act, as there would be feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which the approval of this amendment would have on the environment.

B. Approval of Amendment No. 1-98B if Modified as Suggested

Motion II:

“I move that the Commission certify **Amendment No. 1-98B (Major)** to the City of Half Bay Land Use Plan if it is modified as suggested.”

Staff recommends a **YES** vote which would result in the adoption of the following resolutions and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution II:

The Commission hereby certifies Amendment No. 1-98B to the Land Use Plan of the City of Half Moon Bay Local Coastal Program subject to Modifications No. 1a and No. 2 and adopts the following findings on the grounds that as modified, this amendment will meet the requirements of Chapter 3 of the Coastal Act. This amendment, as modified, meets the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act as there are no feasible mitigation measures or alternatives available which would substantially lessen any significant adverse impacts which the approval of the amendment, if modified, would have on the environment.

C. Suggested Modifications

Modification No. 1

LUP Section 9.3.6 Wavecrest Restoration Project Development Condition “b” shall be revised to read:

b) A maximum of ~~1,000~~ 912 residential units may be developed on the site including at least 20% affordable to persons of low and moderate income.

Modification No. 2

LUP Section 9.3.6 Wavecrest Restoration Project background text (on LUP pages 158-159) shall be revised as follows:

1. The first sentence of the first paragraph shall be revised to read:

This is a large area of Half Moon Bay west of Coast Highway 1 south of ~~Arlata Park~~ Seymour Street (except west of the Seymour Street/Railroad Avenue intersection from which the project area extends north and west to Grove and Metzgar Streets) to the south City Limits and generally excluding Ocean Colony, Canada Cove Mobile Home Park, and existing development. It is generally an area of paper subdivisions in scattered ownerships.

2. The second sentence of the third paragraph shall be revised to read:

The Project is also intended to better enable the City to meet its fair share or existing and projected regional housing needs by providing up to ~~1,000~~ 912 housing units, up to ~~200~~ 183 of which will be made available to persons of low and moderate income.

3. The first sentence of the fourth paragraph shall be revised to read:

The Wavecrest Restoration Project encompasses about ~~630~~ 620 acres; about ~~490~~ 480 acres north of Ocean Colony (the "North Project Area"); and about 140 acres south of Ocean Colony (the "South Project Area").

4. The first sentence of the sixth paragraph shall be revised to read:

The North Project Area, known locally as the Wavecrest Area, is the largest, single undeveloped area in Half Moon Bay, with a total of about ~~490~~ 480 acres

I. FINDINGS

The Commission finds and declares the following for LUP Amendment No. 1-98B:

A. Site Description

The amendment project area is an approximately 9.63-acre area located west of Highway 1 in central Half Moon Bay, on a coastal terrace approximately 2,000 feet from the ocean (Exhibits 1-3). The project area contains 102 lots and is bounded by Magnolia Street and the developed Arleta Park subdivision on the north, Seymour Street on the south, Third

Avenue on the east plus ten lots fronting on Seymour Street to the east of Third Avenue, and Railroad Avenue on the west. See **Exhibits 4-5**. The Land Use Plan currently designates the project area as Planned Development. The project area is the northeasterly most part of the 490-acre North Wavecrest Planned Development district (**Exhibits 3 and 6**).

The North Wavecrest Planned Development district is included within the larger Wavecrest Restoration Project area. The 630-acre Wavecrest Restoration Project area consists of North Wavecrest's 490 acres, north of the Ocean Colony residential and golf community (**Exhibit 2**), and another 140 acres comprising the South Wavecrest Planned Development district, south of the Ocean Colony residential and golf community.

The amendment project area does not contain any development and does not contain any known environmentally sensitive habitat. Intervening development and vegetation blocks all views of the coast through the site from Highway 1.

B. Proposed LUP Amendment

The proposed LUP amendment is to amend the certified Land Use Plan to redesignate the 102 lots within the project area from Planned Development to either Medium Density Residential or Local Recreation and Open Space. Specifically, 87 of the lots are proposed to be redesignated Medium Density Residential and the other 15 lots are proposed to be redesignated Local Recreation and Open Space. See **Exhibit 6**.

With the reclassification of these 102 lots from "Planned Development," the Wavecrest Restoration Project Area Planned Development District would be reduced in size by 9.63 acres. The Wavecrest Planned Development District, approximately 630 acres in size and under several separate ownerships, is one of 17 areas within the City that the LUP designates as Planned Development Districts. The purpose of this designation is described in LUP Section 9.3.2 as follows:

9.3.2 Specific Planned Development Policies

The purpose of the Planned Development designation is to ensure well-planned development of large, undeveloped areas planned for residential uses in accordance with concentration of development policies. It is the intent of this designation to allow for flexibility and innovative design of residential development, to preserve important resource values of particular sites, to ensure achievement of coastal access objectives, to eliminate poorly platted and unimproved subdivisions whose development would adversely affect coastal resources, and to encourage provision for low and moderate income housing needs when feasible. It is also the intent of the Planned Development designation to require clustering of structures to provide open space and recreation, both for

residents and the public. In some cases, commercial development such as convenience stores or visitor-serving facilities may be incorporated into the design of a Planned Development in order to reduce local traffic on coastal access roads or to meet visitor needs.

The purpose of the Wavecrest Restoration Project, as yet undeveloped except for a new 18-hole golf course that occupies 122 acres of the southern portion of the 630-acre Wavecrest Restoration Project Area, is described in LUP Section 9.3.6 as follows:

The Project is intended to achieve five Coastal Act goals of statewide significance: (1) consolidation and re-platting of over 1,400 substandard lots in paper subdivisions; (2) provision of public access to the coast; (3) restoration and protection of riparian corridors and blufftops; (4) establishment of a stable Urban/Rural Boundary to preserve the potential for agricultural use of currently vacant and idle lands south of the City; and (5) generation of funds to protect lands with agricultural potential located outside of the Project area.

The LUP includes several general policies applicable to all 17 designated Planned Development districts and specific conditions applicable to each of the 17 districts. LUP Section 9.3.6 (Exhibit 16 here) includes the LUP's discussion and conditions specifically applicable to the Wavecrest Restoration Project. One of the LUP's general Planned Development policies, Policy 9-8, states that:

The entire site shall be planned as a unit. Preparation of specific plans (Government Code Section 65450) may be required for one or more separate ownerships, individually or collectively, when parcels comprising a site designated PD are in separate ownerships.

Another of the general policies, Policy 9-14, states that:

In the case of any Planned Development District hereafter described where portions of the District are in separate ownership, approval may be given for development of a parcel or group of parcels in the same or different ownerships, provided that the City has approved a specific plan for the District as required by the provisions of this section.

LUP Section 9.3.6 Condition a., pertaining to the Wavecrest Project area, states that:

A specific plan shall be prepared for the entire area or, in the event the Project is developed in phases, for each phase, which incorporates all of the conditions listed below and conforms to all other policies of the Land Use Plan. The specific plan shall show the locations of roads and structures, and indicate the amount and locations of open space, public recreation, and commercial recreation. Each specific

plan shall be subject to environmental review under CEQA guidelines.

These policies and the Section 9.3.6 Wavecrest Condition a. therefore describe the requirements for the planning of development within the Wavecrest Planned Development District, whether under one or several ownerships and whether phased or at one time. The LUP and the certified Implementation Plan do not, however, anywhere describe any requirements pertaining to the situation where, as in the case of the proposed amendment, one or several parcels of land within a Planned Development district would be removed from the larger district. (The proposed amendment was initiated by the owner of the majority of parcels within the amendment project area, independent of other property owners within the amendment project area or of owners of other properties in the rest of the Wavecrest Planned Development District.)

C. Consistency with Coastal Act

1. Locating and Planning New Development

Section 30250 of the Coastal Act states, in applicable part the following:

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

The proposed LUP amendment would allow up to 87 lots to be developed with medium density residential units. The Land Use Plan describes the Medium Density Residential designation as follows:

Medium Density Residential (2.1 – 8.0 Units Per Acre)

This designation is intended to apply primarily to areas that are already partially developed and have potential for in-fill development at densities comparable to those already existing. It is intended to be consistent with existing zoning for single-family development with minimum lot sizes ranging from 5,000 to 20,000 square feet. Both detached and attached single-family dwellings and duplexes may be permitted.

A key provision of Section 30250 of the Coastal Act is that new development shall be located in areas with adequate services to accommodate the development. In Half Moon Bay and the surrounding San Mateo County coastal area, sewer and water services have generally been in short supply. Many existing parcels do not currently have services

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available to them to allow for additional development. To address such shortfalls, the local utility districts are providing for some expansion of services in the short term and are planning additional expansions in the long term. To ensure that service expansions occur commensurate with planned growth of the community, the City of Half Moon Bay and San Mateo County LCPs limit future service expansions in a manner that ties service capacity to the projected demand for services that would result from build out of the growth allowed by the LCPs. These LCPs provide for phasing of service capacity and growth, and reserve a certain amount of service capacity provided in each phase for priority uses. These LCP policies balancing service capacity with build out are key provisions that enabled the Commission to originally certify the LCPs as consistent with and Section 30250 of the Coastal Act. Thus, in its consideration of LCP amendments that could affect the amount of growth allowed under an LCP, the Commission must give careful consideration as to whether the balance between service capacity and demand for services under build out would be maintained.

The subject LCP amendment would affect the total amount of residential units that could be developed in the LCP amendment area. According to the City's staff report for the April 7, 1998 City Council meeting, 99 of the lots in the project area are considered "legal non-conforming lots," because they are smaller than 5,000 square feet in area, the minimum lot size of any of the City's residentially zoned districts. The assessor's parcel maps for the area show that 101 of the lots are substandard-sized. Only one lot, which is approximately 17,325 square-feet in size, is larger than 5,000 square-feet in area.

Most (56%) of the substandard-sized lots range in size from 3,875 square feet to 4,680 square feet. Approximately 41% of the lots range in size from 3,590 square feet to 3,637 square feet, and 3% of the lots are 2,660-square-foot lots. As noted above, 15 of the 102 lots in the project area are proposed for an open space designation. With potential buildout of 88 residential units on the remaining 87 lots (in the 102-lot project area) that are proposed for Medium Density Residential designation, comprising an area of approximately 8.33 acres (the 9.63-acre total of the amendment project area less the 1.3-acre area in which 15 lots are proposed for the Local Recreation and Open Space designation), the potential buildout density is about 10.5 units/acre, approximately 25% greater than the 8.0 units/acre high end of the Medium Density Residential designation's density range. This potential buildout scenario assumes the development of a single residential unit on the 86 substandard lots, in their current configuration, and the potential division (under the proposed zoning) of the single non-substandard lot into two lots, with a single residential unit developed on each of the two lots. Redesignating 86 nonconforming lots to the Medium Density Residential designation would not conflict with the Land Use Plan because the Land Use Plan does not contain any policy that prohibits residential development on existing, legal substandard-sized lots.

As submitted to the Commission, in fact, the amendment envisions buildout in the project area at less than 88 units. According to the City's April 7, 1998 staff report:

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As noted in previous Staff Reports, there are 99 existing legal non-conforming lots in the project area. Using the proposal submitted by the applicant to create 24 lots and by applying the Lot Merger or Lot Line Adjustment process on the remaining parcels under other ownership to create approximately 10 to 12 lots, the potential exists for there to be approximately 36 building sites in the area.

The City's reference to the "proposal submitted by the applicant to create 24 lots" refers to a proposal, by the primary property owner in the project area (deBenedetti with 71 of the 102 lots), that is the subject of a 1998 "development agreement" with the City, that provides, in part, for the consolidation of the 71 deBenedetti-owned lots, all substandard-sized, into 31 standard-sized lots (**Exhibit 7**), with the potential for development of a total of 24 to 28 residential units on 24 of them.

At this time, then, it appears that ultimate residential buildout in that portion of the project area that would not be designated Local Recreation and Open Space would be in the range of from 36 to 88 units, depending on whether development of the area occurs, as discussed above, at the area's full buildout potential level or at the lesser level envisioned by the City.

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

On November 10, 1998 Coastside Community Water District (CCWD), allocated from its available capacity that is not reserved pursuant to the certified LUP for Coastal Act "priority" land uses specified in the LUP, 28 water service connections that could serve 56 of the deBenedetti lots after consolidation into 24 lots per the 1998 "development agreement" (at 20 single-family units on 20 lots and up to 8 duplex units on 4 lots). Other than these allocations, no other water service is currently available to the other properties in the project area.

The San Mateo coastside is provided sewer service by the Sewer Authority Midcoastside (SAM), of which the City of Half Moon Bay is a member. At this time there is no sewage treatment capacity available to serve future development within the amendment area. Although additional coastside capacity will become available as the SAM treatment plant expansion project, now nearing completion, comes on-line later this year, there is no assurance yet that any specific capacity will be made available to the amendment area.

However, the current lack of available water and sewer hook-ups sufficient to serve buildout of the amendment area is not relevant to the amendment request because the proposed amendment does not provide for any additional development above the maximum level of potential development already provided for by LUP policies for the North Wavecrest Planned Development district. The City's conditions of approval for the LUP amendment, as contained in the "Findings and Conditions of Approval for GPA-02-96, REZ-02-96 and Development Agreement," attached to the City's submitted "Ordinance Amending the Local Coastal Program/Land Use Plan: General Plan Amendment GPA-02-96; and Rezoning REZ-02-96" (Exhibit 15, page 7), states in Condition No. 8 that:

The total number of new units in the project area shall be deducted from the maximum number of permitted units in the Wavecrest Restoration Project area

This condition follows Ordinance resolution language contained on **page 3 of Exhibit 15** that states:

WHEREAS, the Planning Commission also recommends to the City Council that the City process a Land Use Plan Amendment to reduce the levels of development in North Wavecrest commensurately with any increase in dwelling units in this area in order to maintain the existing levels of residential development currently allowed throughout the City.

The certified LUP, in Section 9.3.6 Wavecrest Restoration Project, Development Condition "b." (page 7 of Exhibit 16), allows for a maximum of 1,000 residential units in the combined North and South Wavecrest PD. The proposed LUP amendment would, by redesignating a 9.63-acres portion of the North Wavecrest PD to non-PD designations, remove the amendment project area from the North Wavecrest PD, thus reducing the North Wavecrest PD from 490 acres to 480.37 acres, and reducing the overall Wavecrest Restoration Project area from 630 acres to 620.37 acres. The City's Condition No. 8 means that the 1,000 units allowed by the certified LUP for the Wavecrest Restoration Project area would need to be reduced by 88 units, assuming the greatest potential buildout possible, as discussed above, pursuant to the proposed amendment.

Thus, if ultimate buildout of the amendment project area is 88 residential units, then the maximum residential buildout for the remainder Wavecrest Restoration Project area would be 912 residential units instead of 1,000 units.

Because the proposed amendment, if modified as suggested below, would not provide for any additional development above the maximum level of potential development already provided by the certified LUP, it is not necessary to find any additional assurances for water and sewer capacity in the amendment project area. Therefore, the current lack of available water and sewer hook-ups sufficient to serve buildout of the amendment area is

not relevant to the amendment request. However, to ensure that the overall maximum level of potential City-wide development now provided by the certified LUP is maintained, by ensuring that ultimate residential buildout in the combined amendment project area and remainder Wavecrest Restoration Project area does not exceed the level already provided by the LUP, certain revisions must be made to the current LUP document, specifically to the "development conditions" and background text contained in Section 9.3.6 Wavecrest Restoration Project. **Suggested Modification No. 1** therefore requires modifying Wavecrest Restoration Project Development Condition "b." to allow a maximum of only 912 residential units, instead of 1,000 units, in the combined North and South Wavecrest PD. Furthermore, **Suggested Modification No. 2** requires certain revisions to LUP Section 9.3.6 text to reflect the effects of the LUP amendment on current LUP descriptions of the Wavecrest Restoration Project area, specifically to reflect the reduction in size of the area, the reduction in number of residential units (including "affordable housing units") potentially allowed in the area, and a corresponding reduction in the number of affordable housing units (still at 20% of Wavecrest Restoration Project area total potentially allowed residential units). These suggested text changes are shown in their overall LUP Section 9.3.6 context in **Exhibit 17**.

The proposed LUP Medium Density Residential designation is "*intended primarily to apply primarily to areas that are already partially developed and have potential for in-fill development*" (LUP Appendix B: Land Use Designations). Although the proposed amendment would reclassify a currently *undeveloped* area to the Medium Density Residential designation, the amendment would nonetheless be consistent with the intent of the designation because project area development that could be permitted by the amendment would be adjacent to, and a reasonable extension to, the already built-out Arleta Park residential subdivision (**Exhibit 4**).

The Commission therefore finds that the proposed amendment, if modified as suggested, is consistent with Coastal Act Section 30250(a) requirements that new development shall be located within or near existing developed areas able to accommodate it or in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

2. Environmentally Sensitive Habitat

Section 30240 of the Coastal Act states that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and that development near such sensitive habitat areas shall be sited and designed to prevent significant adverse impacts to these areas.

The Commission finds that the proposed amendment is consistent with Section 30240 of the Coastal Act as the amendment project area does not contain, and is not near, any

known environmentally sensitive habitat that could be disrupted or otherwise adversely impacted by the uses that will be allowed by the proposed amendment

3. Visual Resources

Section 30251 of the Coastal Act provides in applicable part that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall: (a) be sited and designed to protect views to and along the ocean and scenic coastal areas, and (b) be visually compatible with the character of the surrounding areas.

Development that could be allowed pursuant to provisions of the proposed amendment has no potential to block views to and along the coast, as the amendment project area is located about 2,000 feet from the shoreline and intervening development and vegetation blocks all views of the coast through the site from Highway 1. See **Exhibit 4**.

The only types of residential structures that could be developed within that part of the project area proposed for Medium Density Residential designation are single-family dwellings and duplexes, structures that would be visually compatible with existing development in the Arleta Park residential subdivision, directly north of the project area and also classified as Medium Density Residential.

The only portion of the amendment project area that is not proposed for the Medium Density Residential classification is a 1.3-acre area, just west of Third Avenue, that is proposed for reclassification from Planned Development to "Local Recreation and Open Space." See **Exhibit 6**. The LUP's Appendix B, in the paragraph titled "*Local Recreation and Open Space*," describes the uses permitted for lands so-classified:

This designation is intended to identify and preserve lands in public park and playground uses or needed in the future for such uses. Such uses may be provided in areas zoned for residential development where not specifically designated, especially in Planned Development Districts. Permitted uses would include public recreation facilities, including related structures.

Since the primary purpose of the classification is to provide space for "public park and playground uses," the amendment would facilitate the provision of neighborhood recreational opportunities for future residents of the project area. The overall visual effect of this proposed reclassification, on land which extends between two streets at the end of a block, would be to provide some degree of open space as a visual amenity for residents of three neighborhood streets.

The Commission therefore finds that the amendment's proposed designations to Medium Density Residential (87% of the project area) and Local Recreation and Open Space

(13% of the project area) are consistent with Section 30251 of the Coastal Act as the potential development that would be allowed by the proposed amendment request can be developed in a manner that will be visually compatible with the character of the surrounding areas and that will not interfere with any public views to and along the ocean and scenic coastal areas.

4. Public Access

Section 30210 requires in applicable part that maximum public access and recreational opportunities be provided when consistent with public safety, private property rights, and natural resource protection. Section 30211 requires in applicable part that development not interfere with the public's right of access to the sea where acquired through use (i.e., potential prescriptive rights or rights of implied dedication). Section 30212 requires in applicable part that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, except in certain instances, such as when adequate access exists nearby or when the provision of public access would be inconsistent with public safety.

Although the amendment project area is located between the first public road, Highway 1, and the sea, it will not adversely affect public access. Development of the area pursuant to provisions of the LCP as amended will not physically block existing access (none exists in the project area) or decrease the availability of access. No evidence has been presented to suggest that an implied dedication of a public access easement to the shoreline (2,000 feet to the west) has occurred. Furthermore, since future development of the project area will not increase overall the maximum number of residences potentially allowed by the City's certified LCP, the amendment will not create any additional demand for public access. The Commission therefore finds, because the amendment will not result in any adverse impact on existing or potential public coastal access, that the amendment is consistent with the requirements of Coastal Act Sections 30210, 30211, and 30212.

PART II STAFF RECOMMENDATION, MOTIONS, RESOLUTIONS, AND SUGGESTED MODIFICATIONS FOR THE IMPLEMENTATION PORTION OF AMENDMENT No. 1-98B

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

A. Rejection of Amendment No. 1-98B as Submitted

Motion I:

"I move that the Commission **REJECT LCP Amendment No. 1-98B (Major)** to the City of Half Moon Bay's Implementation Actions as submitted by the City."

Staff recommends a **YES** vote, and adoption of the following resolution and findings. An affirmative (yes) vote on the motion by a majority of the Commissioners present is needed to pass the motion.

RESOLUTION I:

The Commission hereby rejects LCP Amendment No. 1-98B (Major) to the Implementation Actions of the City of Half Moon Bay Local Coastal Program as submitted and adopts the following findings on the grounds that it does not conform with or is inadequate to carry out the provisions of the Land Use Plan as certified. Certification of the amendment does not meet the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act, as there are feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of the Implementation Plan amendment would have on the environment.

B. Certification of Amendment No. 1-98B if Modified as Suggested

Motion II:

"I move that the Commission **approve the LCP Amendment No. 1-98B (Major)** to the City of Half Moon Bay's Implementation Actions if it is modified in conformity with the modifications suggested below."

Staff recommends a **YES** vote, and adoption of the following resolution and findings. An affirmative (yes) vote on the motion by a majority of the Commissioners present is needed to pass the motion.

RESOLUTION II:

The Commission hereby certifies the LCP Amendment No. 1-98B (Major) to the Implementation Actions portion of the City of Half Moon Bay Local Coastal Program based on the modifications set forth below and adopts the following findings on the grounds that it conforms with and is adequate to carry out the provisions of the Land Use Plan as certified. Certification of the amendment, as modified, meets the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act as there are no feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of the amendment if modified would have on the environment.

Modification No. 3

Only the "R-2" zoning designation shall be applied to the 10 lots that make up APN 64-342-13.

II. FINDINGS

The Commission finds and declares the following for Implementation Plan LUP Amendment No. 1-98B:

A. Amendment Description

The proposed amendment would rezone 77 of the 87 lots from Planned Unit Development (PUD) to R-1-B2 (with amended site-specific modified development standards for 46 of the lots), rezone 10 of the 87 lots from PUD to R-2 or R-1-B2 (with amended site-specific modified development standards), and rezone 15 of the lots from PUD to Open Space-Passive (OS-P). See **Exhibit 8**. The zoning amendment is proposed to bring the zoning into consistency with the amended LUP. See **Exhibit 6**.

B. Consistency with and Adequacy to Carry Out the Land Use Plan

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

Residential Designations

Of the 77 lots proposed for redesignation to "R-1-B2," 31 are proposed for the R-1-B2 designation with district development standards as specified in the certified Zoning Ordinance. These are the lots labeled "Non-deBenedetti" on **Exhibit 7**. The unlabeled lots in the same exhibit west of Third Avenue that are not shown, on **Exhibit 8**, as proposed for OS, are also proposed for redesignation to R-1-B2 but with proposed modifications to the Ordinance development standards (as shown in **Exhibit 9**). There are currently 46 such lots for which the proposed "modified development standards" would apply. These 46 lots appear as only 20 lots (lots 1-14 and 19-24) on **Exhibit 8** because this exhibit portrays these lots as if consolidated pursuant to provisions of the 1998 "development agreement" between the City and the owner (deBenedetti) of the 46 lots.

East of Third Avenue there are 10 contiguous lots (each approximately 4,138 square-feet) proposed for "R-1-B2" or for "R-2" designations, also with proposed modifications to the Ordinance development standards (for the R-1-B2 district the same modified development standards as shown in **Exhibit 9**, and for the R-2 district the modified

development standards shown in **Exhibit 11**). These 10 lots (which make up APN 64-342-13, owned by deBenedetti) appear as only 4 lots (each approximately 10,345 square-feet) on **Exhibit 8**, also because this exhibit portrays these lots as if consolidated pursuant to provisions of the 1998 development agreement.

The differences between the current and proposed modified development standards for the R-1-B2 and R-2 districts, as shown in **Exhibits 9** and **11**, are as follows:

R-1-B2

- The modified standards (**Exhibit 9**) would reduce the minimum required average site width from 75-feet to 60-feet (the required minimum site area would still be 7,500 square-feet, as shown in **Exhibit 10**, the current standards);

R-2

- The modified standards as shown in **Exhibit 11** provide the requirements for various “building site characteristics” that are applicable to the development of duplex units on R-2 designated lots. There are not any actual modifications to these requirements themselves. The modification to the R-2 development standards that is proposed does not show up in the exhibit because the proposed modification is the removal of similar standards, now contained in the R-2 ordinance, that apply to the development of single-family residences on lots designated R-2. (These current R-2 standards pertaining to single-family residences are those listed in the left-hand column of **Exhibit 12**.)

In other words, regarding the proposed rezoning of 10 lots to R-1-B2 or R-2, while the amendment seeks to allow development of the lots for either single-family residential or duplex use, the amendment provides that if single-family residential development is proposed the applicable development standards would be the R-1-B2 standards as modified and not the development standards for single-family residential development on R-2 lots now provided in the certified R-2 ordinance. The main effects of the amended standards for development of a single-family residence in this proposed R-2 zone would be an increase in the minimum required site area to 7,500 square-feet from 5,000 square-feet, and an increase in minimum site width to 60 feet from 28.5 feet. R-2 district.

Minimum lot standards for duplex development require a minimum lot size of 5,000 square feet with a minimum width of 50 feet. Since the minimum site area per duplex unit, however, is 2,700 square-feet, an R-2 lot actually must be at least 5,400 square-feet to accommodate a duplex structure.

In only one instance where the modified R-1-B2 development standards are not proposed is an existing lot large enough and wide enough to be allowed the development of a single-family residence without first securing a use permit. In all other instances where modified development standards are not proposed, the substandard size and/or the substandard width of the lots (30 total) as currently sized would require Planning Commission approval of a use permit for single-family residential development, pursuant to LCP Ordinance Sections 18.06.050.G.3 and 4, Residential Land Use, Exceptions to Development Standards, Exceptions to Minimum Lot area and Width Standards, Use Permit Required and Use Permit for Substandard Lot. (See Exhibit 13.) Whether or not a proposed single-family residence requires a use permit, a coastal development permit would be required as no Categorical Exclusion Order that would exempt houses from coastal development permit requirements applies to the area at the present time.

All of the amendment project area's proposed R-1-B2 lots, in their current standard or substandard configurations, would be eligible sites for single-family residential development applications, although use permit review would be required as part of the application review process for all but one of the lots as discussed.

The proposed rezoning would not require that the substandard lots merge or otherwise consolidate to increase their lot sizes to meet the minimum lot size requirements (7,500 square-feet) of the R-1-B2 district. The proposed rezoning, however, would require that any future lot mergers, or land divisions, would need to meet the minimum R-1-B2 size requirements. For example, in the event that the amendment project area's most southwesterly lot, approximately 17,325 square-feet in area, were proposed for division, the division could at most be into only two lots, given the R-1-B2 minimum lot size requirements.

In any event, all the lots that would be redesignated to R-1-B2 or R-2, with or without modified development standards, are the same lots that LUP Amendment 1-98 reclassifies to "Medium Density Residential." The LUP's Appendix B, in the paragraph titled "*Medium Density Residential*," describes the uses permitted for lands so-classified:

This designation is intended to apply primarily to areas that are already partially developed and have potential for in-fill development at densities comparable to those already existing. It is intended to be consistent with existing zoning for single-family development with minimum lot sizes ranging from 5,000 to 20,000 square feet. Both detached and attached single-family dwellings and duplexes may be permitted.

The proposed rezoning adequately implements the Half Moon Bay LUP amendment since the proposed zoning designations would allow the same residential uses (detached and attached single-family dwellings and duplexes) as allowed by the amended LUP

designation, and lot sizes (7,500 square-feet for R-1-B2 lots and 5,000 square-feet for R-2 lots) within the range of minimum lot sizes as allowed by the amended LUP designation.

However, the proposed redesignation of ten lots to either R-1-B2 or R-2, with development standards modified as described above, could lead to some confusion as to which is the controlling designation. To adequately implement the LUP as amended, it is necessary that only one or the other designation be approved. The appropriate designation for the ten lots is the R-2 designation, since the R-2 designation provides for either duplex or single-family residential development proposals, consistent with the amended LUP Medium Density Residential classification for the lots. **Suggested Modification No. 3** therefore requires that the proposed zoning redesignation for these ten lots be the R-2 designation.

Open Space Designation

The fifteen lots that are proposed to be rezoned from PUD to "Open Space-Passive (OS-P)" are depicted on **Exhibit 8** as lots 15-18 and lots 25-27, adjacent to Third Avenue. These fifteen lots are depicted as only seven lots on **Exhibit 8** because this exhibit portrays these lots as if consolidated pursuant to provisions of the 1998 development agreement.

These lots are reclassified by LUP Amendment 1-98 from "Planned Development" to "Local Recreation and Open Space." The LUP's Appendix B, in the paragraph titled "*Local Recreation and Open Space*," describes the uses permitted for lands so-classified:

This designation is intended to identify and preserve lands in public park and playground uses or needed in the future for such uses. Such uses may be provided in areas zoned for residential development where not specifically designated, especially in Planned Development Districts. Permitted uses would include public recreation facilities, including related structures.

The proposed rezoning to Open Space-Passive (OS-P) would implement the Half Moon Bay LUP as amended because the proposed zoning designation, although not specifically providing for "playground" uses, does otherwise provide for low intensity "public park" recreational uses. The uses allowed in the Open Space-Passive (OS-P) District are described in Ordinance Section 18.12.020 (Exhibit 14), in Tables A and D, Public Use and Temporary Use Schedules. The permitted public recreational uses are further described (on **page 3** of the **Exhibit 14**) in paragraph **A-9 Public Trail**:

In the OS-A and OS-P Districts, nature walks and interpretive displays, and hiking, biking, and equestrian trails with ancillary parking lots, rest rooms, benches, drinking fountains, and trash receptacles, are permitted, subject to

conformance with the provisions of the resource conservation standards of the Land Use Plan and this Title

Although the OS-A designation (Active Open Space District) referenced in paragraph **A-9 Public Trail** also allows the same public recreational uses as does the proposed OS-P designation, the OS-A designation would not be appropriate for the amendment's fifteen lots proposed for "Local Recreation and Open Space" because the OS-A District also allows for much higher-intensity types of uses and facilities (see **Exhibit 14, Use Tables A-D**) than are permitted by the LUP "Local Recreation and Open Space" classification. For example, the OS-A District would allow RV parks.

The proposed open space rezoning to OS-P, the Passive Open Space District, therefore adequately implements the LUP amendment.

The Commission therefore finds that the proposed rezonings must be modified only in accordance with **Suggested Modification No. 3** to conform with and be adequate to carry out the provisions of the Land Use Plan as amended.

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 Section 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 impact which the activity may have on the environment.

As discussed in the findings above, the Commission has suggested modifications to bring the LCP amendment into full conformance with the requirements of the Coastal Act. As modified, the Commission finds that approval of the amendment will not result in significant adverse environmental effects within the meaning of CEQA. Thus, the Commission finds that approval of the LCP as modified is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

EXHIBITS

1. Regional Location Map
2. Area Location Map
3. Amendment Project Area

CITY OF HALF MOON BAY LCP AMENDMENT NO. 1-98B (deBenedetti)

Page 20

4. Aerial Photo
5. Project Boundaries
6. Land Use Designations
7. Ownership Pattern
8. Zoning Designations
9. Modified R-1-B2 Standards
10. Current R-1-B2 Standards
11. Modified R-2 Standards
12. Current R-2 Standards
13. Ordinance Sections 18.06.050.G.3 and 4.
14. Ordinance Section 18.12.020 Use Tables
15. Amendment Ordinance
16. LUP Section 9.3.6
17. LUP Section 9.3.6 Suggested Modifications

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stfrpt.doc

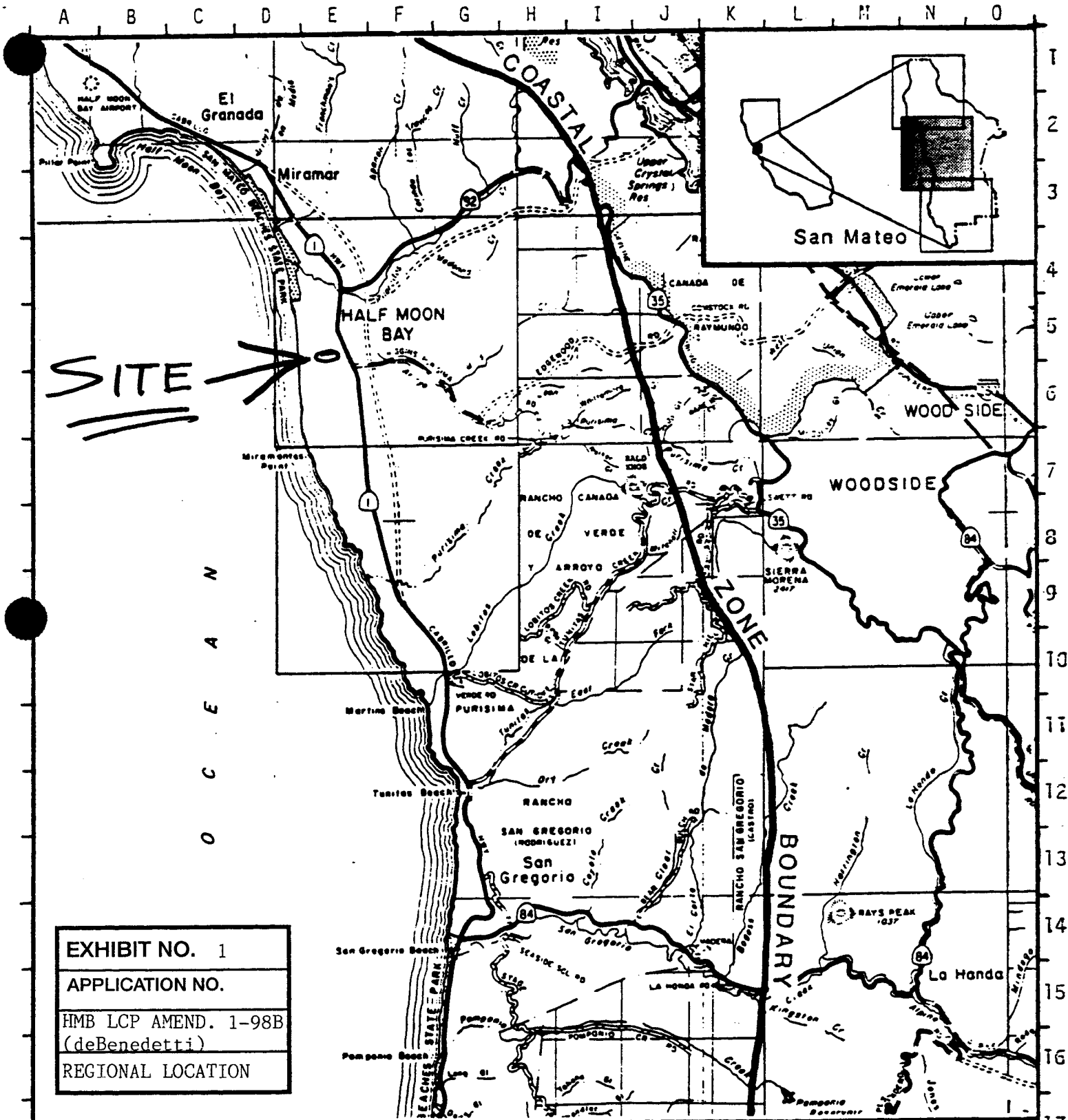


EXHIBIT NO. 1
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
REGIONAL LOCATION

Half Moon Bay

13

14

15

16

HALF MOON BAY

STATE BEACH

Elmar Beach

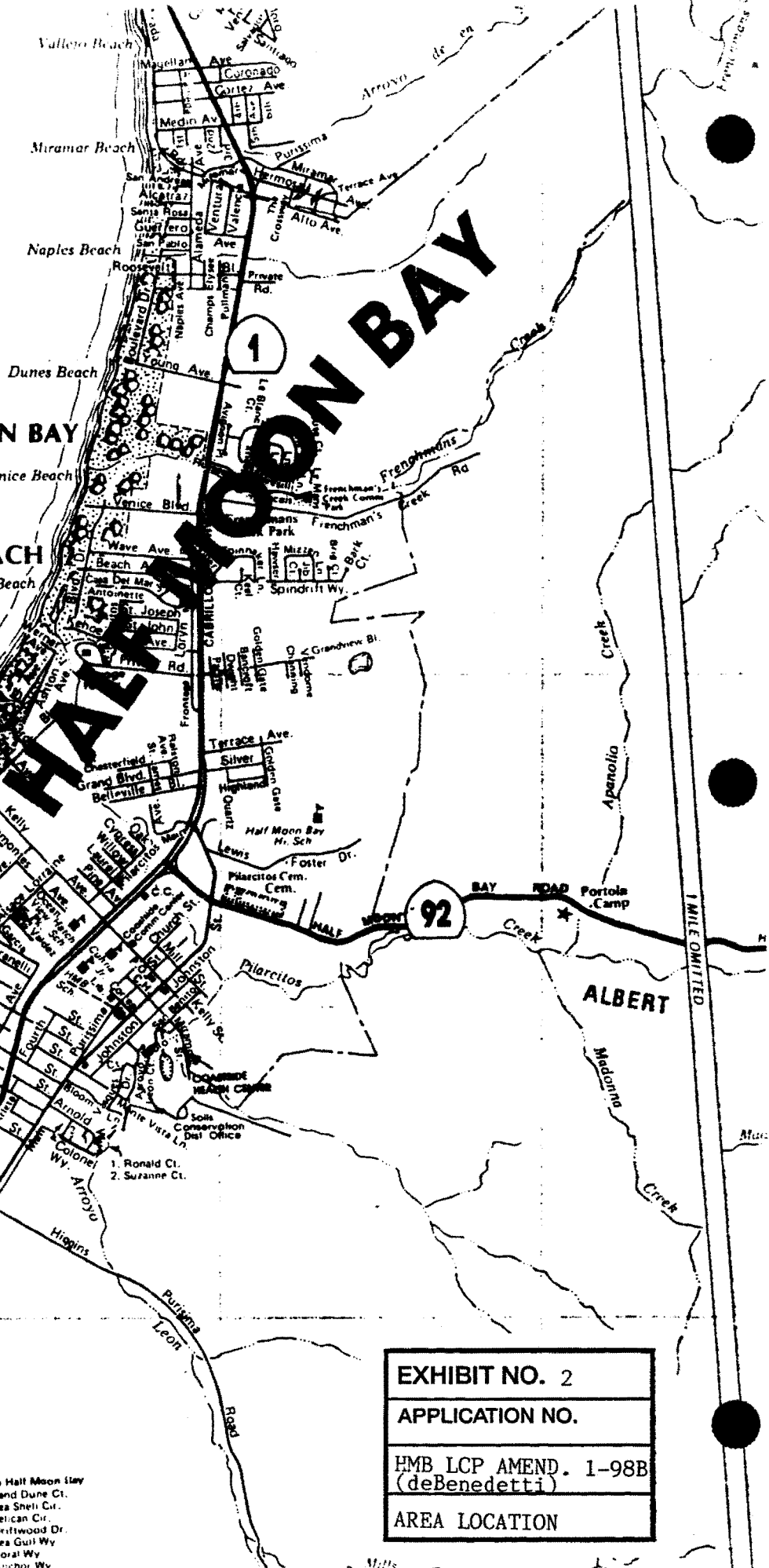
Francis Beach
Campground

SITE

OCEAN COLONY-
HALF MOON
BAY
GOLF LINKS

- South Half Moon Bay
1. Sand Dune Ct.
 2. Sea Shell Cir.
 3. Pelican Cir.
 4. Driftwood Dr.
 5. Sea Gull Wy.
 6. Coral Wy.
 7. Anchor Wy.
 8. Sand Dune Ct.

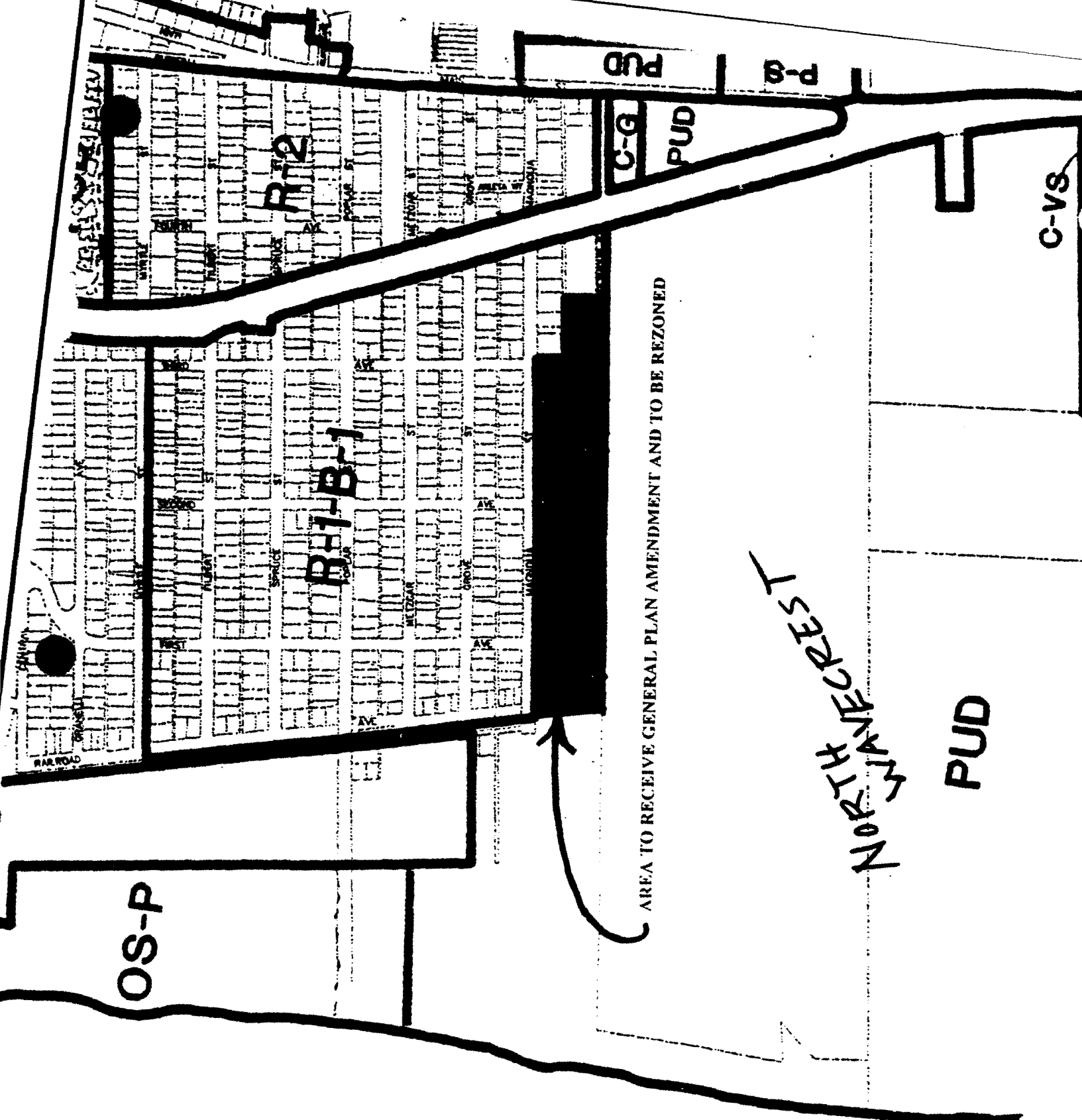
EXHIBIT NO. 2
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
AREA LOCATION



1 MILE OMITTED

ALBERT

17



AREA TO RECEIVE GENERAL PLAN AMENDMENT AND TO BE REZONED

NORTH WINDCREST

PUD

OS-P

BH-B1

PT-2

P-S

C-G PUD

C-VS

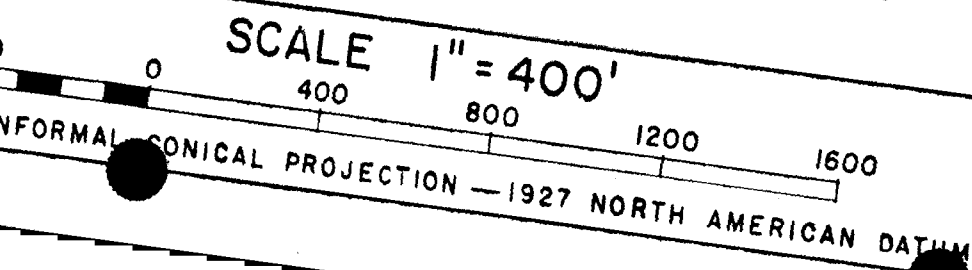
ATTACHMENT A

EXHIBIT NO. 3
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
AMENDMENT PROJECT AREA

EXHIBIT NO. 4
APPLICATION NO. 4
HMB LCP AMEND. 1-98B
(deBenedetti)
PROJECT AREA



SITE ↗



MATCH SHEET 13
COUNTY OF SAN
STATE OF CALIF

PROJECT AREA BOUNDARIES

EXISTING CONDITIONS

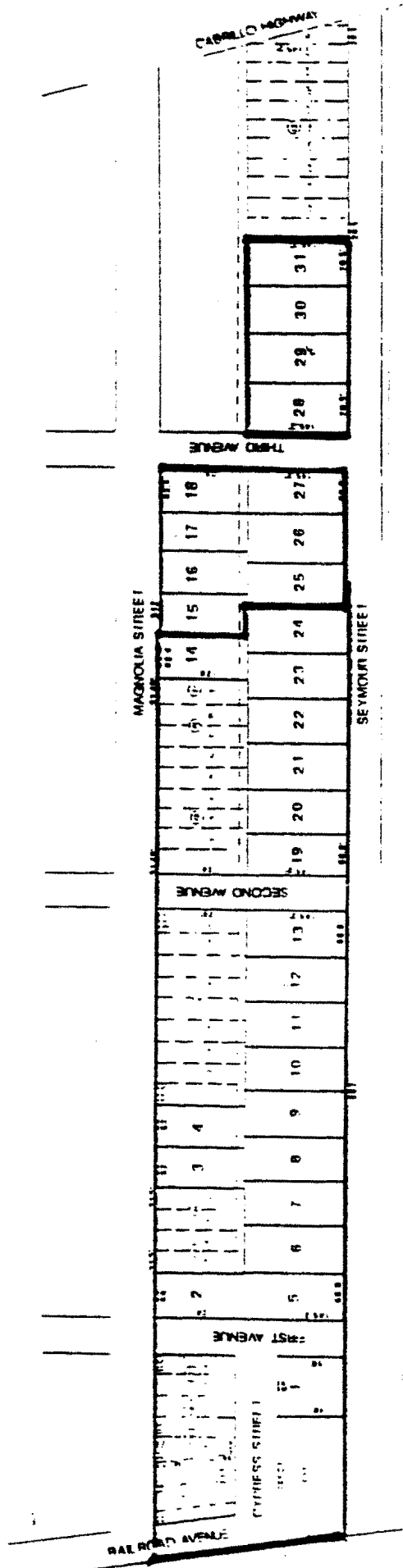
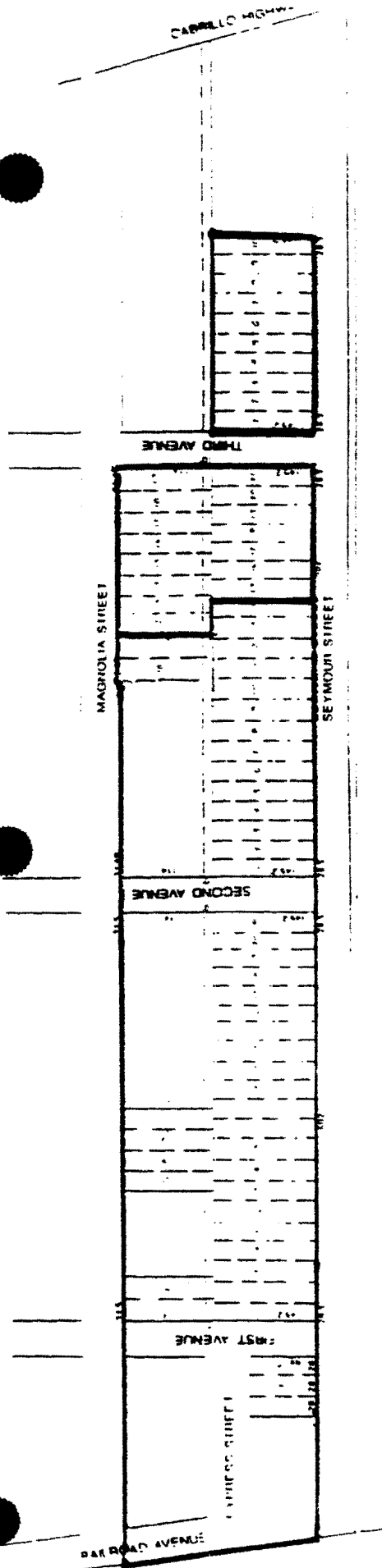
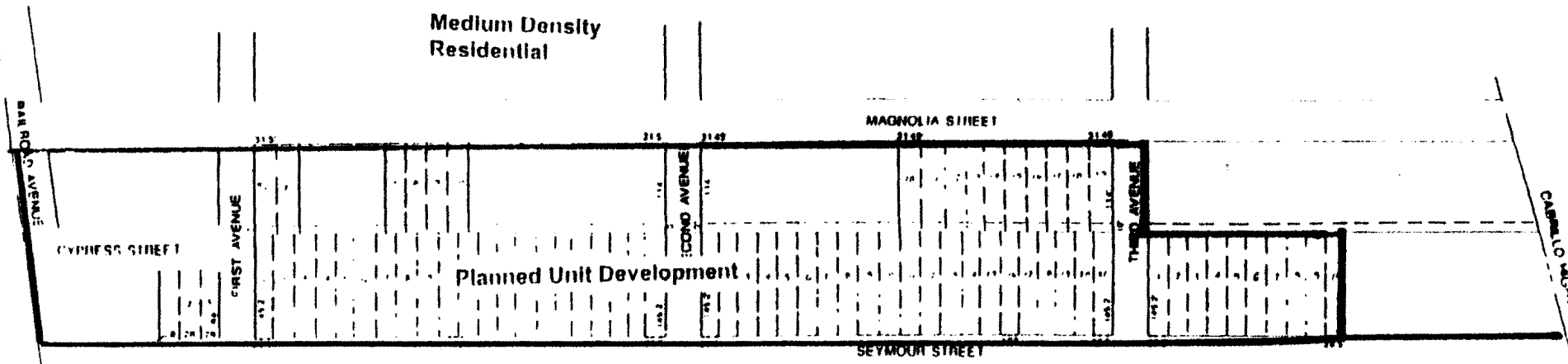
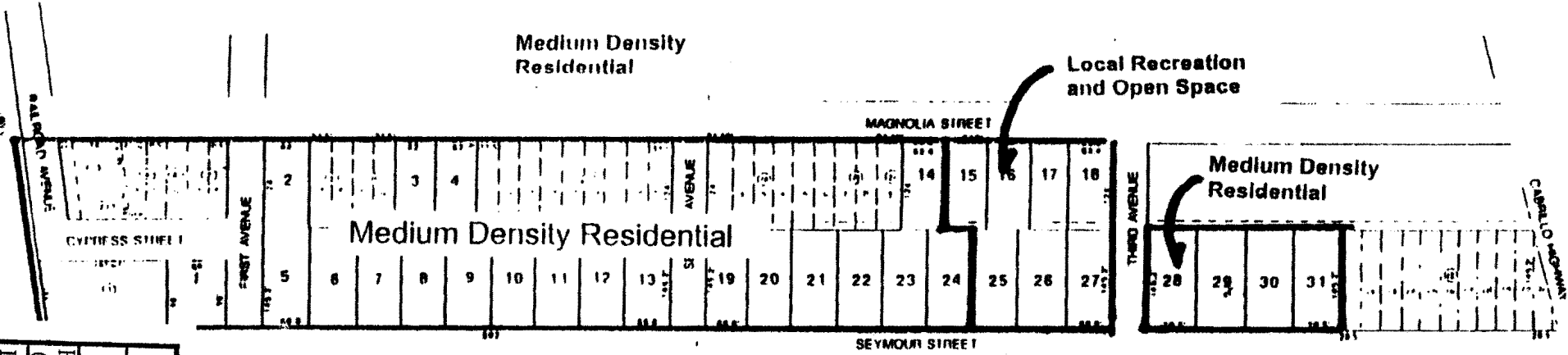


EXHIBIT NO. 5
 APPLICATION NO.
 HMB LCP AMEND. 1-98B
 (deBenedetti)
 PROJECT BOUNDARIES



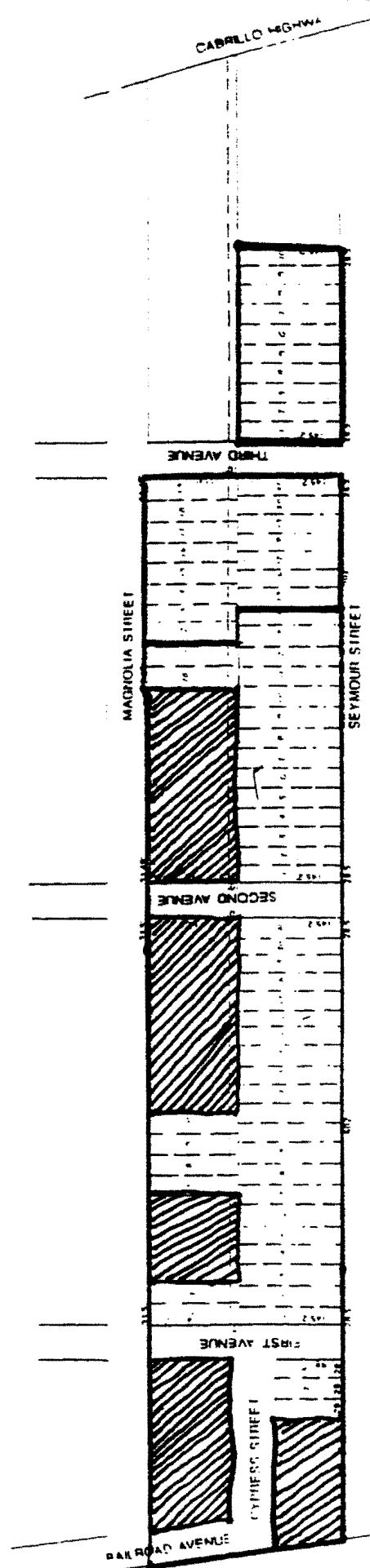
EXISTING CONDITIONS



PROPOSED LAYOUT

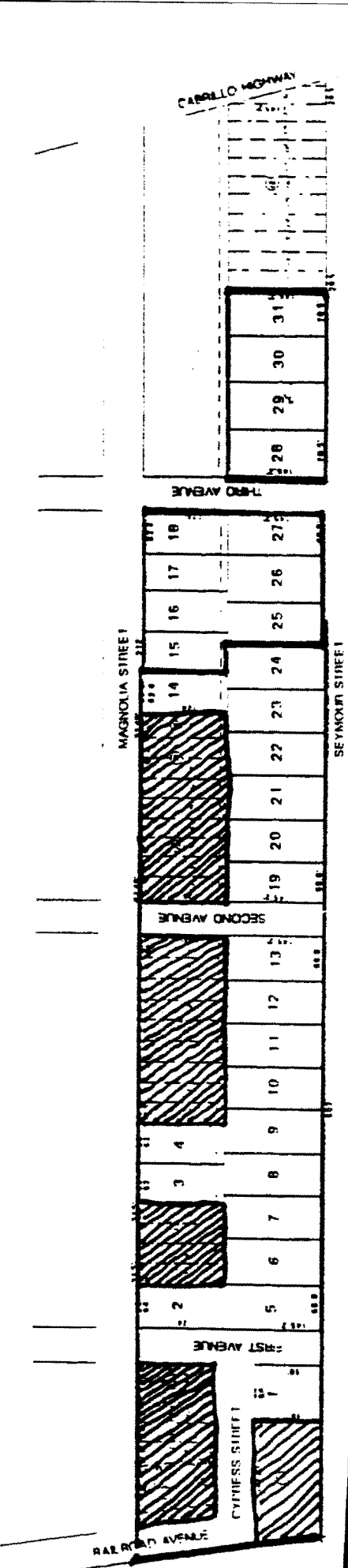
EXHIBIT NO. 6
 APPLICATION NO.
 HMB LCP AMEND. 1-98B
 (deBenedetti)
 LUP DESIGNATIONS

NON-DEBENEDETTI OWNED LOTS



EXISTING CONDITIONS

Non-deBenedetti Owned Lots

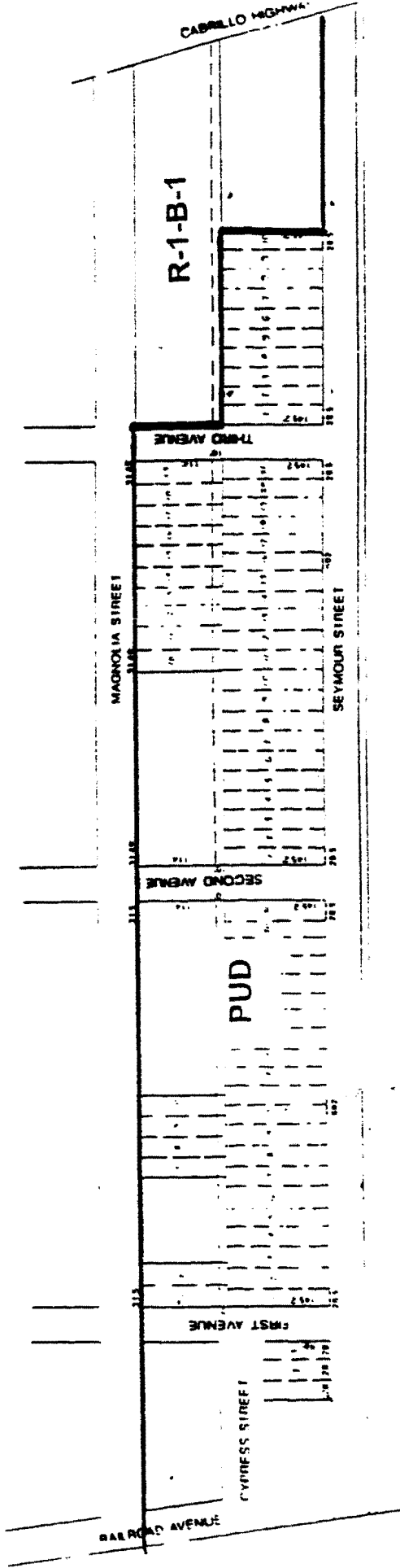


PROPOSED LAYOUT

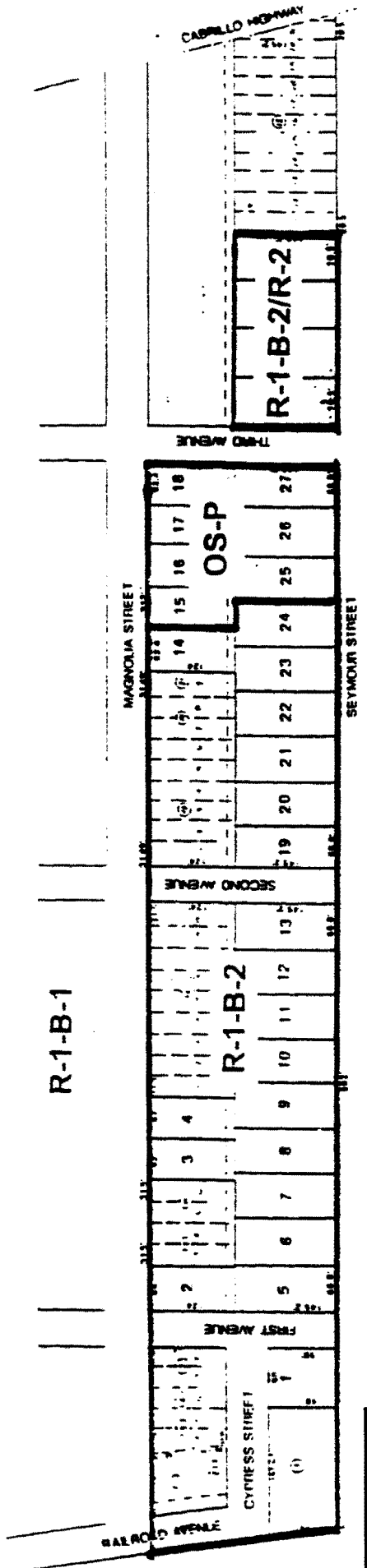
Non-deBenedetti Owned Lots



EXHIBIT NO. 7
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
OWNERSHIP PATTERN



EXISTING CONDITIONS



PROPOSED LAYOUT

EXHIBIT NO. 8
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
ZONING DESIGNATIONS

Exhibit B
DEVELOPMENT STANDARDS

R-1-B2 Development Standards (as modified for Agreement)

<u>Building Site Characteristics</u>	<u>R-1-B2</u>
Minimum site area (sq. ft.)	7,500
Minimum average site width	60' ¹
Minimum front setback	25'
Minimum side setback	6'
Minimum street facing side setback	13'
Combined minimum side setback	20% ²
Rear, minimum setback	20'
Single story, maximum height	16'
Multi-story, maximum height	28'
Maximum single story site coverage	50%
Maximum multi-story site coverage	35%
Floor area ratio	0.5:1
Parking garage spaces	2
Usable open space per unit	N/A

EXHIBIT NO. 9
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
MODIFIED R-1-B2 STANDARDS

¹ Under the Zoning Code currently in place, the minimum average width for R-1-B2 is seventy-five (75) feet; the parties both recognize and acknowledge that this Agreement provides for a modification to a sixty (60) foot minimum average width.

² Combined side yards equal or exceed twenty percent (20%) of average site width with required minimum.

City of Half Moon Bay

Zoning Code

Title 18

TABLE B: R-1 ZONING DISTRICT DEVELOPMENT STANDARDS

Building Site Characteristics	R-1	R-1-B1	R-1-B2
Minimum site area (sq. ft.)	5,000	6,000	7,500
Minimum average site width	50'	60'	75'
Minimum front setback	20'	25'	25'
Minimum side setback	5'	5'	6'
Minimum street facing side setback	10'	10'	13'
Combined minimum side setback ¹	10'	20%	20%
Rear, minimum setback	20'	20'	20'
Single story, maximum height	16'	16'	16'
Multi-story, maximum height	28'	28'	28'
Maximum single story site coverage	50%	50%	50%
Maximum multi-story site coverage	35%	35%	35%
Floor area ratio	0.5:1	0.5:1	0.5:1
Parking garage spaces	2	2	2
Usable open space per unit	N/A	N/A	N/A

EXHIBIT NO. 10
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
CURRENT R-1-B2 STANDARDS

¹ Combined side yards equal or exceed 20 percent of average site width with required minimum.

R-2 Development Standards for Duplex Homes

<u>Building Site Characteristics</u>	<u>R-2</u>
Minimum site area per unit (sq. ft.)	2,700
Maximum site area	N/A
Minimum site area (sq. ft.)	5,000
Minimum average site width	50'
Minimum front setback	20'
Minimum side setback	5'
Minimum street facing side setback	10'
Combined minimum side setback	10' ³
Rear, minimum setback	20'
Single story, maximum height	16'
Multi-story, maximum height	28'
Maximum single story site coverage	50%
Maximum multi-story site coverage	35%
Floor area ratio	0.5:1
In garage parking spaces per unit	2
Other parking spaces	N/A
Guest parking spaces	N/A
Usable open space per unit	15%

EXHIBIT NO. 11
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
MODIFIED R-2 STANDARDS

³ Combined side yards equal or exceed twenty percent (20%) of average site width with required minimum.

TABLE C: R-2 AND R-3 ZONING DISTRICT DEVELOPMENT STANDARDS

Building Site Characteristic	R-2 ²	R-2 ³	R-3
Minimum site area per unit (sq. ft.)	5,000	2,700	1,500
Maximum site area	N/A	N/A	N/A
Minimum site area (sq. ft.)	5,000	5,000	5,000
Minimum average site width	28.5'	50'	75'
Minimum front setback	20'	20'	20'
Minimum side setback	5'	5'	5'
Minimum street facing side setback	10'	10'	10'
Combined minimum side setback ⁴	10'	10'	10'
Rear, minimum setback	20'	20'	20'
Single story, maximum height	16'	16'	16'
Multi-story, maximum height	28'	28'	40'
Maximum single story site coverage	50%	50%	50%
Maximum multi-story site coverage	35%	35%	45%
Floor area ratio	0.5:1	0.5:1	N/A
In garage parking spaces per unit	2	2	1
Other parking spaces	N/A	N/A	1
Guest parking spaces	N/A	N/A	0.25 ⁵
Usable open space per unit	N/A	15%	15%

B. Animal Maintenance Regulations. In addition to the Additional Regulations set forth in Section A, above, the maintenance of permitted animals and pets shall be in compliance with the following regulations:

1. **Caged or Housed Within Residence.** Except as may be approved as a part of a Use Permit, or in conjunction with a recognized agriculture or animal husbandry educational program, including any similar program such as those for police dogs or guide dogs for the blind or hearing impaired, no animal other than small animals such as household pets shall be caged or housed within a residence, or within 20 feet of the residence or adjacent residences, or within 20 feet of a required front yard or within 60 feet of the front lot line. No animal housing or caging shall be maintained closer than ten feet to any adjoining property line, nor should any such housing or cage be visible from adjacent public or private property.

2. **Open Space Requirement.** The maximum number of animals permitted on a property shall be determined by the amount of open space area on the lot. For purposes of this Section, open space shall be defined as the sum total of the site less any coverage for the main and accessory buildings. Calculation of the total open space required shall be cumulative,

² For single-family residences on a site.

³ For two dwellings on a site

⁴ Combined side yards equal or exceed 20 percent of average site width with required minimum

⁵ A minimum of one parking space is required

EXHIBIT NO. 12
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
CURRENT R-2 STANDARDS

City of Half Moon Bay

5. Planter boxes and other decorative features. Decorative features attached to the walls of a structure may encroach a maximum of 12 inches into any required setback area.

6. Bay Window Encroachment. Bay windows providing floor area (i.e. extending from the finished floor upward) may not encroach into required setbacks, and are included in lot coverage calculations.

7. Bay Window Calculations. Bay windows having a minimum of 18 inches of clear space above finished grade that do not provide floor area and do not project beyond the eaves are not included in lot coverage calculations. Bay windows that provide a minimum of 18 inches of clear space above grade may encroach a maximum of 30 inches into required front and rear yard setbacks and a maximum of 12 inches into any required side yard setback.

F. **Substandard Lot Development Exceptions.** Exceptions for development on substandard or severely substandard Lots that do not meet the requirements for Lot Width of the Underlying Zoning District. Notwithstanding the provisions of this Title, in any case where less than a five foot side yard setback area is proposed on any lot or building site, Attached Structures and Features as defined and described in this Chapter shall not encroach into any side yard setback area five feet or less in width.

SECTION 18.06.050.G.

G. **Exceptions to Minimum Lot Area and Width Standards.**

1. Administrative Variance. Subject to the Findings set forth in this Section, the Planning Director may approve an Administrative Variance for construction of a single family residence in any R-1 District on a building site that provides at least 85% of the minimum width or area required.

2. Required Findings. An Administrative Variance may only be approved if the following findings are made in each case:

a. **All Other Standards Met.** All other development standards such as set backs, lot coverage, floor area ratio, parking, and building height are met; and

b. **ARC Review.** The Architectural Review Committee has reviewed the project.

3. Use Permit Required. Planning Commission approval of a Use Permit is required for development on any lot or building site in any Residential District that does not meet the requirements for an Administrative Variance as provided for herein, or provides less than 85% and more than 50% of the minimum lot area or width required by the underlying Zoning District and for development that conforms to all other provisions and Residential Development Standards of the Zoning Code. Where devel-

EXHIBIT NO. 13
APPLICATION NO. (Page 1 of 2)
HMB LCP AMEND. 1-98B (Benedetti)
SECTION 18.06.050.G.3 and 4.

opment is proposed on a lot or building site that provides less than 85% and more than 50% of the minimum lot area or width and relief is requested from any provisions of the Residential Development Standards of the Zoning Code, approval of a Variance is required.

a. **ARC Review and Recommendation.** The Architectural Review Committee shall review the project and forward its recommendation to the Planning Commission prior to consideration of either a Use Permit or a Variance.

4. **Use Permit for Substandard Lot.** Planning Commission approval of a Use Permit is required for any development on a severely substandard lot which is defined as any building site that provides 50% or less of the minimum lot area or width required by the underlying Zoning District. The following development standards shall apply to all residential development on a severely substandard lot that provides 50% or less of the minimum lot area or width required by the underlying Zoning District:

TABLE F: DEVELOPMENT STANDARDS *

Single story lot coverage	50 percent of the land area
Two story lot coverage	35 percent of the land area:
Floor area ratio	50 percent of lot area, including covered parking
Required parking	A minimum of two 9'x19' parking spaces. One must be an enclosed garage. The second may be a covered carport
Front setback	Consistent with underlying zoning district
Rear setback	Consistent with underlying zoning district
R-1 side setback	3 feet or 10 percent of total site width on each side, whichever is greater.
R-1-B-1 side setback	4 feet or 10 percent of total site width on each side, whichever is greater.
R-1-B-2 side setback	5 feet or 10 percent of total site width on each side, whichever is greater.
Corner lot side setback	Front and street side yard set backs on any street side of a corner lot shall be established through the use permit or variance process and shall be based upon the recommendations of the city engineer for site distance and other traffic safety criteria.
Single story height	16 ft
Multi-story height	28 ft

* In any case where a proposed project does not meet the development standards defined herein, Planning Commission approval of a Variance shall be required.

City of Half Moon Bay

6. Allow commercial recreation uses requiring large open sites to enhance and improve recreational opportunities within the City for visitors and residents.

B. Intent. The intent of this Chapter is to establish the Open Space – Active, Passive, and Conservation Districts as described herein, and to guide the use of land and orderly development within each District in a manner consistent with this Title, the Local Coastal Program, and the General Plan:

1. (OS-A) Active Open Space District. Establish areas for the preservation of active recreational opportunities within the City such as the public beaches, parks, play grounds, outdoor sports and athletic facilities, recreational vehicle parks, and parking lots supporting recreational activities.

2. (OS-P) Passive Open Space District. Establish areas for public hiking, biking, and equestrian trails, and public parking lots to support access to the trail system. Amenities shall be limited to rest rooms, benches and picnic tables, drinking fountains, and trash receptacles.

3. (OS-C) – Conservation Open Space District. Establish areas for the preservation of important riparian and wildlife habitat areas within the City. Activities are limited to pedestrian trails only with amenities limited to trash receptacles and benches.

EXHIBIT NO. 14
APPLICATION NO. (Page 1 of 6)
HMB LCP AMEND. 1-98B (deBenedetti)
ORD. SECTION 18.12.020 USE TABLES

18.12.015 Open Space District General Requirements. Table A of this Chapter is intended to provide a reference to the range of permitted uses in the Open Space – Active, Passive, and Conservation Districts. Approval of a Use Permit is required for any use in any of the OS Districts. All uses are subject to the specific regulations set forth in this Title. Any use not expressly permitted is prohibited.

18.12.020 Open Space District Use Regulations. Table A through D of this Chapter includes references to Additional Regulations for the permitted uses in each Open Space and Conservation District. The following Additional Regulations shall apply:

TABLE A: PUBLIC USE SCHEDULE

Key	Public and Quasi-Public Use	OS-A District	OS-P District	OS-C District
A-1	Coastal Dependent	X		
A-2	Cultural Institution	X		
A-3	Government Office	X		
A-4	Maintenance & Service	X		
A-5	Public Park & Recreation	X		
A-6	Public Safety Facility	X		
A-7	Municipal Sports Facility	X		
A-8	Minor Utility	X		
A-9	Public Trail	X	X	X

City of Half Moon Bay

TABLE B: COMMERCIAL USE SCHEDULE

Key	Commercial Use	OS-A District	OS-P District	OS-C District
B-1	Onsite eating or Drinking	X		
B-2	Food or Beverage Retail	X		
B-3	Equestrian Center	X		
B-4	Visitor-Serving Retail	X		

TABLE C: LODGING USE SCHEDULE

Key	Visitor Accommodation Use	OS-A District	OS-P District	OS-C District
C-1	Campground	X		
C-2	RV Park	X		

TABLE D: TEMPORARY USE SCHEDULE

Key	Temporary Use	OS-A District	OS-P District	OS-C District
D-1	Animal Shows	X		
D-2	Commercial Filming	X	X	

(Public and Quasi-Public Uses)

A-1 Coastal Dependent Use. In the Open Space – Active District, priority is given to coastal dependent and related recreational activities and support facilities within a zone extending two hundred (200) feet inland from the mean high tide line that are not within any coastal resource or conservation area as defined in this Title. As defined in the Coastal Act, "coastal dependent" uses are those that require a site on or adjacent to the sea to be able to function at all. Uses include marinas, yacht clubs, charter fishing boats, and surfboard and boat rentals.

A-2 Cultural Institution. Only interpretive centers or museums displaying or preserving objects relating to the natural processes or the human history of the coastal area are permitted.

A-3 Government Office. Within the OS-A District, only Government Offices which are ancillary to the primary open space use of the site are permitted.

City of Half Moon Bay

A-4 Maintenance & Service. Maintenance and Service Facilities are allowed within the OS-A District only as an accessory use directly related to a permitted park and recreation facility. Maintenance and Service facilities shall be enclosed by a solid fence or wall and screened from view with landscaping in the manner specified by the Planning Commission.

A-5 Public Park & Recreation. Permitted uses include public parks and beaches, day visitor parking for shoreline access and recreation, public rest rooms, visitor information centers, interpretive centers, access ways such as bicycle, equestrian and pedestrian trails, picnic areas and trash enclosures. Recreational uses that do not require extensive alteration of the natural environment shall be given priority on ocean front lands so long as they do not preclude or otherwise conflict with the priority for coastal dependent uses identified in Item A.1. of this Section. Off-road vehicles are not permitted under any circumstances within any OS District.

A-6 Public Safety Facility. Facilities for public safety and emergency services, including lifeguard, police and fire protection.

A-7 Municipal Sports Facility. Municipal. Public play fields, swimming pools, driving ranges and golf courses, tennis courts, etc., are permitted within the OS-A District.

A-8 Minor Utility. Minor installations such as underground electrical distribution lines, underground water and sewer lines, and utility vaults.

A-9 Public Trail. In the OS-A and OS-P Districts, nature walks and interpretive displays, and hiking, biking, and equestrian trails with ancillary parking lots, rest rooms, benches, drinking fountains, and trash receptacles, are permitted, subject to conformance with the provisions of the resource conservation standards of the Land Use Plan and this Title.

(Commercial Uses)

B-1 Eating and Drinking Establishments. Eating and drinking establishments are permitted in the OS-A District only as an accessory use to a permitted park or recreation facility or a permitted commercial recreation use. Establishments that serve alcoholic beverages as the primary product and that do not offer a full service meal menu are not permitted. Facilities shall not exceed 500 square feet in floor area and shall be no closer than 2,000 linear feet from similar facilities within the Open Space Active, Passive, and Conservation District. These facilities are limited to areas either within or immediately adjacent to the existing parking lot

City of Half Moon Bay

areas and recreational vehicle park areas; no additional impervious surfaces will be permitted except for that required for the building itself.

B-2 Food and Beverage Retail Sales. Retail food and beverage sales are permitted in the OS-A District only as an accessory use to a permitted park or recreation facility or a permitted commercial recreation use. Facilities shall not exceed 500 square feet in floor area and shall be no closer than 2,000 linear feet from similar facilities within the Open Space Active, Passive, and Conservation District. These facilities are limited to areas either within or immediately adjacent to the existing parking lot areas and recreational vehicle park areas; no additional impervious surfaces will be permitted except for that required for the building itself.

B-3 Equestrian Centers. In the OS-A District, horse rental services, commercial stables, and riding academies must comply with the Stable Ordinance of the County of San Mateo, any similar ordinances that may be adopted by the City of Half Moon Bay, and receive a Stable Permit from the County.

B-4 Retail Sales, Visitor Oriented. In the OS-A District, limited visitor serving sales will be permitted only if ancillary to a permitted park or recreation facility or a permitted commercial recreation use. Facilities shall not exceed 500 square feet in floor area, and shall be no closer than 2,000 linear feet from similar facilities within the Open Space Active, Passive, and Conservation District. These facilities are limited to areas either within or immediately adjacent to the existing parking lot areas and recreational vehicle park areas; no additional impervious surfaces will be permitted except for that required for the building itself.

(Visitor Accommodations)

C-1 Campground. Campgrounds offering accommodations and areas for tent camping for temporary occupancy by the general public, are permitted in the OS-A District only.

C-2 Recreational Vehicle Park. Recreational Vehicle Parks for temporary occupancy by Recreational Vehicles are permitted within the OS-A District only.

(Temporary Uses)

D-1 Animal Shows. Rodeos or other exhibitions of domestic or large animals are limited to a maximum of seven consecutive days or two consecutive weekends including nights and days.

City of Half Moon Bay

D-2 Commercial Filming. Commercial motion picture or video photography locations may be established for a maximum of seven consecutive days within both the OS-A and OS-P Districts.

18.12.025 Specific Development Standards. All new development shall conform to the following:

A. Minimum Setbacks. In all Cases, the required setbacks shall be measured from boundary and/or property lines or from Coastal Resources as defined in this Title, which ever is the more restrictive applicable standard. In conjunction with the review and consideration of a Use Permit, the Planning Commission may require setback distances greater than the established standards in order to minimize adverse visual impacts and conflicts between development and public access. In any case, informational signs may be placed within the required setbacks, subject to the restrictions of this Chapter.

1. All new structures, parking lots and other improvements shall be set back at least one hundred (100) feet from any adjacent Residential District.

2. All new development shall comply with the provisions of this Title for setbacks and buffers from any Coastal Resource or Environmentally Sensitive Habitat Area as defined in this Title, the Local Coastal Plan, and the General Plan.

3. Camping facilities shall be set back a minimum of one hundred (100) feet from the beach, bluffs, and near-shore areas reserved for day use activities.

4. Recreational Vehicle sites shall be set back a minimum of two hundred (200) feet from the beach, bluffs, and near-shore areas reserved for day use activities and shall be located so as to minimize visibility from the beach, any public rights-of-way, and R Districts.

5. Hiking and Biking Trails and lateral and vertical access ways may be established anywhere within the boundaries of the District so long as there is no conflict with the standards of protection for Coastal Resources and Environmentally Sensitive Habitat Areas as defined in this Title, the Local Coastal Plan, and the General Plan.

6. Equestrian Trails may be located no closer than 50 from any R District and no closer to any Coastal Resource than the standards for their protection as defined in this Title.

7. All new construction in any Zoning District adjacent to the boundary of public shoreline recreation ownership shall maintain a minimum

City of Half Moon Bay

B. Maximum Structure Height.

1. The maximum height for any structure other than those provided for in Item 2 below shall be 16 feet, as measured from the highest point of the building to established grade directly below that highest point.

2. The Planning Commission may grant an exception to the height limitation established in Item 1 above for only public safety facilities such as police or fire buildings, public park and recreation facilities such as backstops for baseball diamonds, or maintenance and service facilities for publicly owned or operated park and recreation uses. Exceptions to the height limitation shall not be granted for any other structure or use.

C. Additional Standards.

1. Landscaping and Screening. Landscaping or other forms of screening shall be required for parking areas visible within established scenic corridors or other natural or undisturbed state or an agricultural use. Landscaping or other screening shall be installed and maintained so that parking and structures are reasonably blocked from view within five years of project completion.

2. Parking. Adequate on-site parking facilities shall be required in accordance with the provisions of this Title.

3. Signs. Off-site signs are prohibited in the Open Space and Conservation Districts. Regulations for establishment of on site signs are as follows:

a. Except as provided herein, all new signs shall be reviewed by the Architectural Review Committee, and approved by the Planning Commission as a part of the required Use Permit.

b. One identification sign not to exceed twenty (20) square feet on each face shall be permitted for any public or commercial recreation use permitted by this Chapter. The height shall not exceed fifteen (15) feet.

c. Exterior advertising for on-site uses shall be reviewed and approved by the Architectural Review Committee and shall be approved as a part of the required Use Permit.

18.12.030 Coastal Resource Conservation Standards. All development occurring in or adjacent to Coastal Resource Areas and Environmentally Sensitive Habitat Areas as defined in this Title, the Local Coastal Plan, and the General Plan shall adhere to the applicable standards set forth therein. Where a conflict occurs between the standards of this Chapter and those applicable to Coastal Resources and Environmentally Sensitive Habitat Areas, the more restrictive shall apply.

ORDINANCE NO C- __-98

AN ORDINANCE AMENDING THE LOCAL COASTAL PROGRAM/LAND USE PLAN: GENERAL PLAN AMENDMENT GPA-02-96; AND REZONING REZ-02-96

General Plan Amendment GPA-02-96: Remove from the boundaries of the Wavecrest Restoration Project area (Attachment A) those properties, shown on Conceptual Plan (Attachment B), generally bounded by Magnolia Street on the north, Third Avenue on the east plus the first 10 lots fronting on Seymour Street to the east of Third Avenue, Seymour Street to the south, and Railroad Avenue to the west (hereinafter referred to as the subject properties). The General Plan Amendment (Attachment C) would change the designation from Planned Unit Development to Medium Density Residential to be generally consistent with the balance of Arleta Park. Lots 15-18 and 25-27 are proposed for Local Recreation and Open Space.

Rezoning REZ-02-96: Rezone the above described subject properties (Attachment D) from Planned Unit Development (PUD) to R-1-B2, and from Planned Unit Development (PUD) to R-2 or R-1-B2 for lots 28-31 based upon the modified development standards as set forth in Exhibit B DEVELOPMENT AGREEMENT BETWEEN THE CITY OF HALF MOON BAY AND MAGNOLIA ASSOCIATES, LLC. Lots 15-18 and 25-27 will be dedicated to the City of Half Moon Bay by Mr. deBenedetti and rezoned to Open Space-P which allows a neighborhood park.

EXHIBIT NO. 15
APPLICATION NO.
HMB LCP AMEND. 1-98B (deBenedetti)
AMENDMENT ORDINANCE (Page 1 of 13)

WHEREAS, in accordance with the provisions of the Settlement Agreement reached between the City of Half Moon Bay and John deBenedetti, a request was submitted by the applicant, John deBenedetti for the removal of the subject properties from the area described in the Half Moon Bay Certified Local Coastal Program/Land Use Plan (General Plan) as the Wavecrest Restoration Project Area, designated for *Planned Unit Development* in the General Plan Text and on the Land Use Plan Map and Zoning Map; and

WHEREAS, the removal of the subject properties from the Wavecrest Restoration Project Area and *Planned Unit Development* land use designation as described in the City's General Plan, and re-designation of the subject properties for *Medium Density Residential and Local Recreation and Open Space* land use requires approval of a General Plan Amendment; and

WHEREAS, the procedures for amending the Land Use Plan as set forth in the Coastal Act have been followed; and

WHEREAS, the procedures for amending the General Plan as set forth in the California Government Code have been followed; and

WHEREAS, the property owner requested the removal of the subject properties from the *Planned Unit Development Zoning District* and inclusion of the subject property into the *Single Family Residential (R-1-B-1, R-1-B2) Duplex Residential (R-1-B2/R2) and Open Space -Passive (OS-P) Zoning Districts* requires approval of a Rezoning; and

WHEREAS, the procedures for amending the Land Use Map and Zoning Map as set forth in the Half Moon Bay Municipal Code and State law have been followed; and

WHEREAS, the amendments to the Land Use Plan and Zoning Map for the subject properties requires the preparation and acceptance of an environmental document in accordance with CEQA; and

WHEREAS, an Initial Study/Negative Declaration has been prepared for the requested land use planning modifications for the subject property; and

WHEREAS, the City Council has reviewed the Initial Study and Negative Declaration and accepts the Environmental documentation as complete and adequate; and

WHEREAS, the City of Half Moon Bay is committed to maximum public participation and involvement in matters pertaining to the General Plan and its Elements, the Land Use Plan, and the Zoning Code; and

WHEREAS, notice containing a brief description of this application and the date, time, and place of the City Council public hearing was mailed to all persons expressing an interest in these proceedings, to all property owners within 300 feet of the site, and to all County, State, and Federal agencies with an interest in the City's General Plan/Land Use Plan: and

WHEREAS, notice containing a brief description of the application and the date, time, and place of the City Council public hearing was published in the Half Moon Bay Review, a newspaper of general circulation in the City; and

WHEREAS, the Planning Commission conducted duly noticed public hearings on August 8, 1996, September 12, 1996, and February 13, 1997 and forwarded a recommendation to the City Council; and

WHEREAS, the City Council considered the application and the recommendation of the Planning Commission at duly noticed public hearings on October 15, 1996, and November 19, 1996, March 18, 1997 and January 6, 1998; and

WHEREAS, all those in attendance desiring to be heard were given an opportunity to speak on this application; and

WHEREAS, after considering the facts, issues, and testimony, the City Council referred these applications and a Development Agreement back to the Planning Commission for reconsideration; and

WHEREAS, the City Council gave specific direction to the Planning Commission to consider the properties a "transition zone" between Arleta Park and North Wavecrest and to consider applying the modified R-1-B2 Zoning District Development Standards, and modified R-1-B2/R2 Zoning District development Standards, and Development Agreement to implement this direction; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing to consider the direction of the City Council on March 12, 1998; and

WHEREAS, the Planning Commission considered all written and oral testimony presented in their consideration of this application; and

WHEREAS, the Planning Commission voted to recommend forwarding to the City Council for approval of the proposed amendment to the General Plan/Land Use Plan, the Rezoning of the subject properties and Development Agreement are in accordance with all applicable policies of the Local Coastal Program Land Use Plan, the General Plan and its Elements, and the Half Moon Bay Municipal Code; and

✓ **WHEREAS**, the Planning Commission also recommends to the City Council that the City process a Land Use Plan Amendment to reduce the levels of development in North Wavecrest commensurately with any increase in dwelling units in this area in order to maintain the existing levels of residential development currently allowed throughout the City.

WHEREAS, the City Council considered all written and oral testimony presented in their consideration of this application; and

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves ORDINANCE NO C-___-98 and forwards its recommendation to the California Coastal Commission that GPA-02-96, REZ-02-96, the Development Agreement, and Initial Study/Negative Declaration (EIR-07-96) be approved as described herein, subject to the Findings and Conditions of Approval as attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Half Moon Bay at its meeting thereof held on the 7th day of April 1998 by the following vote:

* * * * *

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 the meeting thereof held on the 7th day of April, 1998, by the following vote of the members thereof:

AYES, and in favor thereof,
Councilmembers:

NOES, Councilmembers:

ABSTAIN, Councilmembers:

ABSENT, Councilmembers:

Naomi Patridge, Mayor
City of Half Moon Bay

ATTEST:

Dorothy R. Robbins, City Clerk

EXHIBIT A

**FINDINGS AND CONDITIONS OF APPROVAL FOR GPA-02-96, REZ-02-96
AND DEVELOPMENT AGREEMENT**

General Plan Amendment 02-96 Findings:

1. In accordance with Section 13515 of the Code of Regulations, all interested parties, all affected local, state, and federal agencies, all of the adjacent local governments, special districts, harbor districts, regional governments, libraries and the media were mailed notice of the date, time, and place of the public hearing at which the City Council intended to consider the proposed amendments prior to submitting its recommendation to the California Coastal Commission.
2. On April 7, 1998, the City Council of the City of Half Moon Bay held a duly noticed public hearing to review the proposed amendment to the Land Use Plan.
3. That the City Council has found that the proposed Land Use Plan Amendment is in conformance with Chapter 3 of the Coastal Act, and all applicable policies of the City of Half Moon Bay Certified Land Use Plan.

Rezone 02-96 Finding:

1. That the City Council has found and determined that the proposed Rezoning is in conformance with all applicable policies of the City's Local Coastal Program Land Use Plan and all elements of the City's General Plan.

DEVELOPMENT AGREEMENT:

1. That the City Council has found that the Development Agreement is in conformance with all applicable policies of the City's Local Coastal Program and General Plan.

General Plan Amendment 02-96 and Rezoning 02-96 Conditions:

1. That a preliminary geotechnical report shall be required for each block prior to the issuance of a grading permit. The geotechnical report shall be prepared, wet-stamped, and signed by a geotechnical engineer licensed by the State of California. The geotechnical report shall be submitted prior to the issuance of any grading or building permit for any activity on the development site. The report shall include, at a minimum, test borings within the proposed building footprints; laboratory tests of strength, consolidation, and soil classifications; and detailed design recommendations for support of structures.
2. That a grading plan prepared by a licensed civil engineer shall be submitted for each block. The grading plan shall be reviewed and approved by the City Engineer prior to the issuance of a grading permit.

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

A Grading Permit cannot be issued without an approved grading plan and an approved erosion/dust control plan that provides for winterization of the project site. A **Coastal Development Permit** for the **grading plan** and the erosion/dust control plan shall be approved prior to the issuance of a grading permit by the City of Half Moon Bay.

It is recognized that development of the project area will be phased over many years. Grading activities may be limited to those areas where residential buildings are proposed at any given time. However, the grading permit and all grading activities must address the area of each block.

4. That the developer shall comply with all Uniform Building Code regulations for grading to reduce temporary erosion impacts associated with development.
5. That a drainage plan shall be prepared by a licensed Civil Engineer. The drainage plan shall be integrated into the final grading plan. All run-off shall be directed into the storm drain system to the satisfaction of the City Engineer.
6. That prior to the commencement of any grading or site preparation activities, the property owner shall submit to the Planning and Building Department a report from a qualified biologist that identifies the plant communities and habitat value of the property. In the event the biologist identifies the existence of any significant habitat value or the site constitutes a wetlands as defined in the City of Half Moon Bay Land Use Plan, no development related activities will be allowed in the area until a Habitat Protection Plan is reviewed and approved by the City Council.
7. That all construction and grading activities on the site shall be limited between 7:00 a.m. and 6:00 p.m. Monday through Friday, 9:00 a.m. to 5:00 p.m. on Saturdays, and between 10:00 a.m. and 4:00 p.m. on Sundays, and State and Federal holidays in accordance with Chapter 14.40 of the Half Moon Bay Municipal Code.

- ✓ 8. That the total number of new units in the project area shall be deducted from the maximum number of permitted units in the Wavecrest Restoration Project area.
9. That the applicant shall be subject to standard Traffic Mitigation Fees in accordance with Chapter 14.35 of the Half Moon Bay Municipal Code at the time building permits are requested, and fees, exactions, dedications and new fees or taxes as required by the Development Agreement.
10. That the exact location, number, size and other pertinent information for all utilities including, but not limited to, fire hydrants, street lights, sanitary sewers and storm drains will be checked and approved at the time the final improvement plans are submitted to the City Engineer for review.
11. That adequate street access and water system for fire protection shall be installed and in working order prior to the beginning of any vertical construction above any foundation to the satisfaction of the Half Moon Bay Fire Protection District and the City Engineer.
12. That fire flow and all other applicable Fire Code Regulations shall be to the satisfaction of the Half Moon Bay Fire Protection District.
13. That the applicant comply with all requirements of the Half Moon Bay Fire Protection District prior to the issuance of any Building Permits. These requirements shall include, but not be limited to, the size, location, and other pertinent information pertaining to each building number or address, construction of an all-weather access road to the construction site from an improved roadway, meeting all required development standards pertaining to hydrant placement and location, street width standards, the construction of fire breaks along the open space areas to south of the site, and the installation of internal fire protection devices. The applicant shall pay all plan check and inspection fees required by the Fire Protection District.
14. That adequate fire hydrants shall be installed within the subdivision or project to the satisfaction of the Half Moon Bay Fire Protection District. A preliminary map shall be provided to the Fire Protection District for review and approval, which shows all fire hydrant and water main locations prior to the recording of the Final Map. A copy of the response from the Fire District shall be transmitted to the City Engineer.
15. That all residential dwellings shall display lighted street address numbers in a prominent location on the street side of the residence in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be no less than four inches in height and shall be or a contrasting color to the background.
16. That prior to the issuance of grading permits, the applicant shall submit plans for the water connections to the Coastside County Water District Engineer which shall be approved by all required parties. Furthermore, such security as deemed necessary by the Water District shall be required to insure installation of the proposed facilities. The applicant shall submit

evidence to the Planning Director from the CCWD indicating that adequate domestic water supplies are available for all of the proposed uses. Low-flow plumbing fixtures shall be used throughout the proposed development.

17. That the applicant shall also submit evidence to the City Engineer that the following utility companies and providers or their successors have approved the utility improvement plans: Pacific Gas & Electric Company, Pacific Telephone, Coastside Cable TV Company, Sewer Authority, and the Coastside County Water District. The applicant shall subsequently provide the City Engineer with each utility's easement needs as part of the grading permit application.
18. That any public utilities requiring relocation as a result of the construction of the building(s) or improvements necessary for development within the project area shall be relocated (underground if appropriate) at the applicant's expense. Encroachment permit required.
19. That a sanitary sewer report shall be submitted as part of the site improvement plans for approval by the City Engineer. The report is to include all information pertinent to the capability of the proposed sewer facilities to handle the expected wastewater from the site. The system shall be connected to existing public lines. Submit engineering calculations confirming that existing sewer capacity downstream of the proposed development is adequate for the additional flow. If capacity is inadequate, submit engineering calculations and plans for improvements to provide adequate capacity. The applicant shall bear the full cost of any additional sewer or required modifications to any existing sewage collection or transmission facilities necessary to serve the proposed development. Sanitary sewers must have a manhole at each change in direction of pipe. Curved sewers are not allowed. Manholes should be within paved streets whenever possible. Changes in flow direction greater than 90 degrees should be avoided.

It is acknowledged that this Mitigation Measure may result in the applicant funding off-site improvements that are required to address and mitigate the impacts of this development on the area sewage transmission system that also may benefit other property owners in the future. In the event it is necessary for the applicant to fund initial off-site improvements as a part of this Condition, the applicant may request City Council approval of a Reimbursement Agreement to recoup a portion of the costs.

20. That sanitary sewer line and lateral facilities for complete and adequate service for the project area be constructed. The system shall be connected to existing public sewer lines. The applicant shall submit evidence of an approved sewer connection permit or an application for any necessary City of Half Moon Bay sanitary sewer connection permit(s), with the application for a building permit. The City of Half Moon Bay sewer connection permit(s), if available, will be issued concurrently with the building permit. A building permit will not be issued without a sewer connection permit. Encroachment permit required.

21. That all utilities for energy and communication shall be installed underground. This shall include any existing overhead utilities on the northerly side of Magnolia Street as may be required by the City of Half Moon Bay Municipal Code.
22. That any existing well on the property must be abandoned in accordance with San Mateo County Department of Environmental Health requirements and Chapter 13.84, Half Moon Bay Municipal Code. City of Half Moon Bay domestic well permit and Health Department witnessing of work are required.
23. That the applicant shall construct domestic water line facilities and appurtenances for service from a water utility. The applicant shall submit, with the building permit application, evidence from the Coastside County Water District indicating that a Phase I water contract has been assigned to the parcel for which the building permit is requested.
24. New construction must be connected to the sewer. Any existing septic tank on the site must be located. Any septic tank, which will not be used, must be properly abandoned in conformance with Section 13.24.050 of the Half Moon Bay Municipal Code.
25. That an Encroachment Permit shall be required for all work within the public right-of-way. The encroachment permit shall be obtained from the City.
26. That any School Impact Fees required shall be paid prior to the issuance of any Building Permit.
27. That all building on the site must be consistent with the Zoning Regulations in Title 18 of the Half Moon Bay Municipal Code to the satisfaction of the Planning Director.
28. Prior to the issuance of building permits for any building site within the project area, a developer shall pay all Park Impact Fees required by the Municipal Code or as agreed within the Development Agreement.
29. That if historic or archaeological artifacts are uncovered during grading activities, all work shall stop, the Planning Director shall be notified, and a qualified archaeologist shall be retained by the applicant, at the applicant's expense, to perform an archaeological reconnaissance and develop mitigation measures to protect archaeological resources.
30. That development of the property shall not occur until the properties under the ownership of Mr. deBenedetti meet the requirements of the Development Agreement. Other properties within the project area must meet the minimum requirements of the R-1-B2 District.

RESOLUTION NO. P-03-98

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HALF MOON BAY FORWARDING A RECOMMENDATION TO THE CITY COUNCIL FOR GENERAL PLAN AMENDMENT GPA-02-96: REZONING REZ-02-96: A DEVELOPMENT AGREEMENT BETWEEN MAGNOLIA ASSOCIATES, LLC (deBenedetti); AND, INITIAL STUDY/NEGATIVE DECLARATION EIR-07-96:

General Plan Amendment GPA-02-96: A request from John DeBenedetti to remove from the boundaries of the Wavecrest Restoration Project (Attachment A) area those properties, shown on Attachment B Conceptual Plan, generally bounded by Magnolia Street on the north, Third Avenue on the east plus the first 10 lots fronting on Seymour Street to the east of Third Avenue, Seymour Street to the south, and Railroad Avenue to the west (hereinafter referred to as the subject properties). The requested General Plan Amendment (Attachment C) would change the designation from Planned Unit Development to Medium Density Residential to be generally consistent with the balance of Arleta Park for lots 1-14, 19-24 and lots 28-3 (Attachment B). Lots 15-18 and 25-27 are proposed for Local Recreation and Open Space.

Rezoning REZ-02-96: A request from John DeBenedetti to rezone the above described subject properties (Attachment D) from Planned Unit Development (PUD) to R-1-B2, for lots 1-14 and 19-24 and from Planned Unit Development (PUD) to R-2 or R-1-B2 for lots 28-31 based upon the modified development standards as set forth in Exhibit B DEVELOPMENT AGREEMENT BETWEEN THE CITY OF HALF MOON BAY AND MAGNOLIA ASSOCIATES, LLC. Lots 15-18 and 25-27 will be dedicated to the City of Half Moon Bay by Mr. deBenedetti and staff is recommending this area be rezoned to Open Space-P which allows a neighborhood park. The requested rezoning shall be generally consistent with the balance of Arleta Park.

DEVELOPMENT AGREEMENT: The project also includes a Development Agreement (Attachment E) between Magnolia Associates, LLC and the City of Half Moon Bay, a draft of which was reviewed by the City Council and forwarded by them to the Planning Commission. The Development Agreement includes the dedication of 1.3 acres of land for Park and Open Space. It also slightly modifies the R-1-B2 and R-2 development standards and it incorporates a phasing plan under Measure A. In addition, the Development Agreement includes a section (21) that outlines a

process that may need to be implemented by the Developer with regard to securing water.

Initial Study/Negative Declaration EIR-07-96: Acceptance of an Initial Study and Negative Declaration is also requested.

WHEREAS, in accordance with the provisions of the Settlement Agreement reached between the City of Half Moon Bay and John deBenedetti, a request was submitted by the applicant, John deBenedetti for the removal of the subject properties from the area described in the Half Moon Bay Certified Local Coastal Program/Land Use Plan (General Plan) as the Wavecrest Restoration Project Area, designated for *Planned Unit Development* in the General Plan Text and on the Land Use Plan Map and Zoning Map; and

WHEREAS, the removal of the subject properties from the Wavecrest Restoration Project Area and *Planned Unit Development* land use designation as described in the City's General Plan, and re-designation of the subject properties for *Medium Density Residential and Local Recreation and Open Space* land use requires approval of a General Plan Amendment; and

WHEREAS, the procedures for amending the Land Use Plan as set forth in the Coastal Act have been followed; and

WHEREAS, the procedures for amending the General Plan as set forth in the California Government Code have been followed; and

WHEREAS, the property owner requested the removal of the subject properties from the *Planned Unit Development Zoning District* and inclusion of the subject property into the *Single Family Residential (R-1-B-1, R-1-B2) Duplex Residential (R-1-B2/R2) and Open Space -Passive (OS-P) Zoning Districts* requires approval of a Rezoning; and

WHEREAS, the procedures for amending the Zoning Map as set forth in the Half Moon Bay Municipal Code and State law have been followed; and

WHEREAS, the amendments to the Land Use Plan and Zoning Map for the subject properties requires the preparation and acceptance of an environmental document in accordance with CEQA; and

WHEREAS, an Initial Study/Negative Declaration has been prepared for the requested land use planning modifications for the subject property; and

WHEREAS, the Planning Commission has reviewed the Initial Study and Negative Declaration and accepts the Environmental documentation as complete and adequate; and

WHEREAS, the City of Half Moon Bay is committed to maximum public participation and involvement in matters pertaining to the General Plan and its Elements, the Land Use Plan, and the Zoning Code; and

WHEREAS, notice containing a brief description of this application and the date, time, and place of the Planning Commission public hearing was mailed to

all persons expressing an interest in these proceedings, to all property owners within 300 feet of the site, and to all County, State, and Federal agencies with an interest in the City's General Plan/Land Use Plan; and

WHEREAS, notice containing a brief description of the application and the date, time, and place of the Planning Commission public hearing was published in the Half Moon Bay Review, a newspaper of general circulation in the City; and

WHEREAS, the Planning Commission conducted duly noticed public hearings on August 8, 1996, September 12, 1996, and February 13, 1997 and forwarded a recommendation to the City Council; and

WHEREAS, the City Council considered the application and the recommendation of the Planning Commission at duly noticed public hearings on October 15, 1996, and November 19, 1996, March 18, 1997 and January 6, 1998; and

WHEREAS, all those in attendance desiring to be heard were given an opportunity to speak on this application; and

WHEREAS, after considering the facts, issues, and testimony, the City Council referred these applications and a Development Agreement back to the Planning Commission for reconsideration; and

WHEREAS, the City Council gave specific direction to the Planning Commission to consider the properties a "transition zone" between Arleta Park and North Wavecrest and to consider applying the R-1-B2 Zoning District Development Standards and Development Agreement to implement this direction; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing to consider the direction of the City Council on March 12, 1998; and

WHEREAS, the Planning Commission considered all written and oral testimony presented in their consideration of this application; and

WHEREAS, the Planning Commission finds that the proposed amendment to the General Plan/Land Use Plan, the Rezoning of the subject properties and Development Agreement are in accordance with all applicable policies of the Local Coastal Program Land Use Plan, the General Plan and its Elements, and the Half Moon Bay Municipal Code; and

WHEREAS, the Planning Commission also recommends to the City Council that the City process a Land Use Plan Amendment to reduce the levels of development in North Wavecrest commensurately with any increase in dwelling units in this area in order to maintain the existing levels of residential development currently allowed throughout the City.

NOW THEREFORE BE IT RESOLVED that the Planning Commission hereby forwards its recommends to the Half Moon Bay City Council that GPA-02-96, REZ-02-96, the Development Agreement, and Initial Study/Negative Declaration be approved as described herein, subject to the Findings and Conditions of Approval as attached hereto as Exhibit A.

PASSED AND ADOPTED by the Planning Commission of the City of Half Moon Bay at its meeting thereof held on the 12th day of March, 1998 by the following vote:

AYES: Commissioners Curtis, King, Heinz, Hansen & Chairman Sullivan

NOES: _____

ABSENT: Commissioner Mier

ABSTAIN: _____

s/John Sullivan

John Sullivan
Chairman



and open space requirements for each of the parcels which are under separate ownership or for each group of parcels which is to be developed as a unit.

- (b) No development shall be permitted until an opportunity for acquisition and addition to the State Beach has been allowed and the State Department of Parks and Recreation has indicated no intent to acquire. Such determination by the State Department of Parks and Recreation shall be made within one year after certification of the Land Use Plan.
- (c) A maximum of 65 residential units may be developed on the site, clustered to preserve existing cypress stands, to ensure an adequate buffer from the public recreation area, and to prevent vehicular access to the beach area through the neighborhood.
- (d) Pedestrian accessways to the beach shall be dedicated and improved as a part of any development.
- (e) Suitable landscaping, fencing, and other measures to ensure that there is a clear separation between residential development and the public recreation area.
- (f) Access to the development shall orient primarily to Kelly Avenue and Poplar, rather than Kelly Avenue.

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LUP SECTION 9.36 WAVECREST RESTORATION PROJECT

9.3.6. *Wavecrest Restoration Project*
✓ 9.3.6 Wavecrest Restoration Project

This is a large area of Half Moon Bay west of Coast Highway 1 south of Arleta Park to the south City Limits and generally excluding Ocean Colony, Canada Cove Mobile Home Park, and existing development. It is generally an area of paper subdivisions in scattered ownerships.

The State of California and the City of Half Moon Bay have designated this area as a California Coastal Conservancy Project referred to as the "Wavecrest Restoration Project." The Project has been officially approved by the California Coastal Conservancy, California Coastal Commission, and the City of Half Moon Bay. The State approval and certification of the Project is a clear indication of the State's recognition of the Project as a positive vehicle for the implementation of the State goals and objectives for maintaining and enhancing our coastal resources.

The Project is intended to achieve five Coastal Act goals of statewide significance: (1) consolidation and re-platting of over 1,400 substandard lots in paper subdivisions; (2) provision of public access to the coast; (3) restoration and protection of riparian corridors and blufftops; (4) establishment of a stable Urban/Rural Boundary to preserve the potential for agricultural use

of currently vacant and idle lands south of the City; and (5) generation of funds to protect lands with agricultural potential located outside of the Project area. The Project is also intended to better enable the City to meet its fair share of existing and projected regional housing needs by providing up to 1,000 housing units, up to 200 of which will be made available to persons of low and moderate income.

The Wavecrest Restoration Project encompasses about 630 acres; about 490 acres north of Ocean Colony (the "North Project Area"); and about 140 acres south of Ocean Colony (the "South Project Area"). (See Wavecrest Restoration Project under Map Section).

The following discussion of sub-areas of the Project more clearly identifies development constraints and conditions.

North Project Area
North Project Area

The North Project Area, known locally as the Wavecrest Area, is the largest, single, undeveloped area in Half Moon Bay, with a total of about 490 acres. More than one-third of the area is platted in five old subdivisions. These subdivisions have a theoretical development potential under existing zoning for over 700 residential units on 7,500 square-foot lots. Under existing zoning, the unsubdivided area would be developed for an additional 950 units, for a total of 1,650 units in the area. There is a trunk sewer line running north-south through the area, about 1,500 feet from the boundary of the public recreation area. Otherwise, there are no water or sewer services and no paved streets. A Little League ballfield occupies about five acres in the middle of the area and a few houses are located near Highway 1. Part of the area near the highway is occupied by greenhouses. About 15 acres in the northeastern corner is currently in vegetable cultivation. This is the only part of the area having prime soils. An additional 100 acres or so in the northern area (Smith Estate) is dry farmed for hay and barley by a tenant farmer. Annual land rent amounts to only about one-half of property taxes. Redondo Beach Road on the south and the unimproved Seymour right-of-way on the north are proposed as access routes to the beach.

The area has experienced severe erosion and gullying at the bluff face due to cliff instability, water runoff, and uncontrolled use by off-road vehicles and hikers. Coastal scrub vegetation has been returning in those areas which have not been farmed for many years.

The poor quality of the soil, severe drainage problems, and the lack of water make the North Project Area currently unusable for irrigated cultivation of high-return vegetables or flowers, the only forms of agriculture which are feasible except for greenhouse production. A large investment in drainage improvements (in excess of \$800 per acre) would be required to use this land for irrigated field production and such an investment is not economically

feasible for production of artichokes or Brussels sprouts, the traditional specialty crops in Half Moon Bay. The infeasibility of such an investment is augmented by the previous subdividing of much of the area and the difficulty of consolidating ownerships. In addition, a major new source of affordable irrigation water would have to be available to support such production. The only potential source which would not divert water from other irrigated agriculture in the area is reclaimed water from the reclaimed water line to be built along Highway 1, and this source is incapable of providing the quantity and quality of water required, even if all of the water were allocated to this area. In addition to reclaimed waste water being too expensive for food and flower growers, at the present time state health restrictions also prohibit such use of waste water. Furthermore, substantial irrigation and cultivation of the area on a large scale would produce conflicts with protection of bluff stability and control of gully erosion due to impacts on the hydraulic gradient and on coastal scrub which absorb water runoff and maintain the bluff edge. (See Section 8.)

South Project Area

The Manhattan Beach Tract is located south of Ocean Colony, west of the Canada Cove Mobile Home Park, and north of Arroyo Canada Verde. It consists of approximately 175 vacant lots on about 42 acres which could produce about 50 buildable residential sites under current zoning, which includes greenbelt zoning.

Development of the Manhattan Beach Tract in accordance with its former platting would be inconsistent with Coastal Act policies on access, recreation, hazards, and habitat protection.

The South Project Area south of Arroyo Canada Verde consists of the Cabral Property, an unsubdivided tract of about 40 acres, and an old subdivision called Lipton-By-The-Sea of about 58 acres.

Lipton/Cabral is not, and for many years has not been, in agricultural use of any kind. Agricultural use of Lipton/Cabral would not be feasible and would result in a net loss operation to the owners of the land, even at zero land cost. The soils are marginal, would be hard to farm, and would produce crops with below average and acceptable yields;¹ there is no available source of

¹The Soils Conservation Service of the United States Department of Agriculture and the State Land Use Task Force of the California Rural Development Committee have recently completed The Important Farm Lands Inventory for the San Mateo County Coastside, including the City of Half Moon Bay. The inventory ranks land in the following four categories of decreasing importance: (i) Prime Farmland; (ii) Additional Farmland of Statewide Importance; (iii) Unique Farmland; and (iv) Additional Farmland of Local Importance. The SCS Important Farm Lands Inventory does not include Lipton/Cabral in any of the four agricultural land categories.

affordable irrigation water; because Lipton/Cabral is immediately adjacent to the 8 unit per acre Canada Cove Mobile Home Park, agricultural use would be severely compromised by urban conflicts such as vandalism, theft, human and animal trespass, infestations of the plume moth attracted by City lights, and restrictions on pesticide use and application and hours of equipment operation; and, the intial capital cost merely to prepare the land for a farming operation would exceed \$700,000.00.²

The County lands adjacent to the southern boundary of the South Project Area are not in agricultural use. These lands share with Lipton/Cabral and most other open areas on the coastside at least one insurmountable impediment to agricultural use: the lack of an available source of affordable irrigation water. Nevertheless, these lands have been designated "Planned Agrl cultural District" in the County's certified LCP. In order not to preclude the potential agricultural use of the adjacent County lands, development of the South Project Area should include a buffer zone along the southern boundary of the South Project Area of 100 feet which, when coupled with a buffer of similar width south of the City limits, will provide an overall zone 200 feet in width, a width certified as acceptable by the Coastal Commission for other coastal cities such as Santa Cruz.

The South Project Area is contiguous with the 8 unit per acre Canada Cove Mobile Home Park and the 4 unit per acre Ocean Colony Planned Unit Development. The Coastal Commission has recently approved an expansion of the contiguous 8 unit per acre mobile home park. The mobile home park constitutes existing high-density residential development, and Ocean Colony constitutes existing medium-density residential, recreational, and commercial development.

Because Lipton/Cabral is located between the high-density mobile home park and the vacant County lands to the south of the City Limits, it is an appropriate location for transitional residential, recreational, and visitor-serving commercial development. Absent transitional development, substantial pressure would remain for high-density residential development of Lipton/Cabral because of its location immediately adjacent to the high-density mobile home park and all of the urban public works infrastructure currently serving the mobile home park and Ocean Colony. Potential transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral as a part of the Wavecrest Restoration Project would relieve this pressure and establish a stable Urban/Rural Boundary. The stability of this Urban/Rural Boundary would be enhanced both by the 100-foot buffer zone along

²See Appendix A to the Agribusiness Group, Inventory and Analysis of Existing And Potential Agricultural Use Of Land Within The City Of Half Moon Bay, October 23, 1981.

the southern boundary of Lipton/Cabral and the fact that the southern boundary of Lipton/Cabral is also the City Limits.

Potential transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral as Phase 1 of the Wavecrest Restoration Project may be necessary in order to implement the Project and achieve its five Coastal Act goals of statewide significance. In evaluating the feasibility of the Project, the Conservancy's consultant assumed that Half Moon Bay Properties, Inc., would be the major project developer and would contribute its holdings in both the North Project Area and the South Project Area, thereby substantially reducing the need for public funds to assemble lands within the Project area. Half Moon Bay Properties, Inc., has presented substantial evidence to the Coastal Conservancy, the Coastal Commission, and the City to support its contention that transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral as Phase I of the Wavecrest Restoration Project is necessary if the Project is to be implemented.

Transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would be consistent with the Coastal Act. Potential negative impacts on riparian corridors and blufftops would be precluded through application of the "Riparian Corridors," "Bluffs," and "Runoff" note criteria on the approved Wavecrest Restoration Project Plan Map. In addition, the Wavecrest Restoration Project would be subject to all of the resource protection policies of this Plan. Since Lipton/Cabral is neither in agricultural use nor suitable for agricultural use, potential transitional residential, recreational, and visitor-serving commercial development would not convert to urban use land which might otherwise be used for agricultural production. Accordingly, neither Section 30241 nor Section 30242 of the Coastal Act is applicable. Transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would not diminish the potential agricultural use of adjacent County lands, especially since any development would include a 100-foot buffer zone along the southern boundary of the South Project Area. Transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would establish a stable Urban/Rural Boundary by establishing a transitional zone between the 8 unit per acre mobile home park and the vacant County lands to the south, thereby relieving pressure for higher density development. The stability of this Urban/Rural Boundary would be enhanced by the 100-foot buffer zone. Transitional development of Lipton/Cabral would be consistent with Section 30250 of the Coastal Act because it would be contiguous with the existing 8 unit per acre mobile home park and in close proximity to Ocean Colony and the urban public works infrastructure which serves them both. Finally, transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would be consistent with, and may be required by, Coastal Act Sections 30001.5, 30007, and 30007.5.

Improvement and extension of Miramontes Point Road, already approved by the Coastal Commission, is needed to provide access to a proposed public vista point on the bluff and a parking facility serving Canada Cove Beach, as well as to provide access to the hotel to be built in Ocean Colony. Re-subdivision and development of the South Project Area, including the transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral, offers a major opportunity to achieve the five Coastal Act goals of statewide significance intended to be achieved by the Wavecrest Restoration Project, including improved access to public and commercial recreation, and to meet a portion of the City's share of existing and projected regional housing needs, including the needs of persons of low and moderate income, without conflict with the Coastal Act or the other policies of this Plan.

Alternatives

The Project area offers the potential to meet local needs for active and/or passive recreation. The Johnson House Senior Citizens' Center will be located nearby across Highway 1 off Higgins Purissima Road. The City has, for some time, planned a major recreation facility to meet unmet needs for active recreation. Any plan for the Wavecrest Project Area should include consideration of such a facility which could be provided in connection with new development. The Project area also offers the potential to meet needs for new commercial recreation and public recreation and reasonable needs for new development in Half Moon Bay to accommodate population growth, which would otherwise be accommodated on land outside the City with substantially more potential for agricultural use. The concentration of development policy specifically supports such shifts in order to protect valuable coastal resources. Development of this area also offers major potential to accomplish other Coastal Act objectives with respect to improved coastal access and recreational opportunities, restoration of damaged habitats, and protection of existing habitat. New development could ensure the provision of new and improved access to the shoreline and the beach, restoration of existing gullies, and protection of the returning scrub habitat and protection of coastal view corridors. In addition, such development would include provision both for new low cost visitor accommodations in the form of a new recreational vehicle park, new low and moderate income housing, and new commercial recreational opportunities.

The potential for planned development to accomplish all of these objectives is enhanced by the fact that three landowners control a substantial share of the total area and by the County's ownership of a substantial number of lots in the old Ola Vista subdivision near the shoreline. Re-planning and re-platting the existing subdivisions is essential to protect and improve coastal access, to ensure continuous lateral access and protected recreational opportunities along the cliff edge, to reduce the potential density

of new development, to restore damaged habitats and bluffs, and to protect watercourses.

Proposed Development Conditions

In addition to the PD requirements described in Section 9.3.2, development of the undeveloped Wavecrest Area shall be subject to the following conditions:

- a) A specific plan shall be prepared for the entire area or, in the event the Project is developed in phases, for each phase, which incorporates all of the conditions listed below and conforms to all other policies of the Land Use Plan. The specific plan shall show the locations of roads and structures, and indicate the amount and locations of open space, public recreation, and commercial recreation. Each specific plan shall be subject to environmental review under City CEQA guidelines.

The specific plan and accompanying environmental documents shall be submitted to the Planning Commission, who may recommend additional conditions for development of the site.

- ✓ b) A maximum of 1,000 residential units may be developed on the site including at least 20% affordable to persons of low and moderate income.
- c) Suitable landscaping, fencing, or other means shall be used to ensure that direct pedestrian access to the bluff edge is controlled and limited in accordance with accessways to the beach and protection of the bluff face from erosion.
- d) At least 15 acres of the site shall be reserved and developed for community recreation if another site is not designated pursuant to Policy 2-34.

Consideration shall be given to reserving 20-30 acres for a major park affording active and passive recreation opportunities within a natural environment.

- e) At least 30% of the site shall be retained in open space for public and commercial recreational use and sited and designed to protect view corridors from Highway 1 and the ocean, to provide buffers between primary coastal access routes and residential development, to absorb groundwater so as to retard cliff erosion, and to protect habitat areas.
- f) As a part of any development, a lateral accessway along the bluff shall be improved for pedestrian and bicycle use

parallel to the shoreline within the existing area of County ownership.

- g) As a part of any new development, vertical accessways shall be constructed to the beach from the bluff affording access to the beach near the end of designated beach access routes. A third accessway to the beach may be required approximately equidistant between the two primary access routes.
- h) As a part of any new development, provision shall be made for improvement of the two designated beach access routes in the district, either along existing platted alignments or in accordance with new alignments designed to afford equivalent access opportunities.
- i) New residential units shall not front on beach access routes unless no other access is available, and access to beach access routes from any area of residential development shall be limited to protect beach access.
- j) At least a 10-acre site, within the Project area, shall be reserved for the development of a recreational vehicle park. Consideration shall be given to reserving a site of at least 5 acres for future visitor-serving facilities. Visitor-serving densities shall not exceed 20 lodging units or campsites per acre.
- k) New access to Highway 1 shall be limited and one new access shall be at the existing intersection of Highway 1 and Higgins-Purissima Road, if feasible.
- l) Provision shall be made to ensure that irrigation of open space for park, recreational, and general open space purposes shall, to the extent feasible, maximize the use of reclaimed water and measures such as retention in basins, grading, revegetation, and drainage improvements shall be taken to prevent destabilizing effects on the coastal bluffs.
- m) Development shall be clustered to the maximum extent feasible.
- n) Development shall give maximum consideration to preserving and enhancing the existing cypress and eucalyptus hedgerows at the west end of the L. C. Smith property.
- o) As a part of any new development, provision shall be made for dedication of right-of-way for the Miramontes Point Road extension to the extent required.
- p) No residential structure shall be located west of the extension of Miramontes Point Road.

- q) All beach and all land not otherwise devoted to a public or commercial recreational use to the west of the extension of Miramontes Point Road, not in public ownership, shall be offered for dedication to the County or the State Department of Parks and Recreation, as a part of any development, to become a part of the public recreation area.
- r) The Wavecrest Restoration Project may be developed in two or more phases.

9.3.7 Dykstra Ranch

This is a parcel of 114 acres of gentle to steep slopes on the eastern edge of the City. Only a very small portion of the site contains prime soils. In the past, the lower slopes and flatlands had been used for pasture. A Planned Unit Development and tentative tract has been previously approved for development in this area, with a total of 228 units.

Eastern portions of the Dykstra Ranch have steep slopes. These slopes have been identified as having landslide potential. Residential development and road construction on these steep slopes would require a substantial amount of hillside cutting and filling and would increase the possibility of slope failure, posing a hazard to homes and development on lower slopes. Most of the Dykstra Ranch has development potential without such hazards or conflicts.

Residential development is appropriate as an alternative to development of more rural lands and those with significant coastal resources, in accordance with Coastal Act policies. It could also contribute to improvement in local traffic circulation by contributing to the development of a new collector road parallel to Highway 1. However, such development must conform with protection of views of the hillside, avoidance of hazards, and minimum alteration of natural landforms. Development of this site does offer the potential for solving local drainage problems in the Terrace Avenue subdivisions.

It is proposed that this area be permitted for development of a limited variety of residential unit types to meet needs for new housing in Half Moon Bay. Such development should occur in a manner which minimizes conflicts with Coastal Act policies with respect to preservation of the natural environment and hillside and watershed protection and promote achievement of policies on improved coastal access.

New development would involve a combination of single-family detached homes on moderate slopes, clustered high-density single family attached homes, and apartments on lower slopes near the high school, extension of the long-proposed Foothill Boulevard to



**Exhibit 17: Half Moon Bay LUP Chapter 9 "Development" (portion)
Suggested Revisions**

9.3.6. Wavecrest Restoration Project

This is a large area of Half Moon Bay west of Coast Highway 1 south of ~~Arieta Park~~ Seymour Street (except west of the Seymour Street/Railroad Avenue intersection from which the project area extends north and west to Grove and Metzgar Streets) to the south City limits and generally excluding Ocean Colony, Canada Cove Mobile Home Park, and existing development. It is generally an area of paper subdivisions in scattered ownerships.

The State of California and the City of Half Moon Bay have designated this area as a California Coastal Conservancy Project referred to as the "Wavecrest Restoration Project." The Project has been officially approved by the California Coastal Conservancy, California Coastal Commission, and the City of Half Moon Bay. The State approval and certification of the Project is a clear indication of the State's recognition of the Project as a positive vehicle for the implementation of the State goals and objectives for maintaining and enhancing our coastal resources.

The Project is intended to achieve five Coastal Act goals of statewide significance: (1) consolidation and re-plating of over 1,400 substandard lots in paper subdivisions; (2) provision of public access to the coast; (3) restoration and protection of riparian corridors and bluffs; (4) establishment of a stable Urban/Rural Boundary to preserve the potential for agricultural use of currently vacant and idle lands south of the City; and (5) generation of funds to protect lands with agricultural potential located outside of the Project area. The Project is also intended to better enable the City to meet its fair share of existing and projected regional housing needs by providing up to ~~1,000~~ 912 housing units, up to ~~200~~ 183 of which will be made available to persons of low and moderate income.

The Wavecrest Restoration Project encompasses about ~~630~~ 620 acres; about ~~490~~ 480 acres north of Ocean Colony (the "North Project Area"); and about 140 acres south of Ocean Colony (the "South Project Area"). (See Wavecrest Restoration Project under Map Section).

The following discussion of sub-areas of the Project more clearly identifies development constraints and conditions.

North Project Area

The North Project Area, known locally as the Wavecrest Area, is the largest, single, undeveloped area in Half Moon Bay, with a total of about ~~490~~ 480 acres. More than one-third of the area is platted in five old subdivisions. These subdivisions have a theoretical development potential under existing zoning for over 700 residential units on 7,500 square-foot lots. Under existing zoning, the unsubdivided area would be developed for

EXHIBIT NO. 17
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LUP SEC. 9.3.6 SUGGESTED MODIFICATIONS

an additional 950 units, for a total of 1,650 units in the area. There is a trunk sewer line running north-south through the area, about 1,500 feet from the boundary of the public recreation area. Otherwise, there are no water or sewer services and no paved streets. A Little League ballfield occupies about five acres in the middle of the area and a new houses are located near Highway 1. Part of the are near the highway is occupied by greenhouses. About 15 acres in the northeaster n corner is currently in vegetable3 cultivation. This is the only part of the area having prime soils. An additional 100 acres or so in the northern area (Smith Estate) is dry farmed for hay and barley by a tenant farmer. Annual land rent amounts to only about one-half of property taxes. Redondo Beach Road on the south and the unimproved Seymour right-of-way on the north are proposed as access routes to the beach.

The area has experienced severe erosion and gulying at the bluff face due to cliff instability, water runoff, and uncontrolled use by off-road vehicles and hikers. Coastal scrub vegetation has been returning in those areas which have not been farmed for many years.

The poor quality of the soil, severe drainage problems, and the lack of water make the North Project Area currently unusable for irrigated cultivation of high-return vegetables or flowers, the only forms of agriculture which are feasible except for greenhouse production. A large investment in drainage improvements (in excess of \$800 per acre) would be required to use this land for irrigated field production and such an investment is not economically feasible for production of artichokes or Brussels sprouts, the traditional specialty crops in Half Moon Bay. The infeasibility of such an investment is augmented by the previous subdividing of much of the area and the difficulty of consolidating ownerships. In addition, a major new source of affordable irrigation water would have to be available to support such production. The only potential source which would not divert water from other irrigated agriculture in the area is reclaimed water from the reclaimed water line to be built along Highway 1, and this source is incapable of providing the quantity and quality of water required, even if all of the water were allocated to this area. In addition to reclaimed waste water being too expensive for food and flower growers, at the present time state health restrictions also prohibit such use of waste water. Furthermore, substantial irrigation and cultivation of the area on a large scale would produce conflicts with protection of bluff stability and control of gully erosion due to impacts on the hydraulic gradient and on coastal scrub which absorb water runoff and maintain the bluff edge. (See Section 8.)

South Project Area

The Manhattan Beach Tract is located south of Ocean Colony, west of the Canada Cove Mobile Home Park, and north of Arroyo Canada Verde. It consists of approximately 175 vacant lots on about 42 acres which could produce about 50 buildable residential sites under current zoning, which includes greenbelt zoning.

Development of the Manhattan Beach Tract in accordance with its former platting would be inconsistent with Coastal Act policies on access, recreation, hazards, and habitat protection.

The South Project Area south of Arroyo Canada Verde consists of the Cabral Property, an unsubdivided tract of about 40 acres, and an old subdivision called Lipton-By-The Sea of about 58 acres.

Lipton/Cabral is not, and for many years has not been, in agricultural use of any kind. Agricultural use of Lipton/Cabral would not be feasible and would result in a net loss operation to the owners of the land, even at zero land cost. The soils are marginal, would be hard to farm, and would produce crops with below average and acceptable yields; there is no available source of affordable irrigation water; because Lipton/Cabral is immediately adjacent to the 8 unit per acre Canada Cove Mobile Home Park, agricultural use would be severely compromised by urban conflicts such as vandalism, theft, human and animal trespass, infestations of the plume moth attracted by City lights, and restrictions on pesticide use and application and hours of equipment operation; and, the initial capital cost merely to prepare the land for a farming operation would exceed \$700,000.00.

The County lands adjacent to the southern boundary of the South Project Area are not in agricultural use. These lands share with Lipton/Cabral and most other open areas on the coastside at least one insurmountable impediment to agricultural use: the lack of an available source of affordable irrigation water. Nevertheless, these lands have been designate "Planned Agricultural District" in the County's certified LCP. In order not to preclude the potential agricultural use of the adjacent County lands, development of the South Project Area should include a buffer zone along the southern boundary of the South Project Area of 100 feet which, when coupled with a buffer of similar width south of the City limits, will provide an overall zone 200 feet in width, a width certified as acceptable by the Coastal Commission for other coastal cities such as Santa Cruz.

The South Project Area is contiguous with the 8 unit per acre Canada Cove Mobile Home Park and the 4 unit per acre Ocean Colony Planned Unit Development. The Coastal Commission has recently approved an expansion of the contiguous 8 unit per acre mobile home park. The mobile home park constitutes existing high-density residential development, and Ocean Colony constitutes existing medium-density residential, recreational, and commercial development.

Because Lipton/Cabral is located between the high-density mobile home park and the vacant County lands to the south of the City Limits, it is an appropriate location for transitional residential, recreational, and visitor-serving commercial development. Absent transitional development, substantial pressure would remain for high-density residential development of Lipton/Cabral because of its location immediately adjacent to the high-density mobile home park and all of the urban public works infrastructure currently serving the mobile home park and Ocean Colony. Potential transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral as

a part of the Wavecrest Restoration Project would relieve this pressure and establish a stable Urban/Rural Boundary. The stability of this Urban/Rural Boundary would be enhanced both by the 100-foot buffer zone along the southern boundary of Lipton/Cabral and the fact that the southern boundary of Lipton/Cabral is also the City Limits.

Potential transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral as Phase 1 of the Wavecrest Restoration Project may be necessary in order to implement the Project and achieve its five Coastal Act goals of statewide significance. In evaluating the feasibility of the Project, the Conservancy's consultant assumed that Half Moon Bay Properties, Inc., would be the major project developer and would contribute its holdings in both the North Project Area and the South Project Area, thereby substantially reducing the need for public funds to assemble lands within the Project area. Half Moon Bay Properties, Inc., has presented substantial evidence to the Coastal Conservancy, the Coastal Commission and the City to support its contention that transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral as Phase I of the Wavecrest Restoration Project is necessary if the Project is to be implemented.

Transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would be consistent with the Coastal Act. Potential negative impacts on riparian corridors and bluffs would be precluded through application of the "Riparian Corridors," "Bluffs," and "Runoff" note criteria on the approved Wavecrest Restoration Project Plan Map. In addition, the Wavecrest Restoration Project would be subject to all of the resources protection policies of this Plan. Since Lipton/Cabral is neither in agricultural use nor suitable for agricultural use, potential transitional residential, recreational, and visitor-serving commercial development would not convert to urban use land which might otherwise be used for agricultural production. Accordingly, neither Section 30241 nor Section 30242 of the Coastal Act is applicable. Transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would not diminish the potential agricultural use of adjacent County lands, especially since any development would include a 100-foot buffer zone along the southern boundary of the South Project Area. Transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would establish a stable Urban/Rural Boundary by establishing a transitional zone between the 8 unit per acre mobile home park and the vacant County lands to the south, thereby relieving pressure for higher density development. The stability of this Urban/Rural Boundary would be enhanced by the 100-foot buffer zone. Transitional development of Lipton/Cabral would be consistent with Section 30250 of the Coastal Act because it would be contiguous with the existing 8 unit per acre mobile home park and in close proximity to Ocean Colony and the urban public works infrastructure which serves them both. Finally, transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral would be consistent with, and may be required by, Coastal Act Sections 30001.5, 30007, and 30007.5.

Improvement and extension of Miramontes Point Road, already approved by the Coastal Commission, is needed to provide access to a proposed public vista point on the bluff and

a parking facility serving Canada Cove Beach, as well as to provide access to the hotel to the built in Ocean Colony. Re-subdivision and development of the South Project Area, including the transitional residential, recreational, and visitor-serving commercial development of Lipton/Cabral, offers a major opportunity to achieve the five Coastal Act goals of statewide significance intended to be achieved by the Wavecrest Restoration Project, including improved access to public and commercial recreation, and to meet a portion of the City's share of existing and projected regional housing needs, including the needs of persons of low and moderate income, without conflict with the Coastal Act or the other policies of this Plan.

Alternatives

The Project area offers the potential to meet local needs for active and/or passive recreation. The Johnson House Senior Citizens' Center will be located nearby across Highway 1 off Higgins Purissima Road. The City has, for some time, planned a major recreation facility to meet unmet needs for active recreation. Any plan for the Wavecrest Project Area should include consideration of such a facility which could be provided in connection with new development. The Project area also offers the potential to meet needs for new commercial recreation and public recreation and reasonable needs for new development in Half Moon Bay to accommodate population growth, which would otherwise be accommodated on land outside the City with substantially more potential for agricultural use. The concentration of development policy specifically supports such shifts in order to protect valuable coastal resources. Development of this area also offers major potential to accomplish other Coastal Act objectives with respect to improved coastal access and recreational opportunities, restoration of damaged habitats, and protection of existing habitat. New development could ensure the provision of new and improved access to the shoreline and the beach, restoration of existing gullies, and protection of the returning scrub habitat and protection of coastal view corridors. In addition, such development protection of coastal view corridors. In addition, such development protection of coastal view corridors. In addition, such development protection of coastal view corridors. In addition, such development would include provision both for new low cost visitor accommodations in the form of a new recreational vehicle park, new low and moderate income housing, and new commercial recreational opportunities.

The potential for planned development to accomplish all of these objectives is enhanced by the fact that three landowners control a substantial share of the total area and by the County's ownership of a substantial number of lots in the old Ola Vista subdivision near the shoreline. Re-planning and re-platting the existing subdivisions is essential to protect and improve coastal access, to ensure continuous lateral access and protected recreational opportunities along the cliff edge, to reduce the potential density of new development, to restore damaged habitats and bluffs, and to protect watercourses.

Proposed Development Conditions

In addition to the PD requirements described in Section 9.3.2, development of the undeveloped Wavecrest Area shall be subject to the following conditions.

- a) A specific plan shall be prepared for the entire area or, in the event the Project is developed in phases, for each phase, which incorporated all of the conditions listed below and conforms to all other policies of the Land Use plan. The specific plan shall show the locations of roads and structures, and indicate the amount and locations of open space, public recreation, and commercial recreation. Each specific plan shall be subject to environmental review under City CEQA guidelines.

The specific plan and accompanying environmental documents shall be submitted to the Planning Commission, who may recommend additional conditions for development of the site

- b) A maximum of ~~1,000~~ 912 residential units may be developed on the site including at least 20% affordable to persons of low and moderate income.
- c) Suitable landscaping, fencing, or other means shall be used to ensure that direct pedestrian access to the bluff edge is controlled and limited in accordance with accessways to the beach and protection of the bluff face from erosion.
- d) At least 15 acres of the site shall be reserved and developed for community recreation if another site is not designated pursuant to Policy 2-34.

Consideration shall be given to reserving 20-30 acres for a major park affording active and passive recreation opportunities within a natural environment.

- e) At least 30% of the site shall be retained in open space for public and commercial recreational use and sited and designed to protect view corridors from Highway 1 and the Ocean, to residential development, to absorb groundwater so as to retard cliff erosion, and to protect habitat areas.
- f) As a part of any development, a lateral accessway along the bluff shall be improved for pedestrian and bicycle use parallel to the shoreline within the existing area of County ownership.
- g) As a part of any new development, vertical accessways shall be constructed to the beach from the bluff affording access to the beach near the end of designated beach access routes. A third accessway to the beach may be required approximately equidistant between the two primary access routes.
- h) As a part of any new development, provision shall be made for improvement of

the two designated beach access routes in the district, either along existing platted alignments or in accordance with new alignments designed to afford equivalent access opportunities.

- i) New residential units shall not front on beach access routes unless no other access is available, and access to beach access routes from any area of residential development shall be limited to protect beach access.
- j) At least a 10-acre site, within the Project area, shall be reserved for the development of a recreational vehicle park. Consideration shall be given to reserving a site of at least 5 acres for future visitor-serving facilities. Visitor-serving densities shall not exceed 20 lodging units or campsites per acre.
- k) New access to Highway 1 shall be limited and one new access shall be at the existing intersection of Highway 1 and Higgins-Purissima Road, if feasible.
- l) Provision shall be made to ensure that irrigation of open space for park, recreational, and general open space purposes shall, to the extent feasible, maximize the use of reclaimed water and measures such as retention in basins, grading, revegetation, and drainage improvements shall be taken to prevent destabilizing effects on the coastal bluffs.
- m) Development shall be clustered to the maximum extent feasible.
- n) Development shall give maximum consideration to preserving and enhancing the existing cypress and eucalyptus hedgerows at the west end of L.C. Smith property.
- o) As a part of any new development, provision shall be made for dedication of right-of-way for the Miramontes Point Road extension to the extent required.
- p) No residential structure shall be located west of the extension of Miramontes Point Road.
- q) All beach and all land not otherwise devoted to a public or commercial recreational use to the west of the extension of Miramontes Point Road, not in public ownership, shall be offered for dedication to the County or the State Department of Parks and Recreation, as a part of any development, to become a part of the public recreation area.
- r) The Wavecrest Restoration Project may be developed in two or more phases.

