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RECORD PACKET COPY

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
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SUBJECT: **City of Half Moon Bay Major Local Coastal Program Amendment 1-00
(Residential Development Standards)**

SUMMARY OF STAFF RECOMMENDATION

The City of Half Moon Bay's certified Zoning Code currently contains standards for residential development. The proposed amendment involves changes to these residential development standards to preserve community character and to reduce the size and bulk of new residential structures. In addition to standards affecting residential development on all lots, new standards are proposed specifically for residential development on substandard lots. As proposed, the standards strengthen the existing standards and would improve the visual quality of the City through the siting and design of single-family residences. The proposed amendment may also result in additional benefits such as potential improved water quality due to the decrease in lot coverage and fewer cumulative traffic impacts caused by possible substandard lot merges to create conforming lots. Overall, the proposed amendment would set more appropriate controls on the development of single-family residences in the City that would produce a beneficial cumulative effect on coastal resources. With the adoption of the proposed amendment, the Zoning Code would be fully consistent with and adequate to carry out the policies of the certified Land Use Plan. Staff recommends approval of the proposed Zoning Code amendment as submitted.

1.0 BACKGROUND

In 1999, the City of Half Moon Bay City Council directed the Planning Department staff to prepare an amendment to the certified Local Coastal Program (LCP) Zoning Code that would establish new standards for the development of single-family residences on substandard lots. To achieve this goal, a subcommittee of the City's Architectural Review Committee prepared draft recommendations to amend two chapters of the Zoning Code: Chapter 18.02 (Definitions) and Chapter 18.06 (Residential Land Use). The Committee is also in the process of producing a design manual to assist the public with planning single-family residences on substandard lots that conform with the proposed Zoning Code standards. (The design manual is intended for guidance only and is not included as an amendment to the Zoning Code.)

The City Planning Commission adopted the proposed Zoning Code amendment on March 23, 2000. Subsequently, the City Council adopted the proposed amendment on July 18, 2000 (**Exhibit 1**). The Commission staff received the City's application for the amendment request on August 16, 2000 and, after the City provided additional information, determined that the application was legally adequate to comply with the requirements of Section 30510(b) of the California Coastal Act. The Commission staff filed the application as complete on February 16, 2001.

Because of staffing constraints, staff was not able to prepare a staff recommendation for Commission action within 60 days of the filing of the amendment application as required by Sections 30513 and 30514(b) of the Coastal Act. Consequently, on April 12, 2001, the Commission extended the 60-day time limit for action on the Zoning Code amendment to a limit of up to one year, pursuant to Coastal Act Section 30517.

2.0 STANDARD OF REVIEW

Section 30513 of the Coastal Act states:

...

The commission may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan.

...

The standard of review for the proposed Zoning Code amendment are the policies of the City's certified Land Use Plan. Therefore, to approve the proposed amendment to the Zoning Code, the Commission must find that the Zoning Code as amended conforms with and is adequate to carry out the City's certified Land Use Plan.

3.0 STAFF RECOMMENDATION

The staff recommends that the Commission certify the amendment to the Zoning Code as proposed.

MOTION:

I move that the Commission reject Amendment 1-00 of the certified Local Coastal Program Zoning Code as submitted.

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of the amendment to the Implementation Program as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY AMENDMENT TO ZONING CODE AS SUBMITTED:

The Commission hereby certifies Amendment 1-00 of the certified Local Coastal Program Zoning Code as submitted and adopts the findings set forth below on grounds that the Zoning Code Amendment conforms with and is adequate to carry out the

provisions of the certified Land Use Plan. Certification of the Zoning Code Amendment will meet the requirements of the California Environmental Quality Act, because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Zoning Code on the environment, or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Zoning Code.

4.0 EFFECTIVENESS OF AMENDMENT

Coastal Act Section 30514(a) states that the local government may amend its certified LCP and implementing ordinances, regulations, and other actions, but until the Commission certifies the amendment, the amendment shall not take effect. In accordance with Section 13551 of the Commission regulations, if the Commission certifies the amendment as submitted, because the local government's resolution of submittal so requested, the amendment shall take effect immediately. However, if the Commission certifies the amendment as submitted but with additional modifications, the local government must subsequently approve the modifications suggested by the Commission, and the Executive Director in turn must confirm the local government's approval before the amendment becomes effective.

5.0 INDEPENDENT CITY ACTIONS

Since the City's adoption of the proposed amendment on July 18, 2000, the City has imposed the following prior-to-issuance-of-building-permit condition on approved coastal development permits for single-family residences that do not conform to the development standards proposed under this amendment:

COMPLIANCE REQUIRED AT TIME OF CONSTRUCTION. The project does not comply with new single-family residential zoning standards adopted by the City but not yet certified by the Coastal Commission as an amendment to the LCP. The applicant has been advised that the single-family residential standards in effect at the time the building permit is issued will govern. Given this knowledge, the applicant is advised, if the new ordinance is certified by the California Coastal Commission prior to obtaining a building permit and commencement of construction, the building permit cannot be issued for the plans that are approved with this permit.

The Commission's permit review authority is limited to coastal development permits and does not include other permits that the City may require, such as building permits. The City's authority to place restrictions on building permits such as that listed above is pursuant to an authority other than the Coastal Act. In any case, it should be noted that if a coastal development permittee proposes to change the design of a house to obtain a building permit that complies with the development standards proposed under this Zoning Code amendment, an amendment to the previously-approved coastal development permit would be required. Such amendment would be subject to the standards of the certified Local Coastal Program in existence at the time the proposed amendment is acted on.

6.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

6.1 Amendment Description

Historically, many residences in the Mid-Coast region of San Mateo County, including what is now the City of Half Moon Bay, consisted of small houses or cottages on relatively small lots. Two typical existing small lot sizes are 25 by 100 feet and 35 by 110 feet. In recent years, much larger houses have been constructed, sometimes maximizing what can be built consistent with height and setback requirements of the certified LCP. The changes proposed to the implementation portion of the Half Moon Bay Local Coastal Program would establish more restrictive house size, shape, and design regulations for single-family residential zoning districts in the City.

The proposed amendment in its entirety is attached with additions underlined and deletions in ~~strikethrough~~ in Exhibits 2 and 3.

The list below briefly describes the proposed residential development standards that would apply to both standard and substandard lots. The findings in Section 5.0 contain additional discussion of certain standards as indicated.

- Maximum Building Envelope (18.06.040.G) Increases the setbacks for portions of residences in the single-family residential zones (Zones R-1, R-1-B1, and R-1-B2) above a certain height. This standard reduces the bulk of the tallest portions of the residences and subsequently increases the “daylight plane” between adjacent residences. See Section 5.3.1 below.
- Floor Area (18.02.040) Modifies the Zoning Code definition of floor area to include basements and crawl spaces that are greater than 4 ½ feet from floor to ceiling and improved attics. See Section 5.3.4 below.
- Single-Story Height Limit (18.06.030) Specifies that an exception is required for single-story residences greater than 16 feet in height and that the maximum allowable height for single-story residential structures *with an exception* is 20 feet. Currently, the LCP provides no specific limit to the height allowable through City approval of an exception. See Section 5.3.2 below.
- Corner Lot Setback (Street-Facing Side Yard Setback) (18.06.030 and 18.06.050.G) Increases the street-facing side-yard setback for corner lots from 10 to 20 feet for standard-sized lots. The street-facing side yard setback for severely substandard lots such as 25-foot-wide by 100-foot-long lots would be 10 feet. See Section 5.3.3 below.
- Corner Lot Sight Distance (18.06.040.B.4) Increases the distance required for street visibility from corner lots by extending the measurement for sight distance area from 15 to 25 feet on both side of the corner lot, and allows for increased sight distance areas on a case-by-case basis. Requires site-distance safety review for development of corner lots. See Section 5.3.3 below.
- Definition of Development (18.02.040) Eliminates an inconsistent definition of the term “development” from the Zoning Code. Remaining definitions in Appendix A of the Land Use Plan and Section 18.20.020.C is the same as the Section 30106 Coastal Act definition. See Section 5.3.4 below.

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

- Definition of Structure (18.02.040) Modifies definition of "structure" to specifically exclude infrastructure or walls or fences shorter than six feet in height and to include access drives and walks. See Section 5.3.4 below.
- Definition of Lot Area (18.02.040) Defines "lot area" as the square footage of a legally subdivided parcel, excluding public easements for street use.
- Definition of Lot Depth (18.02.040) Revises definition of "lot depth" to determine depth by the average distance between front and rear lot lines, rather than the distance between the midpoints of the lines.
- Definition of Lot Width (18.02.040) Modifies "lot width" definition to mean the average distance between side lot lines, rather than the average of the lengths of the rear and front lines.
- Definition of Second Dwelling Unit (18.02.040) Modifies definition of "second dwelling unit" to mean a rental dwelling located on a lot within a single-family residential zone, instead of located solely on R-1 lots.

The following provisions would apply only to residential development on substandard and severely substandard lots. Further discussions on these proposed changes are specifically referenced below.

- Definition of Substandard Lot (18.02.040) Adds definition of "substandard lot" to Definitions chapter of Zoning Code. A "substandard lot" is defined as a lot that provides less than the required lot width or area in the relevant zoning district. See Section 5.3.4 below.
- Definition of Severely Substandard Lot (18.02.040) Defines "severely substandard lot" in the Definitions chapter of the Zoning Code as a lot that provides 55 percent or less of the required lot width or area required in the relevant zoning district. See Section 5.3.4 below.
- Exceptions (18.02.050) Allows fewer exceptions for development of substandard and severely substandard lots than are provided under the current Zoning Code.
- Proportionality Rule (18.02.040) Adds Proportionality Rule to Zoning Code to reduce lot coverage and floor area by the ratio of the actual lot width or area to the minimum lot width or area for the relevant zoning district. See Section 5.4.1 below.
- Regulatory Structure for Substandard Lots (18.060.050.G) Eliminates the Administrative Variance for development on lots zoned for single-family residences between 85 and 99.9 percent of the minimum lot area or lot width for the relevant zoning district. Restricts the administrative exception to development on lots having the minimum required lot area and having within 5 percent of the minimum lot width. Requires a Use Permit for development on lots with less than the minimum lot area or within 5 percent of the minimum lot width. See Section 5.4.1 below.
- Basement Exception to Floor Area (18.060.050.G) Allows the exemption of 15 percent of the allowed floor area, up to 225 square feet, from the floor area ratio calculation subject to findings in the Use Permit.
- Design Guidelines (18.060.050.H and 18.060.050.I) Requires the design of development on substandard lots by a licensed architect. Also requires the Architectural Design Review

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

committee to review setbacks, front façade, orientation to the street, side orientation to adjacent properties, daylight plane, mass, and bulk in the determination of project compatibility with the neighboring area. See Section 5.4.2 below.

- Chimney and Other Encroachments (18.06.050.E) Prohibits chimney or any other encroachment in setbacks for development on severely substandard lots and allows chimney encroachments and no other encroachments in the development setbacks of substandard lots.

6.2 Relevant Local Coastal Program Policies

6.2.1 Relevant Policies in Current Certified Land Use Plan

LUP Policy 1-1 states:

The City shall adopt those policies of the Coastal Act (Coastal Act Sections 30210 through 30264) cited herein, as the guiding policies of the Land Use Plan.

LUP Policy 1-4 states:

Prior to the issuance of any development permit required by this Plan, the City shall make the finding that the development meets the standards set forth in all applicable Land Use Plan policies.

LUP Policy 4-9 states:

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

LUP Policy 7-5 states:

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

LUP Policy 7-8 states in relevant part:

New development, alterations to existing structures, and proposed demolitions in the downtown area, as designated on the Visual Resource Overlay Map, shall be subject to design approval in accordance with the following criteria:

- (a) *Scale and style similar to that of the predominant older structures.*
- (b) *Continuity in building lines maintained along Main Street*

...

LUP Policy 7-11 states:

New development along primary access routes from Highway 1 to the beach, as designated on the Land Use Plan Map, shall be designed and sited so as to maintain and enhance the scenic quality of such routes, including building setbacks, maintenance of low height of structures, and landscaping which establishes a scenic gateway and corridor.

LUP Policy 7-12 states in relevant part:

In areas affording broad views of the ocean from Highway 1 as indicated on the Visual Resources Overlay Map, all new development shall be reviewed by the Planning Commission to ensure conformance with the following criteria:

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

(a) *Structures shall be sited and designed to preserve unobstructed broad views of the ocean and shall be clustered to the maximum extent feasible.*

...

(c) *Building height shall not exceed one story or 15 feet, unless an increase in height would not obstruct public views to the ocean from the Highway or would facilitate clustering of development so as to result in greater view protection.*

LUP/Coastal Act Policy 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

LUP/Coastal Act Policy 30250 states in relevant part:

(a) 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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

...

LUP/Coastal Act Policy 30251 states:

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

LUP/Coastal Act Policy 30252 states in relevant part:

The location and amount of new development should maintain and enhance public access to the coast....

6.2.2 Relevant Policies in Current Certified Zoning Code

Subdivision Code Ordinance 17.28.010 states:

Two or more parcels of real property may be merged by the Planning Commission when the following conditions are met:

- A. *The parcels are contiguous.*
- B. *The parcels have the same ownership as of the date that notice of intention to determine status is recorded.*

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

- C. *At least one of the parcels is nonconforming, having an area less than the minimum prescribed area for the zoning district in which they are located.*
- D. *At least one of the parcels is either:*
 - 1. *Undeveloped, having no structure on it for which a building permit is required (at the time of notice of intention to determine status), or*
 - 2. *Developed only with an accessory building, or*
 - 3. *Developed with a structure for which a building permit is required at the time of notice of determination of status, located partially on it; and partially on the contiguous parcel.*
- E. *At least one or more of the conditions exist with respect to any affected parcel, at the time of notice of determination of status:*
 - 1. *It comprises less than 5,000 square feet in area.*
 - 2. *It was not created in conformance with applicable laws and ordinances in effect at the time of its creation.*
 - 3. *It does not meet current standards for sewage disposal and domestic water supply.*
 - 4. *It does not meet slope stability standards.*
 - 5. *It has no legal access which is adequate for vehicular and safety equipment access and maneuverability.*
 - 6. *Its development would create health or safety hazards.*
 - 7. *It is inconsistent with the General Plan, and any specific plan for reasons other than minimum parcel size or density standards.*

Zoning Code Ordinance 18.02.040 states in relevant part:

Lot: A site or parcel of land that has been legally subdivided, re-subdivided, or combined.

Zoning Code Ordinance 18.20.025 states in relevant part:

Unless otherwise exempted, all development as defined in Section 18.20.020.C in the City of Half Moon Bay requires a Coastal Development Permit. The Coastal Development Permit must be approved prior to the commencement of the development and shall be required in addition to any other permits or approvals required by the City. A local Coastal Development Permit may be combined with any other permit application. When not feasible to combine a Coastal Development Permit with one or more applications, it may be processed concurrently with or prior to any other procedures required by this Title or the Municipal Code. Prior to initiating the review process for any discretionary or ministerial permits in the City, the Planning and Building Director shall determine the feasibility of concurrent or prior processing of the Coastal Development Permit.

...

Zoning Code Ordinance 18.20.070 states:

A Coastal Development permit may be approved or conditionally approved only after the approving authority has made the following findings:

- A. *Local Coastal Program. The development as proposed or a modified by conditions, conforms to the Local Coastal Program.*

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

- B. Growth Management System. The development is consistent with the annual population limitation system established in the Land Use Plan and Zoning Ordinance;*
- C. Zoning Provisions. The development is consistent with the use limitations and property development standards of the base district as well as the other requirements of the Zoning Ordinance;*
- D. Adequate Services. Evidence has been submitted with the permit application that the proposed development will be provided with adequate services and infrastructure at the time of occupancy in a manner that is consistent with the Local Coastal Program; and*
- E. California Coastal Act. Any development to be located between the sea and the first public road conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.*

Zoning Code Ordinance 18.21.010 states in relevant part:

The purpose of establishing the design review process set forth in this Chapter is:

- A. To determine whether proposed projects are in compliance with the regulations in this Chapter;*
- B. To promote the orderly and harmonious development of the City's existing and new residential neighborhoods;*
- C. To ensure that new development, alterations to existing structures and proposed demolition in the downtown historic area will be subjected to design review; and*

...

Zoning Code Ordinance 18.21.020 states in relevant part:

Prior to the issuance of any Building Permits for new construction, alterations, or additions to any residential, commercial, industrial, or institutional building, the Planning Director shall review the plans submitted for each proposed project to establish the appropriate level of review as set forth herein:

A. Residential Projects:

1. Approval by the Architectural Review Committee is required:

- a. For the construction of any new residence or accessory structure on a property within the Downtown Historic Area, and for any alterations or additions to an existing residence within the Downtown Historic Area.*
- ...
- c. For any new residential structure or modifications to an existing structure requiring a discretionary permit such as a Parking Exception, Variance, or Use Permit.*
 - d. For the construction of a new single family residence or remodels and additions to an existing residence, accessory structures, or site improvements which may otherwise be exempt from the provisions of the Chapter that the Planning Director has determined may not be consistent with the Standards for Review set forth in this Chapter. ...*

...

Zoning Code Ordinance 18.21.030 states in relevant part:

In carrying out the purposes of this section, the Planning Director, Architectural Review Committee, and Planning Commission shall consider in each specific case any and all of the following as may be appropriate:

- A. *The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood;*
- B. *All structures shall be in good proportion; have simplicity of mass and detail; shall not strive for picturesque effect; there shall be an appropriate use of materials; colors shall be in good taste and never harsh or garish, but in harmony with themselves and their environment;*
- ...
- E. *The size, location and arrangement of on-site parking and paved areas;*
- ...
- G. *All of the above factors shall be related to the setting or established character of the neighborhood or surrounding area.*

Zoning Code Ordinance 18.21.035 states:

The Planning Director, Architectural Review Committee, and Planning Commission shall determine from the data submitted whether the proposed project will be in conformance with the provisions of this Chapter and shall approve the application upon making a positive finding. The application may be disapproved, may be approved as submitted, or may be approved subject to conditions, specified changes and additions. In approving any project, the Planning Director, Architectural Review Committee, and Planning Commission shall find that such buildings, structures, planting, paving and other improvements shall be so designed and constructed that they will not be of unsightly or obnoxious appearance to the extent that they will hinder the orderly and harmonious development of the City, impair the desirability or opportunity to attain the optimum use and the value of the land and the improvements, impair the desirability of living or working conditions in the same or adjacent areas and/or otherwise adversely affect the general prosperity and welfare.

Zoning Code Ordinance 18.22.010 states in relevant part:

Use permits, conditional use permits, revocable use permits and use permits valid for a term of one year, may be issued for any of the following:

- A. *Any of the uses or purposes for which permits are required or permitted by the provisions of this title;*
- ...

Zoning Code Ordinance 18.22.190 states in relevant part:

- ...
- B. *In order to grant the use permit as applied for or conditioned, the findings of the Planning Commission must include that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.*
- C. *In approving the granting of any use permit, the Planning Commission shall designate such conditions in connection herewith, as will, in its opinion, secure substantially the objectives of this Title as to light, air and the public health, safety, morals, convenience and general welfare. Said Commission shall require such evidence and guarantees,*

including bonds, as it deems to be necessary to obtain compliance with the conditions designated in connection therewith.

...

6.3 Zoning Methods to Control House Size on Standard, Substandard, and Severely Substandard Lots

The Visual Resources chapter of the Half Moon Bay LUP states:

Where development is appropriate, guidelines are required to protect the scenic quality of access routes to the beach, maintain the sense of openness characteristic of the City, preserve broad views of the ocean, and maintain a scenic corridor along Highway 1.

At the time of LUP certification in 1985, the Zoning Code had not yet been adopted as part of the LCP. However, the LUP recognized that design standards were necessary to ensure maintenance of community character, to maximize visual resources, and to mitigate potential negative effects of large new developments. In 1996, the Commission certified the City's Zoning Code based on the finding that the Code conforms with and is adequate to carry out the City's certified Land Use Plan. As certified, the Zoning Code establishes development standards for districts zoned for single-family residential development, including setbacks, coverage limits, and maximum floor area. The proposed amendment would impose stricter development standards than those already required under the Commission-certified Zoning Code and would not create inconsistencies with the Land Use Plan. These proposed standards would work together to reduce bulk and improve the visual quality of development. Furthermore, the proposed changes to the Zoning Code would guide residential development in the City to achieve the goals mentioned in the LUP. The following discussions describe zoning methods proposed by the City that are typically used to control house size, shape, bulk, and visual impact.

6.3.1 Maximum Building Envelope

The proposed maximum building envelope pertains to the development of single-family residences in single-family zoning districts (the R-1, R-1-B1, and R-1-B2 Zoning Districts). As proposed, the maximum building envelope would contain a single-family residence within an "envelope" with fixed parameters. Specifically, the maximum building envelope limits residence height to 28 feet and restricts residence shape to fit under four planes: two planes extending into the property at a 60-degree angle from 16 feet above both the front and rear setback lines, and two other planes extending into the property at a 45-degree angle from 10 feet above each side property line. **Exhibit 4** illustrates residence designs that generally exemplify the maximum building envelope concept.

The existing certified LCP does not have a maximum building envelope or daylight plane requirement and therefore does not control the location or mass of a house's second floor or tallest portion. The lack of such a requirement has resulted in single-family residences with tall walls that block daylight and air circulation of adjacent houses. As proposed, the maximum building envelope requirement would move the portions of the house above the given height away from the lot lines, thereby reducing the bulk of a single-family residence and subsequently ensuring an adequate daylight plane between adjacent residences. This proposed standard would prevent the currently allowable practice of constructing high flat walls next to smaller-scale adjacent houses.

The proposed maximum building envelope would assure that house shapes minimally impact neighboring parcels. Over time, the construction of houses conforming to the proposed standard would cumulatively enhance the visual quality of the City, consistent with Policy 30250 of the Coastal Act (adopted as a policy of the LUP by LUP Policy 1-1). Therefore, as submitted, the Commission finds that the proposed Zoning Code amendment is consistent with and adequate to carry out the policies of the certified Land Use Plan.

6.3.2 Maximum Building Height for Single-Story Residences

Currently, the Zoning Code standard sets the maximum height of a single-story house at 16 feet, but does not limit the height allowable under a height exception. Theoretically, then, a single-story house could be much taller if it can be found consistent with the exceptions to the height standard contained in Section 18.06.050 of the Zoning Code. As proposed, the City would still require approval of an exception if a single-story residence is greater than 16 feet in height and consistent with the exceptions to the height standard. However, the proposed amendment places a maximum height limit on any single-family residence *with an approved exception* to 20 feet. Thus, the proposed standard would actually impose a stricter maximum building height to single-family residences than currently contained in the Zoning Code. Because the proposed cap on single-story residence heights reduce the potential to block views and would better maintain the visual quality of the City, the proposed modification is consistent with and adequate to carry out the visual resource policies of the LUP.

6.3.3 Corner Lot Setback (Street-Facing Side Yard Setback) and Corner Lot Sight Distance

The proposed amendment includes an increase in the street-facing side-yard setback for corner lots from 10 to 20 feet for standard-sized lots. The street-facing side yard setback for severely substandard lots would be 10 feet under the proposed amendment. Currently, the LCP requires a minimum street-facing side setback of 10 feet in the R-1 and R-1-B1 zoning districts and 13 feet in the R-1-B2 zoning district. For substandard lots, the setback is based on recommendations of the City engineer for site distance and other traffic safety criteria.

The corner lot sight distance proposed under the amendment would increase the required area by moving the two points of measurement to 25 feet from the street-facing corner of the lot, and allow for increased sight distance areas on a case-by-case basis. Under the existing LCP, the two points are located 15 feet back from the street-facing lot corner.

The proposed modifications to the corner lot setback and corner lot sight distance would provide visual compatibility of corner houses with the surrounding areas and maximize visual openness by restricting the construction of houses in close proximity to public streets and sidewalks. In addition, the increased setback and sight distance would allow for better visibility for motorists approaching street intersections and provide the added benefit of increased public safety. Therefore, as submitted, the Commission finds that the proposed Zoning Code amendment is consistent with and adequate to carry out the safety and visual resource policies of the Land Use Plan.

6.3.4 New or Modified Definitions

As proposed, the amendment includes modifications to certain words in the Definitions Chapter of the Zoning Code (Chapter 18.02) in order to clarify their meanings. The definitions of *lot area*, *lot depth*, *lot width*, and *second dwelling unit* have been changed but in no way produce

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

inconsistencies with the policies of the Land Use Plan. Other terms listed below need further discussion to explain the intent of the modifications in relation to consistency with the LUP. As discussed below, all proposed definition changes are consistent with and adequate to carry out the policies of the certified LUP.

Development

The proposed amendment removes the definition of *development* from Chapter 18.02, the definitions section of the Zoning Code. Because the definition contained in the chapter is not consistent with that of Section 30106 of the Coastal Act, the City proposes to eliminate it. However, the Zoning Code retains the Coastal Act definition of *development* in Chapter 18.20, Local Coastal Development Permits. Furthermore, Appendix A of the Land Use Plan includes the Coastal Act definition. Therefore, the definition of *development* remains in the LCP and its elimination from Chapter 18.02 does not create an inconsistency with the LUP.

Gross floor area

The City proposes to modify the Zoning Code definition of *gross floor area* to include basements and crawl spaces that are greater than 4 ½ feet from floor to ceiling whether improved or not, and improved attic areas. Fifty square feet of covered decks on the second floor are excluded from the gross floor area calculation. As proposed, the floor area would better approximate usable living space while eliminating the currently allowable situation in which 7 ½-foot-tall crawl spaces are not considered in the calculation of floor area yet create bulk underneath the house. The proposed amendment also excepts a portion of the basement for severely substandard lot, discussed below in Section 5.4.1.

Structure

The proposed amendment modifies the definition of *structure* to include access drives or walks and exclude infrastructure such as roads, pipes, aqueducts, telephone lines, and electric power transmission lines. Under the existing certified LCP, *structure* does not specify whether infrastructure is considered as a structure. The proposed change clarifies this ambiguity. In any event, a coastal development permit is still required for all development not exempt from permit requirements pursuant to the certified LCP.

Substandard and severely substandard lots

The proposed amendment adds definitions for *substandard lot* and *severely substandard lot* to the Zoning Code Chapter 18.02. *Substandard lot* is proposed as a lot with a width or area less than the minimum required for the relevant zoning district. The proposed residential development standards allows an administrative exception for development on those substandard lots with at least 100% of the required minimum lot area but more than 95% of the minimum required lot width in the relevant zoning district. Thus, development of single-family residences on these specific substandard lots does not require a use permit, although development on all other substandard lots require a use permit.

A *severely substandard lot* provides 55 percent or less of the required lot width or area required in the relevant zoning district. Under the existing Zoning Code, *severely substandard lot* is defined in Chapter 18.06 as any building site that provides 50% or less of the minimum lot area or width required by the underlying zoning district. Since 50% of the minimum lot area or width is currently considered severely substandard, the modification to classify severely substandard

lots at 55% of the required width or area is only a modest revision and therefore does not raise any issues of inconsistency with the policies of the LUP.

6.4 Zoning Methods to Control House Size on Substandard and Severely Substandard Lots Only

In Half Moon Bay, there are approximately 2,500 existing undeveloped small lots. Each of these lots could potentially be developed with at least one single-family residence. However, many of these lots do not meet the minimum lot area or width required by the relevant zoning district. For instance, many lots are 25 feet wide and 100 feet long and have an area of 2,500 square feet. However, the minimum lot sizes for the R-1, R-1-B1, and R-1-B2 single-family residential zoning districts are 5,000, 6,000, and 7,500 square feet, respectively, and the minimum average lot width for these districts are 50, 60, and 75 feet, respectively. The zoning methods described below propose to proportion single-family residences according to the size of the substandard and severely substandard lots on which they are located and to create design criteria that ensure compatibility with the neighboring areas. The proposed standards would work together to reduce bulk and improve the visual quality of development.

In recent years, the general trend for new single-family residences has been toward large-sized houses. As a consequence, the increased restrictiveness of the proposed development standards on substandard lots may encourage property owners to merge substandard lots in order to create a lot that conforms to the minimum lot area required by the zoning district. With a larger conforming lot, the property owner would have the ability to build a larger house consistent with the zoning district standards. The outcome of such a practice would be the retirement of at least one substandard lot on which a single-family residence could have been built. Although the main purpose of the proposed development standards is to improve the visual quality of development in the City, the standards may produce the added benefit of reducing the total number of developable lots in the City. As a result, there would be no traffic generated by development on the retired lots, reducing the potential adverse cumulative impacts on public access to the coast caused by traffic. Thus, while the proposed development standards allow for properly-sized houses on substandard lots that benefit the City's visual resources, the standards may also result in the merging of substandard lots, with a beneficial impact on traffic circulation, consistent with Coastal Act Policy 30252.

6.4.1 Proposed New Proportionality Rule

The existing certified LCP currently controls house size with standards for lot coverage and floor area ratio. (*Floor area ratio* is defined in the Zoning Code as the gross floor area of the building and parking areas on the lot divided by the area of the lot). For houses in the single-family residential districts, the maximum lot coverage for a single-story house is 50% of the total lot area. The floor area ratio also limits the maximum area of a residence to 50% of the total lot area. The maximum lot coverage for a multi-story house is 35% of the total lot area. These standards currently apply to all lots, whether they conform or not with the minimum lot size of the zoning district.

The proposed amendment adds a proportionality rule to the Zoning Code definitions that applies to substandard and severely substandard lots. The proportionality rule requires the reduction of a single-family residence's allowable coverage and floor area ratio on a substandard lot according to the ratio of the lot's actual width or area to the standard lot width or area in the relevant zoning

City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)

district. The proportionality rule requires the calculation of two ratios: (1) actual lot area to minimum lot area required for the zoning district; and (2) actual lot width to minimum lot width required for the zoning district. The lesser ratio of the two would be used to determine the maximum lot coverage percentage and the floor area ratio for the residence. **Table 1** demonstrates the proportionality rule by comparing maximum lot coverage and maximum floor area for substandard and severely substandard lots under the current Zoning Code standards to the proposed proportionality rule.

Under the existing LCP, a lot with at least 85% of the required minimum lot area or width may receive an administrative variance to the minimum lot area and width standards. A single-family residence proposed on a substandard lot (a lot with more than 50% and less than 85% of the minimum lot area or width required by the underlying zoning district) or a severely substandard lot (a lot with 50% or less of the minimum lot area or width required by the underlying zoning district) currently requires a use permit in addition to a coastal development permit.

As proposed, the administrative variance for lots with at least 85% of the required minimum lot area or width would be eliminated. The proposed amendment would restrict administrative exceptions to the minimum lot width standards to only those lots that are within 5% of the lot width required under the specific zoning district. All substandard and severely substandard lots with less than 95% of the required lot width and less than 100% of the required lot area would require a use permit and be subject to review by the City's Architectural Review Committee. Section 5.4.2 below discusses the relationship of use permits and coastal development permits in Half Moon Bay.

The proposed amendment limits house size as a function of parcel size. By determining the allowable lot coverage and maximum floor area using the ratio between the actual lot size and the required lot size in the zoning district, the allowed house size is reduced greatly as the lot approaches the severely substandard lot size. Thus, house mass and bulk on these lots are reduced while reasonable development is still allowed. For substandard and severely substandard lots, basements with a floor area of 15% or less of the total calculated floor area, up to 225 square feet, may be allowed in excess of the allowed house size, subject to the use permit. In addition, for severely substandard lots, the proposed development standards would allow up to 200 square feet in excess of the maximum allowable floor area. As proposed, while the proportionality rule is intended to reduce overall building size of houses on substandard lots, the Zoning Code still allows for adequate living area and design flexibility.

The proposed proportionality rule would provide for structures that are scaled to their building sites, thereby reducing impacts on visual resources. Because the maximum allowable lot coverage decreases proportionally for substandard and severely substandard lots, the allowable impervious surface area would decrease as a result of the proposed standard, consequently providing potential water quality benefits consistent with Coastal Act Policy 30231 and LUP Policy 4-9. Therefore, since the proposed amendment imposes new standards for substandard and severely substandard lots that provide greater protection of visual resources and better maintain community character and mitigate potential negative effects of large new developments than currently existing standards, the Commission finds that the proposed amendment is consistent with and adequate to carry out the policies of the certified Land Use Plan.

6.4.2 Proposed New Design Guidelines

Sections 18.06.050.G, 18.06.050.H, 18.06.050.I, and 18.06.050.J of the Zoning Code address development standards for substandard and severely substandard lots. Table X of **Exhibit 2** summarizes the proposed standards, including the maximum lot coverage, floor area ratio, maximum building envelope, and the requirements for parking, setbacks, and height.

The proposed amendment includes design guidelines for development on substandard and severely substandard lots to be used in addition to the Architectural Review and Site and Design Approval chapter of the Zoning Code (Chapter 18.21). These guidelines require the location of garages in the rear yard as feasible, or design features that de-emphasize the garage if located in the front of the house. The guidelines also require the Architectural Review Committee to consider setbacks, front façade, orientation to the street, side orientation to adjacent properties, daylight plane, mass, and bulk in the determination of project compatibility with the neighboring area. As proposed, the guidelines contribute to the orderly and harmonious development of neighborhoods in the City and work to achieve minimal visual resource impacts, consistent with the policies of the Land Use Plan.

Section 18.06.050.H requires that plans for development on substandard or severely substandard lots be stamped by a California-licensed architect. This proposed requirement ensures that development is accurately contained within the maximum building envelope and complies with the residential development standards of the Zoning Code and is adequate to carry out the City's certified Land Use Plan. Therefore, the Commission finds that the proposed amendment is consistent with and adequate to carry out the policies of the City's certified Land Use Plan.

Use Permits and Coastal Development Permits

As mentioned in Section 5.4.1 above, under the proposed amendment, the development of single-family residences on all substandard and severely substandard lots with less than 95% of the required lot width and less than 100% of the required lot area would require the issuance of use permits. Chapter 18.22 of the Zoning Code contains the provisions for use permits. However, the proposed amendment adds Ordinance 18.06.050.G.3.a to the Zoning Code to require specific findings for use permits for development on substandard lots. These findings must include three components:

1. The findings required by Chapter 18.22 of the Zoning Code, contained in Ordinance 18.22.190. The ordinance states that findings for the approval of use permits require that the establishment, maintenance, and/or conducting of the use will not be detrimental to public welfare or injurious to property in the given neighborhood. The ordinance also states that any conditions to use permits must be consistent with the Zoning Code objectives regarding light, air and the public health, safety, morals, convenience and general welfare;
2. A finding that the development is consistent with all of the dimensional standards in Table X, Development Standards for Substandard and Severely Substandard Lots as proposed under this amendment; and
3. A review by the City's Architectural Review Committee of the development has been conducted, with the recommendations forwarded to the Planning Commission prior to consideration of the use permit.

Although the required findings for approval of coastal development permits (contained in Zoning Code Ordinance 18.20.070) are different from the required findings for use permits for

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

development on substandard lots, the City typically combines coastal development permits with use permit applications, consistent with Zoning Code Ordinance 18.20.025. Consequently, coastal development permits are issued simultaneously with use permits and thus, use permit requirements are coextensive with coastal development permit requirements. Furthermore, since the entire City is located within the Coastal Zone, development on substandard or severely substandard lots in the City with less than 95% of the lot width and less than 100% of the lot area required by the zoning district which is not exempt as defined in Zoning Code Ordinance 18.20.030 would require both a coastal development permit and a use permit. In addition, any exemptions to coastal development permit requirements which are contained in Zoning Code Ordinance 18.20.030 for development that would take place on substandard or severely substandard lots would still undergo use permit review that would need to find consistency with the development standards proposed by this amendment. Finally, this amendment does not propose to legitimize illegal parcels, does not address the issue of parcel legality, and in no way alters the existing process for determining the legal status of property. Therefore, as proposed, the Commission finds that the proposed amendment is consistent with and adequate to carry out the policies of the certified Land Use Plan.

6.5 California Environmental Quality Act

The Coastal Commission's review and development process for Local Coastal Programs and amendments to them has been designated by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does use any environmental information that the local government has developed.

In addition to making a finding that the amendment is in full compliance with the Coastal Act, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) of the Public Resources Code 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 effects which the activity may have on the environment.

As discussed above, the County's proposal is consistent with the Land Use Plan and will not have any significant adverse environmental impacts. The Commission incorporates its findings on land use plan conformity at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse effects of the project that have been received as of the writing of this report. Therefore, the Commission finds that approval of the Zoning Code will not result in significant environmental effects within the meaning of the California Environmental Quality Act.

**City of Half Moon Bay Zoning Code Amendment 1-00
(City of Half Moon Bay)**

EXHIBITS

1. July 18, 2000 Half Moon Bay City Council ordinance (C-5-00) revising Zoning Code Chapters 18.02 and 18.06.
2. Text of proposed amendment (taken from the July 6, 2000 Half Moon Bay City Council agenda report) with additions underlined and deletions in ~~strikethrough~~.
3. April 16, 2001 letter from Kenneth Curtis, City of Half Moon Bay Planning Director to Chris Kern.
4. Examples of single-family residence designs to demonstrate the daylight plane concept.
5. March 12, 2001 letter from Antonio Cadiz to Sara Wan.
6. February 28, 2001 letter from Sandy Paoli to Coastal Commission.
7. April 16, 2001 letter from Douglas Snow to Coastal Commission.

Table 1. Examples of current and proposed development standards for development on substandard and severely-substandard lots in the R-1 Zoning District in Half Moon Bay.

R-1 Zoning District: Minimum required lot width = 50 feet, Minimum required lot area = 5,000 square feet

Example 1: Standard lot, 50 feet x 100 feet; Lot width = 100% of required lot width); Lot area = 5,000 square feet (100% of required lot area).

Current Residential Development Standards ¹		Proposed Residential Development Standards			
Maximum lot coverage, one-story (50%)	Maximum lot coverage, two-story (35%)	Floor Area Ratio (50%)	Maximum lot coverage, one-story (50%)	Maximum lot coverage, two-story (35%)	Floor Area Ratio (50%)
2,500	1,750	2,500	2,500	1,750	2,500
$5,000 \times 0.50 = 2,500$	$5,000 \times 0.35 = 1,750$	$5,000 \times 0.50 = 2,500$	$5,000 \times 0.50 = 2,500$	$5,000 \times 0.35 = 1,750$	$5,000 \times 0.50 = 2,500$

Example 2: Substandard lot, 42.5 feet x 100 feet; Lot width = 42.5 feet (85% of required lot width); Lot area = 4,250 square feet (85% of required lot area).

Current Residential Development Standards		Proposed Residential Development Standards			
Maximum lot coverage, one-story (50%)	Maximum lot coverage, two-story (35%)	Floor Area Ratio (50%)	Maximum lot coverage, one-story (50% x (a/b)) ²	Maximum lot coverage, two-story (35% x (a/b))	Floor Area Ratio (50% x (a/b))
2,125	1,488	2,125	1,806	1,264	1,806
$4,250 \times 0.50 = 2,125$	$4,250 \times 0.35 \approx 1,488$	$4,250 \times 0.50 = 2,125$	$4,250 \times [0.50 \times (4,250/5,000)] \approx 1,806$	$4,250 \times [0.35 \times (4,250/5,000)] \approx 1,264$	$4,250 \times [0.50 \times (4,250/5,000)] \approx 1,806$

Example 3: Severely substandard lot, 25 feet x 100 feet; Lot width = 25 feet (50% of required lot width); Lot area = 2,500 square feet (50% of required lot area).

Current Residential Development Standards		Proposed Residential Development Standards			
Maximum lot coverage, one-story (50%)	Maximum lot coverage, two-story (35%)	Floor Area Ratio (50%)	Maximum lot coverage, one-story (50% x (a/b))	Maximum lot coverage, two-story (35% x (a/b))	Floor Area Ratio (50% x (a/b))
1,250	875	1,250	625	438	625
$2,500 \times 0.50 = 1,250$	$2,500 \times 0.35 = 875$	$2,500 \times 0.50 = 1,250$	$2,500 \times [0.50 \times (2,500/5,000)] = 625$	$2,500 \times [0.35 \times (2,500/5,000)] \approx 438$	$2,500 \times [0.50 \times (2,500/5,000)] = 625$

¹ All areas expressed in square feet.

² Where a = actual lot area and b = minimum lot area required under zoning district.

EXHIBIT NO. 1 Half Moon
APPLICATION NO. Bay ICP Amend 1-00
7/18/00 HMB City Council ordinance (C-5-00)
revising Zoning Code Chapters 18.02 & 18.06

ORDINANCE NO. C-5 -00

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
REPEALING CHAPTERS 18-02 AND 18-06 OF THE MUNICIPAL CODE AND
ADOPTING BY REFERENCE THE REVISED ZONING CODE CHAPTERS 18-02
DEFINITIONS AND 18-06 RESIDENTIAL LAND USE**

The City Council of the City of Half Moon Bay does ordain as follows:

Section 1. Rescission of Chapter 18-02 and 18-06. Chapters 18-02 and 18-06 of the Half Moon Bay Municipal Code are hereby repealed.

Section 2. Amendment of Chapter 18-02 and 18-06. Chapter 18-02 is hereby inserted to read as attached as Exhibit A and Chapter 18-06 is hereby inserted to read as attached as Exhibit B, both are incorporated herein by reference.

Section 3. Environmental Review. An Initial Study and Proposed Negative Declaration (SCH #2000022094) was circulated From February 24, 2000 to March 24, 2000. The recommended amendment to the An Initial Study and Proposed Negative Declaration made by the Planning Commission with regard to aesthetics associated with the new 20-foot height for single story buildings was incorporated into the document before the City Council. The City Council reviewed the Initial Study and Proposed Negative Declaration and hereby accepts the revised document—which includes the discussion that the increased single-story building height to 20 feet is an insignificant impact due to the ordinance revision that provides design criteria to protect the day light plane—as complete, adequate and representing its independent judgement. On the basis of the Initial Study, comments thereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project as described in the Initial Study and Proposed Negative Declaration will have a significant effect on the environment.

Section 4. Submission to California Coastal Commission for Certification. The foregoing amendment to Chapter 18-02 and 18-06 constitutes an amendment to the City of Half Moon Bay's Local Coastal Program. The City Clerk is hereby directed to transmit a copy of this ordinance to the California Coastal Commission for certification. The City Council of the City of Half Moon Bay hereby certifies that the Local Coastal Program, as amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act.

Section 5. Effective Date. This ordinance shall take effect 30 days after the date of its final passage, except that the Local Coastal Program amendment set forth in Section 1 and Section 2 of this ordinance shall not take effect until it has been certified by the California Coastal Commission. In the event that the Coastal Commission certifies the amendment subject to certain modifications, the amendment shall not be effective until the modifications have been approved

by this Council and confirmed by the executive director of the California Coastal Commission.

Section 6. Limited applicability for those applications already in process.
The amendments herein adopted shall not be applicable to any application which has received a Coastal Development Permit before the date of adoption by the Half Moon Bay City Council.

INTRODUCED this 6th day of July, 2000.

PASSED AND ADOPTED this 18 day of July 2000 by the following vote:

AYES, and in favor thereof,
Councilmembers:

Ruddock, Donovan, Taylor,
Patridge & Mayor Coleman

NOES, Councilmembers:

ABSTAIN, Councilmembers:

ABSENT, Councilmembers:

Dennis R. Coleman
Dennis R. Coleman, Mayor

PASSED AND ADOPTED AT THE
COUNCIL MEETING OF
7-18-00
DR
CITY CLERK

ATTEST:

Dorothy R. Robbins
Dorothy R. Robbins, City Clerk

RECEIVED
AUG 16 2000
CALIFORNIA
COASTAL COMMISSION

Zoning Code
Title 18

CHAPTER 18.02
DEFINITIONS

EXHIBIT NO. ² Half Moon
APPLICATION NO. Bay LCP Amend. 1-00
Text of proposed amend. (taken from the 7/6/00 HMB City Council agenda report) with additions <u>underlined</u> & deletions in <u>struckthrough</u> .

Sections:

- 18.02.010 Purpose and Applicability
18.02.020 Rules for Construction and Language
18.02.040 Definitions

18.02.010 Purpose and Applicability. The purpose of this article is to ensure precision in interpretation of the zoning regulations. The meaning and construction of words and phrases defined in this Chapter shall apply throughout the zoning regulations, except where the context clearly indicates a different meaning or construction.

18.02.020 Rules for Construction of Language. In addition to the General Provisions of the Municipal Code, the following rules of construction shall apply:

- A. The particular shall control the general.
- B. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
- C. "And" indicates that all connected words or provisions shall apply.
- D. "Or" indicates that the connected words or provisions may apply singly or in any combination.
- E. "Either...or" indicates that the connected words or provisions shall apply singly but not in combination.
- F. In case of conflict between the text and a diagram, the text shall control.
- G. All references to departments, commissions, boards, or other public agencies are to those of the City of Half Moon Bay, unless otherwise indicated.

Zoning Code
Title 18

H. All references to public officials are to those of the City of Half Moon Bay, and include designated deputies of such officials, unless otherwise indicated.

I. All references to days are to calendar days unless otherwise indicated. If a deadline falls on a weekend or City holiday, it shall be extended to the next working day.

J. Article and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope meaning or intent of any section hereof.

K. The present tense includes the future, and the future the present.

L. The singular number includes the plural and the plural the singular.

M. References in the masculine and feminine genders are interchangeable.

N. The words "activities" and "facilities" include any part thereof.

18.02.040 Definitions.

Abutting or Adjoining: Having district boundaries or lot lines in common.

Accessory Building: A detached subordinate building, the uses of which are incidental to a permitted principal use conducted within the main or principal structure on a parcel. An accessory building or use is not permitted without a Permitted Use on the property.

Accessory Dwelling Unit: See "Second Dwelling Unit".

Accessory Use: A use incidental and subordinate to the permitted or principal use on a property. An accessory building or use is not permitted without a Permitted Use on the property.

Acre. Gross: A measure of land area equal to 43,560 square feet.

Zoning Code
Title 18

Acre, Net: A measure of developable land area, after excluding dedicated rights-of-way, flood control and drainage easements, and permanent dedicated open space.

Aggrieved Person: A person who informed the City of his or her concerns about an application for a Local Coastal Development Permit or any other discretionary permit such as a Site and Design Permit, Variance, or Use Permit at a public hearing, either in person or through a representative, or by other appropriate means such as in writing, or was unable to do so for good cause; and

- A. Objects to the action taken on the Local Coastal Development Permit or discretionary permit; and
- B. Wishes to appeal any appealable action to a higher authority.

Alley: A public way having a width of not more than 20 feet permanently reserved primarily for pedestrian and vehicular service access to the rear or side of properties otherwise abutting on a street, and not intended for general traffic circulation.

Alter and/or Alteration: To make a change in the allocation or configuration of interior space, exterior appearance, or the supporting members of a structure, such as bearing walls, columns, beams, or girders, that may result in a change of the use within or otherwise prolong the life of the structure.

Amendment: A change in the wording, context or substance of this Title, or a change in the district boundaries on the zoning map.

Animal, Domestic: Small animals of the type generally accepted as pets, including dogs, cats, rabbits, hens, fish and the like, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs or the like.

Animal, Exotic: Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

Animal, Large: An animal larger than the largest breed of dogs. This terms includes boars, cows, goats, horses, llamas, mules, domestic pigs, sheep, and other mammals customarily kept in corrals or stables.

Animal, Small: Small domestic animals of the type customarily kept as household pets, including birds other than domestic fowl, cats, chinchillas, dogs,

Zoning Code
Title 18

fish, guinea pigs, miniature pigs, small reptiles, rodents, and other similar animals no larger than the largest breed of dogs.

Appealable Area: Any area of the City that is:

A. Between the sea and the first public road paralleling the shoreline or within 300 feet of the inland extent of any beach or the mean high tide where there is no beach; or

B. Within 300 feet of the top of any coastal bluff or the line of mean high tide, whichever is further inland; or

C. Within 100 feet of any wetland, estuary, stream, or other designated Environmentally Sensitive Habitat or Coastal Resource.

Applicant: The person, partnership, corporation, governmental agency, or other entity applying for a permit.

Approving Authority: The final decision making person, board, commission, or council for any discretionary permit.

Balcony: A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail balustrade or parapet.

Basement: That portion of a building between the floor and ceiling which is partially below and partially above grade, or completely below grade. A basement, when designed for or occupied for business or manufacturing or for dwelling purposes (recreation rooms without kitchens excepted) shall be considered a story and requires a seven and one-half foot clearance between floor and ceiling with no obstructions.

Boarding House: A building with not more than five guest rooms where lodging and meals are provided for not more than ten persons, but shall not include rest homes or convalescent homes. Guest rooms numbering six or over shall be considered a hotel.

Buildable Area: That area of a building site within the established setback areas. No construction or portion of a building will be allowed beyond the buildable area of a lot without Planning Commission approval of a Variance or Exception as may be provided for in this Title in each case.

Zoning Code

Title 18

Building: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind.

Building Site: A "building site" shall include one or more subdivided lots or portions thereof assembled to create a site for purposes of constructing a building or buildings in accordance with this Title. All plans and specifications submitted in conjunction with any required Planning and/or Building Permits shall clearly show and define the boundaries of any and all subdivided lots or portions thereof comprising the proposed building site. All Development Standards such as Gross Floor Area and required setbacks shall be established based upon the proposed building site as indicated on the plans submitted.

Caretaker's Quarters: A dwelling unit on the site of a commercial, industrial, public, or semi-public use, occupied by a guard or caretaker.

Cellar: see Basement

Coastal Act: The California Coastal Act of 1976, as amended.

Coastal Development Permit: a separate discretionary permit for any development within the coastal zone that is required pursuant to this Title and Subdivision (a) of Section 30600 of the Public Resources Code.

Coastal Zone: That portion of the Coastal Zone, as established by the Coastal Act of 1976 or as subsequently amended, that lies within the City of Half Moon Bay, as indicated on a map on record with the Planning Department.

Collection Buildings: Buildings with a gross floor area of 225 square feet or less used for the deposit and storage of household articles or recyclables donated to a nonprofit organization.

Conditionally Permitted: Permitted subject to approval of a conditional use permit or temporary conditional use permit.

Condominium: An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in a residential, industrial or commercial building on the real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of the real property.

Conforming Building: A building that fully meets the requirements of the Uniform Building Code as most recently adopted by Ordinance of the City Council

Zoning Code
Title 18

and also conforms to all property-development regulations and requirements prescribed for the district in which it is located and as set forth in this Title.

Coverage. Lot or Site: The percentage of a building site covered by all structures, open or enclosed, on the site, measured horizontally to the outside face of exterior walls or structural members. Decks more than 18 inches in height, balconies, chimneys, and breezeways are also included in lot coverage. On standard sized lots, rRoof or soffit overhangs which do not extend beyond 2.5 feet from a wall, and architectural projections or window projections not providing floor area which do not extend beyond the 2.5 foot eaves above are not included in lot coverage. On all substandard sized lots, roof overhangs that extend a maximum of 1.5 feet from a wall are not included in lot coverage; all other features are included.

Deck: A platform, either free-standing or attached to a building, that is supported by pillars or posts (see also: Balcony).

~~Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance; or any use of extension of the use of land. This definition includes but is not limited to:~~

~~A. Subdivision under the Subdivision Map Act (starting at Section 66410 of the Government Code);~~

~~B. Any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use;~~

~~C. Change in the intensity of use of the water, or of access to it;~~

~~D. Construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public or municipal utility; and~~

~~E. The removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations that are in accordance with a timber harvesting plan submitted under the Z'berg-Nejedly Forest Practice Act of 1973 (starting at Section 4511).~~

~~F. For the definition of development, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line and electrical power transmission and distribution line.~~

Zoning Code
Title 18

Distribution Line: An electric power line bringing power from a distribution substation to consumers.

District: A portion of the city within which the use of land and structures and the location, height, and bulk of structures are governed by this Title. This Title establishes "base zoning districts" for residential, commercial, industrial, public and open space uses, and "overlay districts", which may modify or complement base district regulations.

Domestic Fowl: Chickens, ducks, geese, pea fowl, pigeons, turkeys, and other fowl typically used for food or food products.

Dwelling, Accessory or Second: A detached or attached dwelling unit located on a single-family residential lot that contains a one-family dwelling.

Dwelling, Multi-family: A building containing two or more dwelling units.

Dwelling, Single-Family: A building containing one dwelling unit.

Dwelling, Two-Family: A building containing two dwelling units.

Dwelling Unit: One or more rooms with a single kitchen and sanitation facilities, designed for occupancy by one family for living and sleeping purposes.

Environmental Impact Report (EIR): A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guide lines.

Exemption, Categorical: An exception from the requirements of the California Environmental Quality Act (CEQA) for a class of projects, based on a finding by the California Secretary for Resources that the class of projects does not have a significant effect on the environment.

Family: Two or more persons living together as a single housekeeping unit in a dwelling unit, provided that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations.

Floor Area, Gross: The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including: enclosed garages; halls; stairways and elevator shafts measured on one floor only; service and mechanical equipment rooms; ~~and basement areas or attic areas hav-~~

Zoning Code
Title 18

~~ing a clear ceiling height of more than 7 1/2 feet, even if unimproved; and attic areas if improved. Crawl spaces that are 4 1/2 feet or more;--Where an open interior space extends from a finished floor to a height over fifteen feet with no interruption, at the mid-point half of this vertical area the horizontal area between surrounding walls or floor area shall be calculated. One half of the horizontal surface area at the mid-point of the open vertical area shall be included in the calculation of "gross floor area" for purposes of establishing the total building square footage permitted. A total of fifty square feet of second floor covered decks are not included in the definition of floor area.~~

Floor Area Ratio: The gross floor area of the building or buildings on a lot, including area used for required parking and loading, divided by the area of the lot.

Front Wall: The wall of the building or other structure nearest the street upon which the building faces but excluding certain architectural features as specified in the Title.

Garage, Private: An accessory building or portion of a main building designed for the storage of self-propelled passenger vehicles.

Garage, Public: Any building or premises, except those herein defined as a private garage, used for the storage or care of self-propelled vehicles, or where such vehicles are equipped for operation or repair, or kept for remuneration, hire or sale.

General Plan: The City of Half Moon Bay General Plan and its Elements, as amended, and the Land Use Plan.

Grade, Existing: The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a development project regulated by this Title.

Grade, Finished: The average of the finished grade as measured from the corners of the lot or building site.

Grade, Street: The top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

Greenhouse, Commercial: A glasshouse or similar structure or material for the propagating and cultivation of plants to be sold commercially.

Zoning Code
Title 18

Greenhouse, Hobby: A glasshouse or similar structure or material for the propagating and cultivation of plants as a hobby. No sales whatsoever will be permitted for plants grown as a hobby.

Gross Area of a Lot, Parcel, or Site: The total of all area within the property lines.

Guest House (or Accessory Living Quarters): Living quarters within a main or an accessory building for the sole purpose of providing for persons employed on the premises, or for temporary use by guests of the occupants of the premises. Kitchens are not permitted within detached Guest Houses. Guest house does not include "second dwelling unit" as defined in this Title.

Height: The vertical distance from existing grade to the highest point of the roof or the highest point of any structure directly above. Chimneys may exceed the maximum height limit to the extent required by the Uniform Building Code.

Historic Structure or Building: Any structure or building identified by the City of Half Moon Bay, County of San Mateo, State of California, or the U. S. Government as having a special character, or special historical, architectural, cultural, or aesthetic interest or value to the community.

Home Occupation: Occupations conducted in a dwelling unit, garage, or accessory building in a residential district that are incidental to the principal residential use of a lot or site.

Hotel: Any building or portion thereof containing six or more guest rooms used, designed or intended to be used, let or hired out to be occupied.

Illumination, Direct: Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect: Illumination by means only of light cast upon an opaque surface from a concealed source.

Junk yard: Premises on which more than 200 square feet of the area thereof is used for the storage of junk, including scrap metal, wrecked automobiles, or other scrap or discarded materials, whether for storage, repair, or wholesale or retail resale.

Kitchen: A room or portion of a room primarily designed, intended, or used for the preparation and or cooking of food.

Zoning Code

Title 18

Landscaping: an area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior: A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and load facilities or to similar paved areas).

Landscaping, Perimeter: A landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Loading Space: An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and that adjoins a street, alley or other appropriate means of access.

Local Coastal Program: The City's Local Coastal Program, including its Land Use Plan, zoning ordinances, zoning maps and other implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.

Lot: A site or parcel of land that has been legally subdivided, re-subdivided, or combined.

Lot Area: The total square footage of a legally subdivided parcel, excluding any applicable public easement for street use.

Lot, Corner: A site bounded by two or more adjacent street lines that have an angle of intersection of not more than 135 degrees.

Lot Depth: The computed average distance between the front lot line and the rear lot line. ~~horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.~~

Zoning Code
Title 18

Lot Double-Frontage: An interior lot having frontage on more than one street. Each frontage from which access is permitted shall be deemed a front lot line.

Lot, Flag: A lot shaped or designed so that the lot has no direct street frontage and access except from a narrow strip of land.

Lot, Interior: A lot other than a corner or double-frontage.

Lot or Property Line, Front: In the case of an interior lot, a line separating the lot from the street; and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street lot line, except in those cases where the latest tract deed restrictions, approved as a part of a subdivision approval, specify another line as the front property line.

Lot or Property Line, Interior: A lot line not abutting a street.

Lot or Property Line, Rear: A lot line which is not a front ~~or side lot line~~ as defined herein, which is parallel or approximately parallel to and opposite the front lot line. In the case of an irregularly-shaped lot, a line within the lot most nearly parallel to and at the farthest distance from the front lot line.

Lot or Property Line, Side: Any lot line that is not a front lot line or rear lot line.

Lot or Property Line, Street: A lot line abutting a street.

Lot Width: The ~~computed average distance between the side lot lines~~ $\frac{\text{sum of the length of the front and rear lot line}}{\text{divided by two}}$. In the case of an irregularly-shaped lot having four or more sides, "average lot width" shall be the sum of the length of two lines, drawn perpendicular to one side line at the widest and narrowest portions of the lot divide by two.

Manufactured Home: A modular housing unit on a permanent foundation that conforms to the National Manufactured Housing construction and Standards Act. For purposes of this definition, a mobile home is considered a manufactured home.

Municipal Code: The laws of the City of Half Moon Bay codified in the book titled the Half Moon Bay Municipal Code.

Net Area of a Lot, Parcel, or Site: The total of all area within the property lines excluding public-access corridors, flood control and drainage easements, ve-

Zoning Code
Title 18

hicular easements, Environmentally Sensitive Habitat areas and any required buffer zones, and any area to be included in future street rights-of-way as established by easement, dedication, or ordinance.

Nonconforming Structure: A structure that was lawfully erected but which does not conform with the current standards for yard spaces, height of structures, lot coverage, floor area ratios, or distances between structures prescribed in the regulations for the district in which the structure is located by reasons of adoption or amendment of this Chapter or by reason of annexation of territory to the city.

Off-Street Loading Facilities: A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities: A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space. Common: An open space within a residential development that is reserved for the exclusive use of residents of the development and their guests.

Open Space. Private: A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space. Public: That portion of a development site that has been dedicated to or otherwise set aside for public access, use, or benefit.

Open Space. Total: The sum of private and public open space.

Open Space. Usable: Outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or corner side yard, and excluding any space with a dimension of less than six feet in any horizontal direction or an area of less than 48 square feet.

Outdoor Living Area: See Open Space, Usable.

Parking Space: Space within a building, or a public or private exterior parking area, exclusive of driveways, ramps, columns, and office, storage or work areas, for the parking of one automobile.

**Zoning Code
Title 18**

Parking Structure: An enclosed or semi-enclosed area containing a ceiling or roof, used primarily for the temporary storage of motor vehicles, constructed either above or below grade, freestanding, or as part of a nonresidential building.

Permitted: Permitted as a matter of right without a requirement for approval of a use permit or temporary use permit. An accessory building or use is not permitted without a Permitted Use on the property.

Permittee: The person, partnership, corporation, governmental agency, or other entity issued a permit.

Planned Unit Development Plans: Planned Unit Development Plans may take any form deemed appropriate by the Planning Director, Planning Commission, and City Council, and may be adopted by Resolution or Ordinance of the City Council or incorporated into a Use Permit to guide the orderly development of a parcel which is under one owner, a common ownership such as a single corporation, or under multiple ownership's and the site is to be developed under a cohesive development plan. For purposes of conformance with this Title, Planned Unit Development Plans and Specific Plans are synonymous.

Porch: A covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

Preexisting: In existence prior to the effective date of this Title.

Principal Use: The primary use of the land or structures within a parcel, as opposed to any secondary or accessory uses of that parcel. For example, a house is a principal use of a parcel in a residential district while a home occupation is not. An accessory building or use is not permitted without a Principal Use on the property.

Project: Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, or development including the division of land on any parcel, lot, or site that is subject to the provisions of this Title.

Proportionality Rule: on Substandard and Severely Substandard Lots as defined herein, the proportionality rule requires that Coverage and Floor area is reduced by the ratio of the actual Lot Width or Lot Area to the required lot size in the zoning district in which the lot is found. The ratio shall be calculated for both the Lot Area and Lot Width, and the lesser ratio of the two shall be applied.

Zoning Code
Title 18

Room, Habitable: A room meeting the requirements of the Uniform Building Code and this Title for sleeping, living, cooking, or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms, garages, and similar spaces.

Second Dwelling Unit: A detached or attached rental dwelling unit located on a ~~R-1~~ lot within a single family residential zone which contains a single-family dwelling. Second dwelling units are governed by that Chapter of the Zoning Code titled "Second Dwelling Units".

Setback Line: A line within a lot parallel to a corresponding lot line, which is the boundary of any specified front, side or rear yard, or the boundary of any public right-of-way whether acquired in fee, easement or otherwise, or a line otherwise established to govern the location of buildings, structures or uses. Where no minimum front, side, or rear yards are specified, the setback line shall be coterminous with the corresponding lot line.

Severely Substandard Lot: A lot that provides 55% or less of the required lot width or lot area required in the zoning district in which it is found.

Single Ownership: Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation, or partnership, individually, jointly in common, or in any other manner where the property is or will be under unitary or unified control.

Site: A lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or city limit, that is proposed for development in accord with the provisions of this Title, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Specific Plan: A plan adopted by Ordinance or Resolution of the City Council for the use or development within a defined geographic area that is consistent with the General Plan and its Elements, the Local Coastal Program Land Use Plan, and with the provisions of the California Government Code, Section 65450 et seq. (Specific Plans). Where the Land Use Plan indicates a site shall be developed in accordance with a Specific Plan, a Planned Unit Development Plan as defined in this Title may be substituted for a Specific Plan.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space

Zoning Code
Title 18

between such floor and the ceiling next above it shall be considered a story. If the finished floor level directly above the basement is more than six feet above grade for more than 50 percent of the building perimeter, the basement shall be considered a story.

Structure: Anything constructed or erected that requires a location on the ground, including but not limited to a building, a swimming pool, access drives or walks, but not including a fence or a wall used as a fence if the height does not exceed six feet, or infrastructure such as a road, pipe, flume, conduit, siphon, aqueduct, telephone line, electrical power transmission or distribution line, or a swimming pool, but not including a fence or a wall used as a fence if the height does not exceed six feet, or access drives or walks.

Substandard Lot: Any lot of record which has either a Lot Width as defined herein or a Lot Area as defined herein that is less than the requirements in the zoning district in which the lot is located.

Swimming Pools and Hot Tubs: Water-filled enclosures having a depth of 18 inches or more used for swimming, recreation, or therapy.

Transmission Line: An electric power line bringing power to receiving or distribution substation.

Unique Archaeological Resources: An archaeological artifact, object or site that meets any of the following criteria:

- A. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- B. Has a special and particular quality such as oldest of its type or best available example of its type.
- C. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Used: This term includes the following meanings: arranged, designed, constructed, altered, rented, leased, sold, occupied, and intended to be occupied.

Visible: Likely to be noticed by a person of average height walking on a public street or sidewalk or a public park or beach.

Zoning Code

Title 18

Water Feature: Any man-made body of water constructed or installed on a site that is not intended for human use or contact such as fish ponds or fountains.

Wetland: The definition of wetland as used and as may be periodically amended by the California Department of Fish and Game, the California Coastal Commission and the US Fish and Wildlife Service.

Window, Required: An exterior opening in a habitable room.

Working day: any day that City Hall is open for business.

Yard: An open space on the same site as a structure as required by the set-back rules contained in this chapter, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this Chapter, including a front yard, side yard, or rear yard.

Yard, Corner Side: A yard between the side lot line abutting the street on a corner lot and the nearest line of building.

Yard, Front: A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site. The front yard of a corner lot shall adjoin the shortest street property line along its entire length, provided that where street property lines are substantially the same length, the Planning Director shall determine the location of the front yard.

Yard, Rear: A yard, extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting the street.

Yard, Side: A yard extending from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site, except that the side yard on the street side of a corner lot shall extend to the rear lot line.

Zoning Administrator: The Planning Director, or his or her designee.

Zoning Ordinance: The Zoning Ordinance of the City of Half Moon Bay, as may be adopted and amended from time to time.

Zoning Code
Title 18

18-02 • June 20, 2000

Zoning Code
Title 18

CHAPTER 18.06

RESIDENTIAL LAND USE

R-1	Single-Family Residential Zoning District.
R-2	Two Family Residential Zoning District.
R-3	Multi-Family Residential Zoning District.

Sections:

- 18.06.010 Purpose and Intent
- 18.06.020 Schedule of Uses
- 18.06.025 Use Regulations
- 18.06.030 Residential Development Standards
- 18.06.040 Specific Development Standards
- 18.06.050 Exceptions to Development Standards
- 18.06.060 Manufactured Housing
- 18.06.070 Nonconforming Structures
- 18.06.080 Required Permits and Plan Review

18.06.010 Purpose and Intent.

A. **Purpose.** The purpose of these residential district regulations is to: Provide appropriately located areas for residential development that are consistent with the Local Coastal Program Land Use Plan and General Plan and with standards of public health and safety established by the Municipal Code; Ensure adequate light, air, privacy, and open space for each dwelling by establishing reasonable development standards for the mass, scale, and location on a building site for all new residential construction; Achieve a high standard of site and building design, and design compatibility with surrounding neighborhoods; Provide for a range of permitted uses and activities within the various Residential Districts; and Provide sites for public and semi-public land uses needed to complement residential development or requiring location in a residential environment.

B. **Intent.** The intent of this Chapter is to establish the following Residential Districts and to guide the orderly development within each District:

1. Single-Family. R-1, Single-Family Residential Zoning District.
2. Two Family. R-2, Two Family Residential Zoning District.

Zoning Code
Title 183. Multi-Family. R-3, Multi-Family Residential Zoning
tract.

18.06.020 Schedule of Uses. TABLE A: SCHEDULE OF USES, of this Chapter establishes the uses permitted within each Residential District. Certain uses permitted as a matter of right, subject to the provisions of this Title. Other uses, by their nature, require the approval of a Use Permit. Some uses are subject to the Use Permits Regulations set forth in Section B herein. Any use not expressly permitted is expressly prohibited.

18.06.025 Use Regulations. Additional regulations for permitted uses in each Residential District shall be met for the following uses:

A. Animals. In addition to the definitions and classifications in this section, all animals are subject to Use Regulation B.2., Animal Maintenance Regulations. Animals which are not in compliance with animal maintenance regulations may be kept only upon such terms and conditions and for such time as may be prescribed by the Planning Commission in conjunction with the approval of a Use Permit.

1. Animal, Exotic. Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

2. Animal, Large. An animal larger than the largest breed of dogs. This term includes boars, cows, goats, horses, llamas, mules, domestic pigs, sheep, and other animals customarily kept in corrals or stables.

3. Animal, Small. Small domestic animals of the type customarily kept as household pets, including birds other than domestic fowl, cats, chinchillas, dogs, miniature pigs, small reptiles, rodents, and other similar animals no larger than the largest breed of dogs. No more than three small animals may be kept outside on any site in a Residential District with less than 5,000 square feet. A maximum of four small animals may be kept at any site in any Residential District with a minimum of 5,000 square feet. Five or more small animals may be permitted in the R-1 and R-2 Districts upon securing a Use Permit in each case.

4. Domestic Fowl. Chickens, ducks, geese, pea fowl, pigeons, turkeys and other fowl typically used for food or food products, which may create a disturbance to the peace within residential districts. A maximum of two domestic fowl may be permitted in the R-1 and R-2 Districts at any one time. Three or more domestic fowl are permitted in an R-1 District upon securing a Use Permit in each case. Domestic fowl are prohibited in the R-3 District.

Zoning Code
Title 18

- 5. Animals, Young. Any animal under the age of four months.
- 6. Roosters. Roosters are strictly prohibited in all Residential Districts.

TABLE A-1: SCHEDULE OF RESIDENTIAL USES

Residential Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
Single-Family	R-1, R-2		
Two-Family	R-2, R-3		
Multifamily	R-3		
Day Care, limited	All R		3
Residential Care, limited	All R		3
Animal, exotic		R-1	
Animal, large		R-1	1, 2
Animal, small	All R		1, 2
Domestic fowl	R-1, R-2	R-1, R-2	1, 2

TABLE A-2: SCHEDULE OF COMMERCIAL USES

Commercial Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
Home Occupations	All R		6
Agriculture/Horticulture	All R		5
Parking for adj. business	All R		7
Swimming Schools	R-1, R-2		8

Zoning Code
Title 18

TABLE A-3: SCHEDULE OF PUBLIC/SEMI-PUBLIC/INSTITUTIONAL USES

Public/Semi-Public/Institutional Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
Convalescence Facilities		R-3	4
Day Care, General		R-2, R-3	4
Residential Care, General		R-3	4
Schools, Public	All R		
Schools, Private		All R	
Golf Courses		All R	
Libraries	All R		
Public Parks	All R		
Private Recreation Facilities		All R	
Public Safety	All R		
Religious Assembly		All R	
Utilities, Major		All R	
Utilities, Minor	All R		

TABLE A-4: SCHEDULE OF ACCESSORY USES

Accessory Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
Second Dwelling Units		R-1	

TABLE A-5: SCHEDULE OF TEMPORARY USES

Temporary Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
Commercial Filming	All R		9
Construction Trailer	All R		11
Personal Property/Garage Sales	All R		10
New Subdivision Sales Office	All R		

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	40' ¹ 20' ¹	20' ¹ 40' ^{1/2}	20' ¹ 43' ^{1/2}
Combined minimum side setback ⁴	10'	20%	20%
Rear, minimum setback	20'	20'	20'
Single story, maximum height	16' ² 20' ²	16' ² 20' ²	16' ² 20' ^{1/2}
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

¹The 20 foot street facing side yard setback can be reduced to as little as 15 feet for lots that are sub-standard. The actual required setback is the greater of 15 feet or the ratio of actual lot width to required lot width and multiplying the fraction by 20.

² The 20 foot street facing side yard setback can be reduced to as little as 15 feet for lots that are sub-standard. The actual required setback is the greater of 15 feet or the ratio of actual lot width to required lot width and multiplying the fraction by 20.

³ The 20 foot street facing side yard setback can be reduced to as little as 15 feet for lots that are sub-standard. The actual required setback is the greater of 15 feet or the ratio of actual lot width to required lot width and multiplying the fraction by 20.

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

⁵ Single story structures with height above 16 feet are required to follow the procedures for exception to the height standards set forth in this chapter

⁶ Single story structures with height above 16 feet are required to follow the procedures for exception to the height standards set forth in this chapter

⁷ Single story structures with height above 16 feet are required to follow the procedures for exception to the height standards set forth in this chapter

Zoning Code
Title 18

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

Building Site Characteristic	R-2 ⁸	R-2 ⁹	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	40'20' ¹⁰	40'20' ¹¹	40'20' ¹²
Combined minimum side setback ¹³	10'	10'	10'
Rear, minimum setback	20'	20'	20'
Single story, maximum height	16'20' ¹⁴	16'20' ¹⁵	16'20' 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 ¹⁷
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:

⁸ For single-family residences on a site.

⁹ For two dwellings on a site

¹⁰ The 20 foot street facing side yard setback can be reduced to as little as 15 feet for lots that are substandard. The actual required setback is calculated by determining the ratio of actual lot width to required lot width and multiplying the fraction by 20.

¹¹ The 20 foot street facing side yard setback can be reduced to as little as 15 feet for lots that are substandard. The actual required setback is the greater of 15 feet or the ratio of actual lot width to required lot width and multiplying the fraction by 20.

¹² The 20 foot street facing side yard setback can be reduced to as little as 15 feet for lots that are substandard. The actual required setback is the greater of 15 feet or the ratio of actual lot width to required lot width and multiplying the fraction by 20.

¹³ Combined side yards equal or exceed 20 percent of average site width with required minimum

¹⁴ Single story structures with height above 16 feet are required to follow the procedures for exception to the height standards set forth in this chapter

¹⁵ Single story structures with height above 16 feet are required to follow the procedures for exception to the height standards set forth in this chapter

¹⁶ Single story structures with height above 16 feet are required to follow the procedures for exception to the height standards set forth in this chapter

¹⁷ A minimum of one parking space is required

Zoning Code
Title 18

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, based upon the number of animals. Young animals can be excluded when determining the open space requirements, if the number of such animals is not three times the number of permitted animals at any one time. The minimum amount of open space devoted to the keeping of animals other than small animals such as household pets shall be 5,000 square feet. The following additional open space area requirements shall apply:

a. Additional Small Animals. For each additional small animal or domestic fowl: 500 sq. ft.

b. Additional Large Animals. For each large animal: 2,000 sq. ft.

c. Additional Exotic Animals For each exotic animal: Determined by Use Permit

3. Adequate and Sanitary. Housing or caging of animals shall be adequate and sanitary, and all animals shall be kept in a manner approved by the county health officer.

4. Rodent-Proof Storage. All animal food stored outside, except hay and straw, shall be stored in rodent-proof containers.

5. Animal Slaughter. The slaughter of small animals raised on the site, such as poultry and rabbits, is permitted only where intended for consumption by the resident family.

6. Large Animal Use Permit Waived. A Large Animal as defined herein may be maintained in an R-1 District without the requirement for a Use Permit under the following circumstances:

Zoning Code
Title 18

a. **Animal Husbandry Program.** Participation in a recognized agriculture or animal husbandry educational program, including similar programs such as those for police dogs or guide dogs for the blind or hearing impaired is required;

b. **Maximum of One.** A maximum of one Large Animal shall be permitted and only during the time of active participation in the program. In the event more than one large animal is proposed per resident, a Use Permit shall be required;

c. **Resolve Complaint.** That in the event complaints are received from adjoining or nearby residents, the participant(s) shall make every attempt to resolve the conflict resulting in the complaint;

d. **Referred to Planning Commission.** In the event the issue cannot be resolved to the satisfaction of the complaining party, either the animal(s) shall be removed or the matter shall be referred to the Planning Commission for resolution on a "no fee" basis. Prior to consideration by the Planning Commission, the Planning Director shall notify the complaining party and the animal owner(s) of the time, date, and place of the Planning Commission meeting at which the issue will be discussed. The decision of the Planning Commission shall be final unless appealed to the City Council.

C. Day Care, Limited, and Residential Care, Limited.

1. Six or Fewer. As defined in this Title, these uses are limited to non-medical care for six or fewer persons.

D. Convalescence Facilities and Day Care, General.

1. Use Permit. A Use Permit shall be required prior to the establishment of any new or expanded Convalescence Facility or General Day Care business in the R-2 and R-3 Districts.

2. Plans Reviewed. Plans shall be reviewed, and/or facilities inspected by the Half Moon Bay Fire Protection District prior to review by the City of Half Moon Bay.

3. Permits. All required, city, county, or state permits or licenses must be obtained by the applicant prior to the issuance of permits to establish the use.

4. Vehicle Control. Plans shall include controls for vehicle circulation, drop-off and pick up, and employee parking to ensure compatibility with the residential environment.

Zoning Code
Title 18

5. Two Year Permit. Use Permits for Convalescence and Facilities and General Day Care may be granted for an initial period of two years. The Planning Commission may grant one two year administrative extension upon finding that the permittee remains in compliance with the terms and conditions of this section. All Use Permits for these uses shall be reconsidered at a duly noticed public hearing if deemed appropriate by the Planning Commission prior to the expiration of the initial two year period, or prior to the expiration of the two year administrative extension.

E. Agriculture/Horticulture. Commercial agriculture shall be limited to any site within any residential district with five acres or more of land; retail sales shall be allowed only if specifically addressed as a part of an approved Use Permit. Nurseries and greenhouses shall be used only for propagating and cultivating of plants and cut flowers; provided, that no retail sales shall be allowed, and the site shall be a minimum of one acre.

F. Home Occupations. Home Occupations are permitted in all Residential Districts and shall comply with the following:

1. Resident Only. No one other than a resident of the dwelling shall be employed on site or report to work at the site of a Home Occupation. This prohibition also applies to independent contractors.

2. No Inconsistent Activity. There shall be no interior or exterior activity related to the Home Occupation inconsistent with or interfering with residential use of the property or detrimental to property in the vicinity.

3. Entirely Within. A Home Occupation shall be conducted entirely within a building, either the main residence or an accessory building, and shall occupy no more than 500 square feet of floor area. No outdoor storage of materials or supplies shall be permitted in conjunction with the Home Occupation.

4. No Visibility. The existence of a Home Occupation shall not be apparent beyond the boundaries of the site, and no Home Occupation shall involve the use of a sign, nor the display of products visible from the street.

5. No Onsite Retail. The Home Occupation shall not involve on-site retail business, interior or exterior alterations, nor construction features not normally found in dwellings.

6. No Traffic. A Home Occupation shall not create pedestrian, automobile, or truck traffic detrimental to property in the vicinity.

Zoning Code
Title 18

7. Submittal Required. Prior to the issuance of a Business License for a Home Occupation, the applicant shall submit to the Planning Director a written description of the operational characteristics of the proposed Home Occupation. The Planning Director shall determine that the proposed Home Occupation complies with the requirements of this section. Decisions of the Planning Director may be appealed to the Planning Commission by the applicant or by any interested party.

8. Complaints. In the event a complaint is received regarding a Home Occupation, the Planning Director shall refer the issue to the Planning Commission to review the operational characteristics of the use. Both the complaining party and the operator of the Home Occupation shall be notified of the time, place, and date of the Planning Commission meeting. In the event it is determined that the Home Occupation is detrimental to the neighborhood, the Planning Commission may impose any conditions necessary to maintain consistency with the provisions of this Chapter.

G. Parking Areas. Surfaced parking areas to support commercial uses adjacent to Residential Districts may be approved by Use Permit. Any such support parking area shall be subject to review by the Architectural Review Committee prior to consideration by the Planning Commission of a Use Permit application.

H. Swimming Schools. Swimming schools may be approved by Use Permit in R-1 and R-2 Districts on sites having a minimum of 6,000 square feet.

I. Commercial Filming. Commercial filming is permitted in all Residential Districts upon securing all necessary permits and licenses required by the Municipal Code.

J. Personal Property Sales. Personal property sales such as garage sales are limited to a maximum of three weekends per calendar year for each site in the R-1 Districts and per dwelling unit in the R-2 and R-3 Districts.

K. Construction Trailer. For purposes of this Section, a construction trailer is defined as a mobile or temporary office facility for the use of the contractor during the construction of a residential structure or structures. The construction trailer shall be removed from the site within ten days of issuance of a Certificate of Occupancy or the final building inspection, whichever occurs first. The construction trailer may be converted to a sales office upon approval of a Use Permit in each case.

Zoning Code
Title 18

18.06.030 Residential Development Standards. Table B of this Chapter provides the Schedule of Development Standards for all R-1 Districts. Table C provides the Schedule of Development Standards for R-2 and R-3 Districts. These Standards are to be observed in conjunction with Section 18.06.040 Specific Development Regulations, for all development in Residential Districts.

18.06.040 Specific Development Standards. In conjunction with the specific Development Standards set forth in Tables B and C of this Chapter, the following Specific Development Regulations shall apply:

A. Open Space. Development of multi-family structures in the R-2 District and R-3 District shall include usable open space which is 15 percent of the floor area per unit, as follows:

1. **Usable Open Space.** Usable Open Space shall be defined as the sum of private open space and common open space as defined herein providing outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or street side yard and excluding any land area with a slope in excess of 20 percent.

2. **Private Open Space.** Open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests, such as patios or screened decks, balconies. Patios at grade level must have a minimum area of 120 square feet, and balconies must have a minimum area of 60 square feet with no dimension less than six feet, in order to meet a portion of the open space requirement.

3. **Common Open Space.** Open space used commonly by residents of a building, having a minimum dimension of 15 feet in any direction and a minimum area of 300 square feet. Common Open Space includes terraces, courts, non-street side yards, rear yards, open patios and decks, rooftops surrounded by parapet wall or similar structure having a minimum height of 4 feet. Common open space shall be open to the sky and shall not include driveways, pedestrian access to units, parking areas or area required for front or street side yards.

B. Landscaping.

1. **Guideline Conformance.** All planting areas, plant materials, and irrigation shall conform with guidelines in the City's current water-efficient landscaping program.

Zoning Code
Title 18

2. Landscape Plan. A Landscaping Plan is required for all new Multi-Family Residences, and shall be in conformance with design criteria contained in this Title and the City's current water-efficient landscaping program.

3. No Impediments. No landscaping may impede, block, obstruct, or otherwise be allowed to grow over a public sidewalk or other form of public or private access way such as a street, sidewalk, or road. Trees and shrubs shall be maintained in such a manner as to provide a minimum clear distance between any public or private sidewalk, street, road, or right of way and the lowest foliage.

4. Sight Distance. Within the Sight Distance Area of any corner, as defined herein, trees must be pruned to allow a nine foot clearance between natural grade and the lowest foliage, and shrubs must be trimmed to a maximum height of three feet.

a. Sight Distance Area. A triangular area measured from the corner property marker or the apex of the radius of the curve, to two points located ~~45~~25 feet back along the front and side property lines and completed by the diagonal connecting these two points. The volume of space between three feet and nine feet above this triangular area is to be kept clear to allow safe vehicular movements at the street intersection. During review of new development on corner lots, this sight distance area can be increased for streets, upon a finding that the increased sight distance is required for safety at the intersection made during the review of the discretionary permit(s) for the project.

C. Height of Fences, Walls, Gates, and Hedges. The height of a fence, wall or hedge shall be measured vertically from the natural or finished existing grade, whichever is lower, at the base of the fence, wall or hedge to the top of the fence, wall or hedge above that grade. The following specific criteria shall apply in all Residential Districts:

1. Driveway Gates. Decorative gates may extend up to one foot higher than the fence height permitted in that location.

2. Maximum Height. The maximum height of a solid fence, wall or hedge shall be as follows:

a. Front Limited Height. Fences, walls, and hedges located within a required front yard setback area or within the Site Distance Area as defined herein shall be limited to a maximum height of three feet.

Zoning Code
Title 18

b. **Rear Limited Height.** Fences, walls, and hedges located to the rear of the required front yard setback area shall be limited to a maximum height of six feet, unless this area is also within the Site Distance Area as defined herein, in which case the maximum height shall not exceed three feet in the Site Distance Area.

c. **Trellis or Rails.** An additional one foot of fence or wall height is permitted on front yard, rear yard and interior side yard fences, only if the added fencing has openings comprising at least 50 percent of the added area (such as lath trellis or rails).

d. **Retaining Wall Fence.** Where a retaining wall protects a cut below existing grade or contains a fill above the existing grade and is located on the line separating lots, such retaining wall may be topped by a fence, wall or hedge with the maximum total height not to exceed six (6) feet.

D. **Off-Street Parking.** Off street parking shall be provided for all uses within a residential district in accordance with the following minimum requirements:

1. Parking Spaces. Parking Spaces shall conform to the following sizes.

TABLE D: PARKING SPACE SIZE

Type of Space	Dimensions
Standard	9' X 19' clear
Parallel	10' X 22' clear

2. Access Aisles. Parking areas shall provide adequate aisles for all vehicle turning and maneuvering, and conform to the following parking standards.

Zoning Code
Title 18

TABLE E: PARKING STANDARDS

Parking Angle	Circulation	Aisle Width
0 degree	one-way	12 feet
0 degree	two-way	24 feet
85 - 90 degree	one-way	22 feet
85 - 90 degree	two-way	25 feet
30 - 45 degree	one-way	14 feet
50 - 55 degree	one-way	16 feet
60 degree	one-way	18 feet
65 - 80 degree	two way	20 - 23 feet

3. Street Right-of-Way. No parking area shall be designed so that vehicular maneuvering on or backing up into public or private street right-of-way is necessary. This regulation shall not apply to driveways in R-1 and R-2 Districts.

4. Location. Required garage spaces shall not be located within the front yard setback, but open, uncovered parking spaces may be located within the side or rear yards.

5. Multi-Family Residential. All parking spaces provided for tenants of multiple family residences shall be 90 degree angle parking. At least one of the two required tenant parking spaces for each unit shall be enclosed within a garage. The second required tenant parking space shall be covered by a carport, at a minimum. Guest parking spaces may be uncovered.

6. Carports. Any carport or open parking area for five or more cars serving a residential use shall be screened by a solid wall or fence six feet in height, except that the height of a wall or fence adjoining a required front yard shall be not less than two feet or more than three feet.

7. Garages. Garages shall provide adequate interior area for standard parking spaces. Garage door openings shall have a minimum height of seven feet and shall be covered by a solid or sectional overhead door which shall be constructed of wood, metal or fiberglass, and painted, stained or treated to be harmonious with the exterior of the residential structure. All required garages shall be kept free, clear, and accessible for the parking of a vehicle or vehicles at all times.

E. Driveways. Visibility of a driveway crossing a street property line shall not be blocked between a height of three feet and nine feet for a depth of five feet from the street property line as viewed from the edge of the right-of-way on either side of the driveway at a distance of 50 feet or at the

Zoning Code
Title 18

nearest property line intersection with the street property line, whichever is less.

1. Semi-Circular. Semi-Circular Driveways are permitted on lots with widths of 75 feet or more, if no more than 50 percent of the setback area is to be paved, and if visible landscaping is to be installed between the driveway and the sidewalk.

2. Minimum Widths. On building sites in the R-1 District and R-2 District, driveways leading to two car garages shall have a minimum width of 18 feet for two car garages and nine feet for single car garages, and a minimum depth of 18 feet for roll-up doors and 20 feet for pull-up doors. Driveways located in side yards leading to a detached garage in the rear yard shall have a minimum width of 10 feet.

F. F. — Underground Utilities. All new electrical, telephone, cable TV and similar distribution lines providing direct service to a residential development site, and any existing such service on the site, shall be installed underground within the site unless such installation is deemed unfeasible.

G. Maximum Building Envelope. The maximum building envelope shall apply to all residential development within any residential zone. The maximum building envelope under which all structures in residential zones must fit is defined as follows: a height limitation of 28 feet overall for any portion of the structure, and a plane that begins at 10 feet above the side property lines and extends into the property at a 45-degree angle and 10 feet above the front and rear setback line and extends into the property at a 60-degree angle. The following features may breach the maximum building envelope as defined above:

1. Dormers or gables may extend beyond the building envelope provided that the combination of all of these features on one development site measures no more than 15 horizontal feet at the intersection of the building envelope on any side yard building envelope, and the total overall height of the encroaching features does not exceed the maximum allowed building height.

18.06.050 Exceptions to Development Standards.

Zoning Code
Title 18

A. Exceptions to Height Standard.

1. Chimneys. Chimneys may only exceed the maximum height limit of each Residential District to the extent required by the Uniform Building Code.

2. Architectural Features. Towers, spires, cupolas, elevator penthouses, or similar architectural features, and mechanical appurtenances shall conform with the maximum height limit of each Residential District.

3. Exceptions. In addition to the Findings for a Variance as set forth in this Title, the Planning Commission may approve an Exception to allow a structure to exceed the maximum building height set forth for each Residential District in Tables B and C of this Chapter. Single story buildings in excess of 16 feet in height are required to follow these procedures. In no case shall a single story building be approved in excess of 20 feet in height. Review of the application by the Architectural Review Committee and Planning Commission shall include an evaluation of the proposed bulk of the structure including both horizontal and vertical dimensions, the location of the structure on the lot, and the treatment of all setback and open areas, and light planes. The following additional findings of approval shall be made:

a. Increased Building Height. That the increased building height will result in more public visual open space and views than if the building(s) were in compliance with the maximum building height standard for the residential district.

b. More Desirable Result. That the increased building height will result in a more desirable architectural treatment of the building(s) and a stronger and more appealing visual character of the area than if the maximum building height standard were complied with.

c. No Undesirable Results. That the increased building height will not result in undesirable or abrupt scale relationships being created between the structures and existing developments in the district.

d. No More Floor Area. The structures shall have no more floor area than could have been achieved without the Exception.

4. Height Exception. Where the maximum height of an existing single story structure exceeds the permitted maximum height of 16 feet or the approved height according to the procedures set forth herein, any new construction or additions may maintain and conform with the existing maximum height. In no case may any portion of the

Zoning Code
Title 18

new construction exceed the height of the existing structure or 16 feet, or the approved height according to the procedures set forth herein which ever is greater.

B. Exceptions to Maximum Floor Area Ratio Standard. In addition to the Findings for a Variance as set forth in this Title, the Planning Commission may approve an Exception to the Floor Area Ratio Standards subject to the following additional findings in each case:

1. Predominant Pattern Retained. That the visual scale and bulk of the proposed structure is consistent with the predominant pattern established by the existing structures in the surrounding neighborhood.

2. Site Compatible. That the proposed structure is compatible with the physical characteristics of the site.

3. Views Not Impacted. The additional square footage of the proposed structure will not impact public or private views across the site.

4. Solar Access Protected. That the additional floor area shall not impact solar access for adjacent structures.

C. Exceptions to Lot Coverage Standard. The area of walks, patios, in-ground swimming pools or pools that do not project more than 30 inches above the ground, uncovered decks 30 inches or less above the ground, and eaves projecting 30 inches or less from the exterior surface of a building wall shall not be included in lot coverage calculations.

D. Exceptions to Setback Standards.

1. Detached Accessory Structure Height. Detached accessory structures not exceeding two hundred fifty square feet in floor area may be located within the required rear yard setback of a site but shall be no closer than five feet to the rear property line or five feet to the side property line, and shall not exceed eight feet in overall height, plus one additional foot in height for each additional three feet of setback from side or rear property lines, up to a maximum of ten feet in overall height.

2. Detached Accessory Structure Overall. Detached accessory buildings not exceeding overall dimensions of six feet in width and ten feet in length with a maximum height of eight feet may be located in a side or rear yard setback area provided a minimum setback of five feet from side property lines is maintained. Any such structure

Zoning Code
Title 18

must conform with all applicable requirements of the Uniform Building Code.

E. Attached Structures and Features. The aggregate length of all bay windows, balconies, canopies, chimneys, covered porches, and decorative features attached to a structure may project into a required yard or setback area across no more than 20 percent of the buildable width of the lot along a rear building wall, and 20 percent of the buildable length of a street-side-building wall. The area defined by the permitted encroachment and the aggregate permitted length is the Maximum Projection Area.

1. Enclosed porches and solariums. If attached to the first floor of a residence, may extend into the rear yard setback across 20 percent of the lot width, but shall provide a minimum rear yard setback of thirteen feet, and provide the required side yard setbacks set forth in Tables B and C of this Chapter. Enclosed porches and solariums shall not exceed a maximum height of nine feet in the required setback area. Solariums, porch and deck covers added on upper floors may not encroach into required rear and side setbacks. The area covered by enclosed accessory structures shall be included in lot coverage calculations.

2. Balconies. Balconies on the second floor or above may project a maximum of 30 inches into either the required front or rear setback. Balconies or second floor decks encroaching into required front or rear yard setbacks shall have open railings, glass or architectural details with openings to reduce visible bulk; balconies composed solely of solid enclosures are not allowed to project into required yards. That portion of a balcony which projects into a setback area shall not be covered.

3. Patio Covers. Patio covers of open roof trellis design only, attached to the main structure, may be located in the required rear yards, but must provide a minimum of five feet for a rear yard setback and a side yard setback equal to the required side yard of the underlying Zoning District.

4. Eaves, cornices, chimneys, canopies, awnings, and mechanical equipment. These features may project a maximum of 30 inches into the required yards, provided that a minimum clearance of three feet remains. ~~Only one exception for a chimney encroachment shall be permitted per residential site.~~

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.

Zoning Code

Title 18

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.

8. No Exceptions for Severely Substandard Lots. There shall be no exceptions to the setback standards for attached structures and features on Severely Substandard lots.

F. Substandard Lot Development Exceptions. This section sets forth all of the exceptions for development on substandard or severely substandard Lots that do not meet the requirements for either Lot Width or Lot Area 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 foot or less in width.~~

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.~~

1. Administrative Exception to the Required Lot Dimensions. Any lot which provides 95% or more of lot width and at least 100% of the lot area is considered a minor exception to the minimum lot size and width and does not require a Use Permit.

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

Zoning Code
Title 18

~~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 for Development of a Substandard Lot. 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 any substandard lot that provides less than 95% of the required lot width, or less than 100% of the lot area in the underlying zoning district, 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 development 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.~~

a. Required Findings for Use Permit

1. Findings required by Section 18.22
2. The development must meet all of the dimensional standards set forth in Table X, below
3. The Architectural Review Committee has reviewed and forwarded its recommendation to the Planning Commission prior to the Planning Commission consideration of a variance

TABLE X: DEVELOPMENT STANDARDS FOR SUB-STANDARD LOTS

<u>Lot coverage</u>	<u>Proportionality rule</u>
<u>Floor area ratio</u>	<u>Proportionality rule. Basements with floor area of 15% or less of the total calculated</u>

Zoning Code

Title 18

	<u>FAR, up to a maximum of 225 square feet, may be allowed subject to Use Permit.</u>
<u>Maximum Building Envelope</u>	<u>Applicable</u>
<u>Required parking</u>	<u>Two spaces: One garage space with dimensional standards as set forth in this Chapter, and one covered space not located in the front yard setback</u>
<u>Front setback</u>	<u>Standard for the zone</u>
<u>Side setback</u>	<u>Standard for the zone</u>
<u>Rear setback</u>	<u>Standard for the zone</u>
<u>Street Facing Side Yard Setback</u>	<u>Standard for the zone</u>
<u>Height</u>	<u>28 feet for two story 20 feet for single story, including single story and loft¹⁸</u>

4. Use Permit for Severely 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%~~55% 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%~~55% or less of the minimum lot area or width required by the underlying Zoning District:

¹⁸ Single story structures with height above 16 feet are required to follow the procedures for exedation to the height standards set forth in this chapter

Zoning Code

Title 18

TABLE-FX: DEVELOPMENT STANDARDS FOR SEVERELY SUB-STANDARD LOTS*

<u>Lot coverage</u>	<u>Single story maximum lot coverage is equal to the maximum FAR. The maximum two story lot coverage is 70% of the maximum FAR¹⁹ for two story.</u>
<u>Floor area ratio</u>	<u>A maximum of 200 square feet above the maximum calculated floor area ratio. Maximum FAR is calculated as follows: the ratio of the actual lot area to the required lot area times 50%. Basements with floor area of 15% or less of the total calculated FAR, up to a maximum of 225 square feet, may be allowed subject to Use Permit.</u>
<u>Maximum Building Envelope</u>	<u>Applicable</u>
<u>Required parking</u>	<u>Two spaces: One garage space with dimensions as set forth in this Chapter. One additional parking space, whether covered or not, and not located within the front yard setback</u>
<u>Front setback</u>	<u>Standard for the zone applies</u>
<u>Side setback</u>	<u>A minimum of 8 feet combined, with a minimum of 3 feet on one side. On a side that contains less than a 4 foot setback, the structure must be separated by a minimum of 8 feet from any structure on the adjacent lot. Driveways to the rear garage structure must be a minimum of 10 feet. Rear garages can be a minimum of 3 feet from an interior side or rear property line</u>

¹⁹ The 70% is calculated only on the living space for severely substandard lots, i.e. before adding the "maximum of 200 square feet" allowance.

Zoning Code
Title 18

<u>Eve Overhangs</u>	<u>Notwithstanding any other rules set forth in this Title, severely substandard lots may have an eve encroachment that extends no more than 18 inches into the side yard. All other yards may have a 30 inch encroachment</u>
<u>Rear setback</u>	<u>Standard for the zone</u>
<u>Street Facing Side Yard Setback</u>	<u>10', including garage</u>
<u>Height</u>	<u>28 feet for two story 20 feet for single story, including single story and loft²⁹</u>

<u>Single story lot coverage</u>	<u>50 percent of the land area</u>
<u>Two story lot coverage</u>	<u>35 percent of the land area:</u>
<u>Floor area ratio</u>	<u>50 percent of lot area, including covered parking</u>
<u>Required parking</u>	<u>A minimum of two 9'x19' parking spaces. One must be an enclosed garage. The second may be a covered carport</u>
<u>Front setback</u>	<u>Consistent with underlying zoning district</u>
<u>Rear setback</u>	<u>Consistent with underlying zoning district</u>
<u>R-1 side setback</u>	<u>3 feet or 10 percent of total site width on each side, whichever is greater.</u>
<u>R-1 B-1 side setback</u>	<u>4 feet or 10 percent of total site width on each side, whichever is greater.</u>
<u>R-1 B-2 side setback</u>	<u>5 feet or 10 percent of total site width on each side, whichever is greater.</u>
<u>Corner lot side setback</u>	<u>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.</u>
<u>Single story height</u>	<u>16 ft</u>

²⁹ Single story structures with height above 16 feet are required to follow the procedures for exedtion to the height standards set forth in this chaoter

Zoning Code
Title 18

Multi story height	28 ft
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~~* In any case where a proposed project does not meet the development standards defined herein, Planning Commission approval of a Variance shall be required.~~

H. Architect's Stamp. All plans for development of any substandard or severely substandard lot shall be stamped by an Architect licensed to practice in the State of California.

I. General Design Guidelines for Substandard and Severely Substandard Lots. In addition to the architectural design guidelines set forth in Chapter 18.21 the following guidelines shall apply to all Substandard and Severely Substandard lots

1. To the maximum extent possible, garages must be located in the rear yard.
2. Where located in the front of the building, the other features in the front facade shall work to de-emphasize the garage
3. Where the proposed development is located within 100 feet of at least one other substandard lot, the Architectural Review Committee shall strongly consider following design characteristics when making its determination of whether the design is compatible with the neighboring area: setbacks, front facade, orientation to the street, side orientation to adjacent properties and their daylight planes, mass and bulk.

J. Exceptions for Affordable Housing. Any of the development standards and regulations of this Chapter may be waived or relaxed by the Planning Commission for an affordable housing project as defined in the City of Half Moon Bay Housing Element.

18.06.060 Manufactured Homes.

A. Intent. It is the intent of the City to provide opportunities for the placement of manufactured homes in Single Family Residential districts, consistent with state law and to ensure that such manufactured homes

Zoning Code
Title 18

designed and located so as to be harmonious within the context of the surrounding houses and neighborhood.

B. Approval. Approval by the Architectural Review Committee and the Planning Director is required prior to the issuance of Building Permits for individual manufactured homes on a site in any R-1 District, subject to the provisions of this Section. The Architectural Review Committee and Planning Director shall review each proposed manufactured home to determine compatibility in design and appearance with residential structures in the vicinity, based upon design and development criteria set forth in this Section.

C. Location. Manufactured homes may be located in any Residential District where a single family detached dwelling is permitted, subject to the same restrictions on density and to the same property development regulations. Manufactured homes may be located on building sites with an average slope of less than or equal to 10 percent.

D. Design and Development. The design and development criteria set forth herein is intended to protect neighborhood integrity, provide for harmonious relationships between manufactured homes and surrounding uses, and minimize problems that could occur as a result of locating manufactured homes on building sites designated for single family residential uses. Each manufactured home:

1. Width. Shall be at least 18 feet wide, as measured at its narrowest point;
2. Foundation. Shall be built on a permanent foundation approved by the Building Official;
3. Recent Manufacture. Shall have been manufactured after June 15, 1976, and shall be certified under the National Manufactured Home Construction and Safety Act of 1974, and shall be installed in accordance with the provisions of the most recent Edition of the Uniform Building Code adopted by the City of Half Moon Bay;
4. Skirting. Shall provide skirting of exterior finish materials extending to the finished grade;
5. Siding. Shall provide exterior siding material compatible with adjacent residential structures; shiny or metallic finishes are prohibited;
6. Roof Pitch. Shall have a roof with a pitch of not fewer than 3 inches vertical rise per 12 inches horizontal distance;

Zoning Code
Title 18

7. Roof Material. Shall have roofing material of concrete asphalt tile, shakes, or shingles complying with the most recent Editions of the Uniform Building Code adopted by the City of Half Moon Bay;

8. Roof Eaves or Overhang. Shall provide eaves or roof overhangs of not less than one foot as measured from the vertical side of the unit;

9. Floor Elevation. Shall maintain a finished floor elevation no higher than 20 inches above the exterior finished grade; and

10. Covered Parking. Shall maintain required covered parking in accordance with the provisions of this Chapter. The exterior materials and roofing proposed for any garage shall be the same as those materials used on the main structure.

E. Cancellation of State Registration. Whenever a manufactured home is installed on a permanent foundation, any registration of said manufactured home with the State of California shall be canceled, pursuant to state laws and regulations. Before any occupancy certificate may be issued for use of such a manufactured home, the owner shall provide to the Building Official satisfactory evidence showing that the state registration of the manufactured home has been or will, with certainty, be canceled; if the manufactured home is new and has never been registered with the state, the owner shall provide the Building Official with a statement to that effect from the dealer selling the home.

18.06.070 Nonconforming Structures. Any existing residential structure legally constructed in accordance with the Zoning Code prior to the effective date of this Ordinance that is damaged by catastrophe such as fire, flood, explosion, wind, earthquake, war, riot, or other calamity may be replaced, restored, rebuilt, or repaired and used as before such event occurred provided that all of the following conditions are satisfied:

A. No Increased Nonconformance. That any nonconforming lot coverage, height, floor area ratio, or setback encroachments of the structure will not be increased beyond that in existence prior to the damage occurring unless a Variance is approved subject to the provisions of this Title;

B. Building Permit Requirement. That an application for a Building Permit to replace or repair a damaged or destroyed building shall be filed within twenty-four months after the event;

C. **Building Code Compliance.** That all applicable provisions of the Uniform Building Code adopted by the City at the time Building Permits are requested for the repair or reconstruction shall be incorporated into the plans.

18.06.080 Permits and Plan Review.

A. **Building Permit Requirement.** Building Permits are required for any new construction, remodeling, or additions, except for fences which do not exceed seven feet in height, and decks less than 18 inches in height.

B. **Variance Requirement.** ~~Except as may be otherwise provided for in this Chapter, a~~ Variance shall be required for any project in any Residential District which does not meet the Development Standards and additional Regulations set forth in ~~of~~ this Chapter, or for projects which include proposals to extend existing non-conforming conditions on the site.

C. **Architectural and Site Plan Review.** The provisions of this Title addressing Architectural and Site Plan Review shall be followed prior to the issuance of any Building Permits for which Design Review is required.

18-06 • June 20, 2000



CITY OF HALF MOON BAY

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

EXHIBIT NO. Half Moon

APPLICATION NO.
Bay LCP Amend. 1-00

April 16, 2001 letter
from Kenneth Curtis,
City of HMB Plng Director
to Chris Kern

16 April 2001

RECEIVED
APR 13 2001

VIA FAX AND U.S. MAIL

Mr. Chris Kern
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

CALIFORNIA
COASTAL COMMISSION

Subject: Request for Modification to the LCP Amendment Pertaining to Residential Development Standards

Dear Chris:

In reviewing Ordinance C-5-00 that was transmitted to the Coastal Commission for certification, an unintentional discrepancy was discovered. The City had intended that the standards for "building envelope" would apply to single-family homes in the R-1 districts, not to duplex and multi-family developments in the R-2 and R-3 zones.

The actual text of the ordinance, however, refers to "any residential zone" and does not distinguish R-1 zones from R-2 and R-3. The failure to distinguish that the "maximum building envelope" regulation applies only to R-1, R-1-B1, and R-1-B2 zones would result in a facial inconsistency in the zoning code. The inconsistency is in the maximum height permitted. The new ordinance provides [at Section 18.06.040 G] as follows: "... The maximum building envelope under which all structures **in residential zones** [emphasis added] must fit is defined as follows: a height limitation of 28 feet overall for any portion of the structure, and a plane that begins at 10 feet above the side property lines and extends into the property at a 45-degree angle and 16 feet above the front and rear setback line and extends into the property at a 60-degree angle." However, the height regulation for the R-3 zone, set forth in Table C, permits a maximum height of 40 feet. This was not changed from the existing code standard. A review of the staff reports prepared for the public hearings by the Planning Commission and City Council indicates that there was no mention of any proposal to reduce the maximum height permitted in the R-3 zone from 40 to 28 feet.

The Half Moon Bay City Council unanimously approved a motion, at its meeting on 3 April 2001, stating that it intended the building envelope regulation to apply to the R-1, R-1-B1, and R-1-B2 zones and not the R-2 and R-3 zones. Council

directed staff to communicate a request to Coastal Commission staff to include a modification in the certification that would incorporate the following clarification or correction to Section 18.06.040 G:

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APR 18 2001
CALIFORNIA
COASTAL COMMISSION

"... The maximum building envelope under which all structures in **single-family (R-1, R-1-B1, and R-1-B2)** residential zones must fit is defined as follows: a height limitation of 28 feet overall for any portion of the structure, and a plane that begins at 10 feet above the side property lines and extends into the property at a 45-degree angle and 16 feet above the front and rear setback lines and extends into the property at a 60-degree angle."

This clarification would not affect the applicability of the "proportionality" rule to all residential zones, including R-2 and R-3. However, it does resolve the facial inconsistency in the maximum height limit for the R-3 zone created by the new building envelope regulation.

The City would appreciate your including this modification in your Commission's action to certify the amendment. We understand that the certification subject to modification would need to be considered and formally approved by the City Council following your Commission's action.

Thanks for your assistance in this matter.

Sincerely,



Kenneth M. Curtis
Planning Director

cc: City Manager
Project File

Attachment 2

The following set elevations provide examples of homes that meet the spirit of the light plane. These houses were selected to demonstrate the variety of homes that would work within the maximum building envelope concept.

There is one house that was sketched to meet the proposed Half Moon Bay building envelope. This house is located at the end of the packet, and was designed by Chris Ridgeway.

The examples included here were taken these sources:

200 Narrow-Lot Home Plans, Stylish Plans for Houses Less than 60' Wide, Blue Ribbon Designer Series, 1993

"Architectural Designs," Volume 17 number 3

Chris Ridgeway Photographic Collection

Chris Ridgeway Portfolio

"Fine Homebuilding," Annual Issue on Houses, Spring 1993

Houses by Mail, A Guide to House from Sears, Roebuck and Company,
Katherine Cole Stevenson and H. Ward Jandl 1986

The New Cottage Home, Jim Tolpin 1998

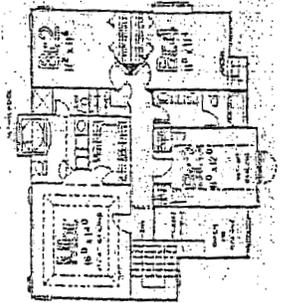
EXHIBIT NO. 4 Half Moon
APPLICATION NO. Bay LCP Amend. 1-00
Examples of single- family residence designs to demonstrate the day- light plane concept.



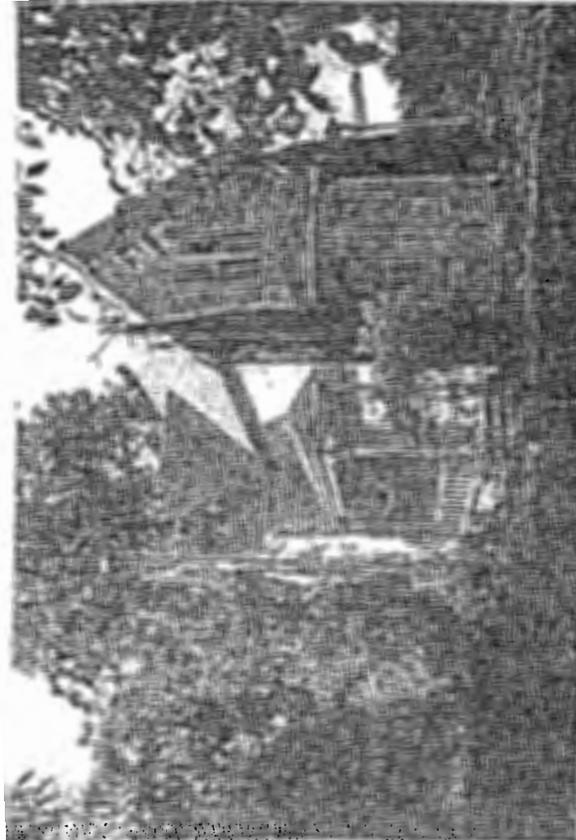
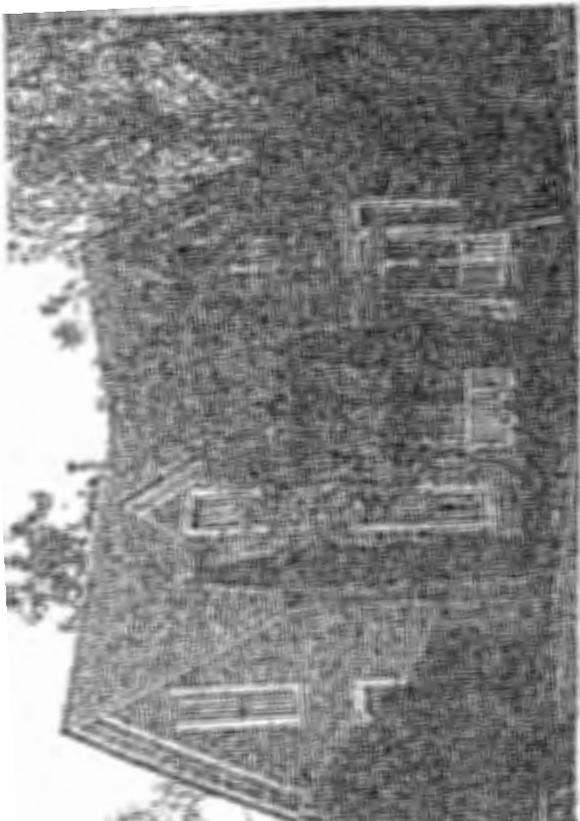
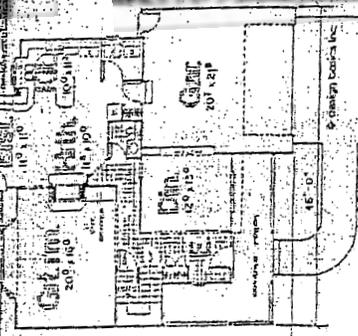
Built by: **THE CRAWFORD**
 Building Construction

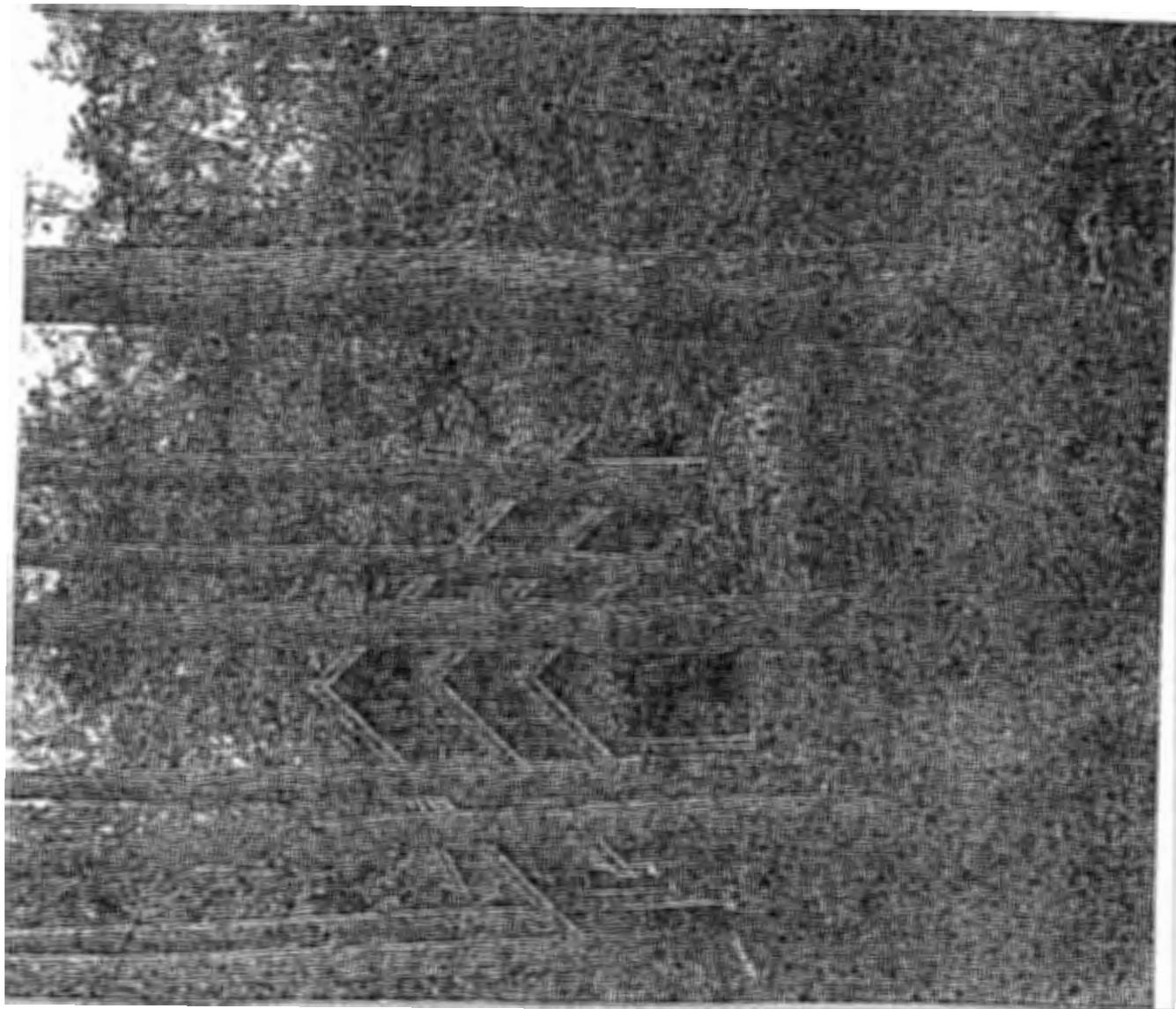
American blue and a wrap-around porch. An integral part of our heritage, it seems. Bayed windows to the back and built-ins like an entertainment center and desk. A fundamental element to this home — the U-shaped stairway with a view of the entry and plant shelf. A vaulted ceiling, whirlpool tub and twin vanities, offerings in the master suite.

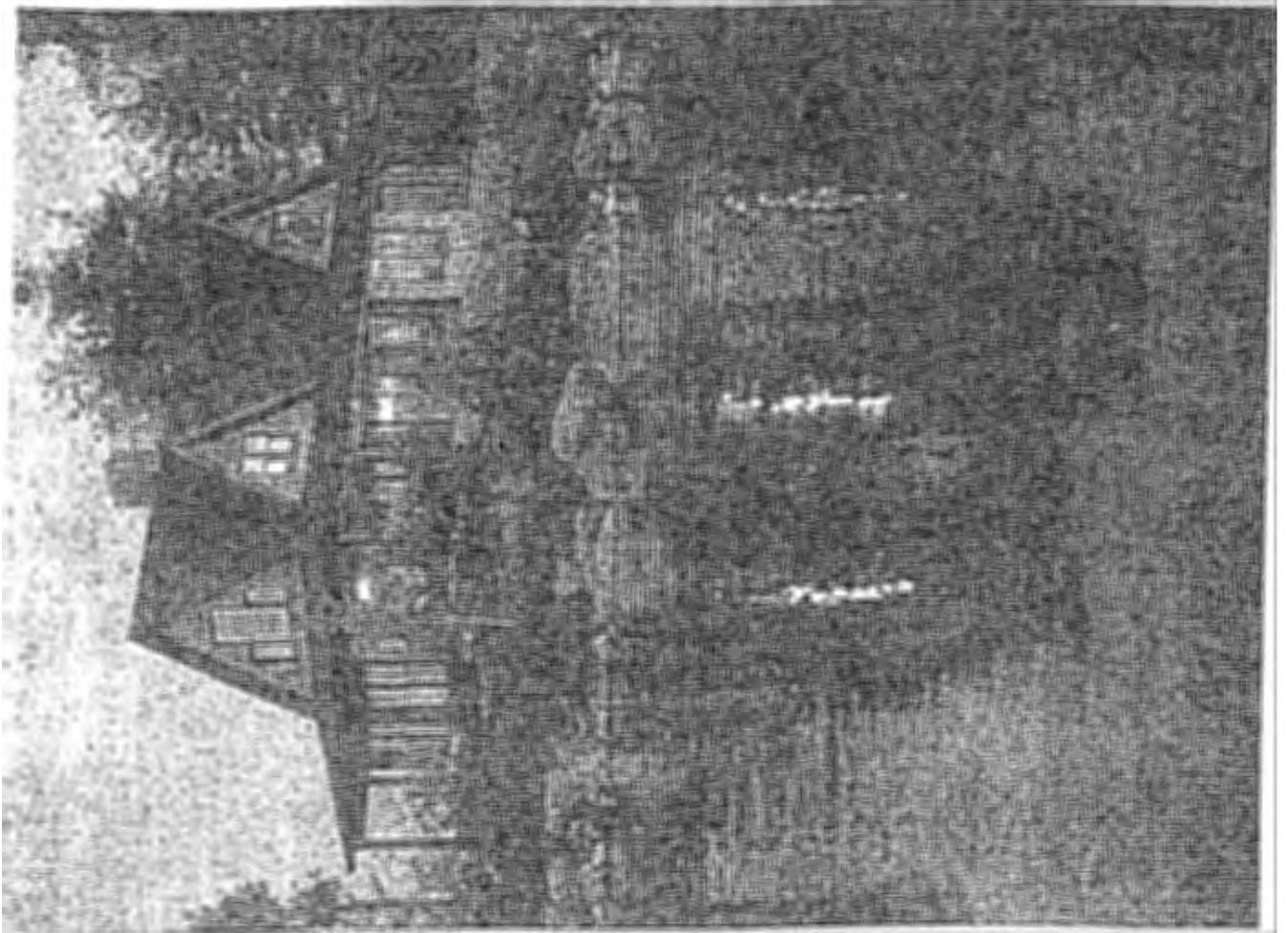
This home may have been a model house for 150 years but it's still just a design.



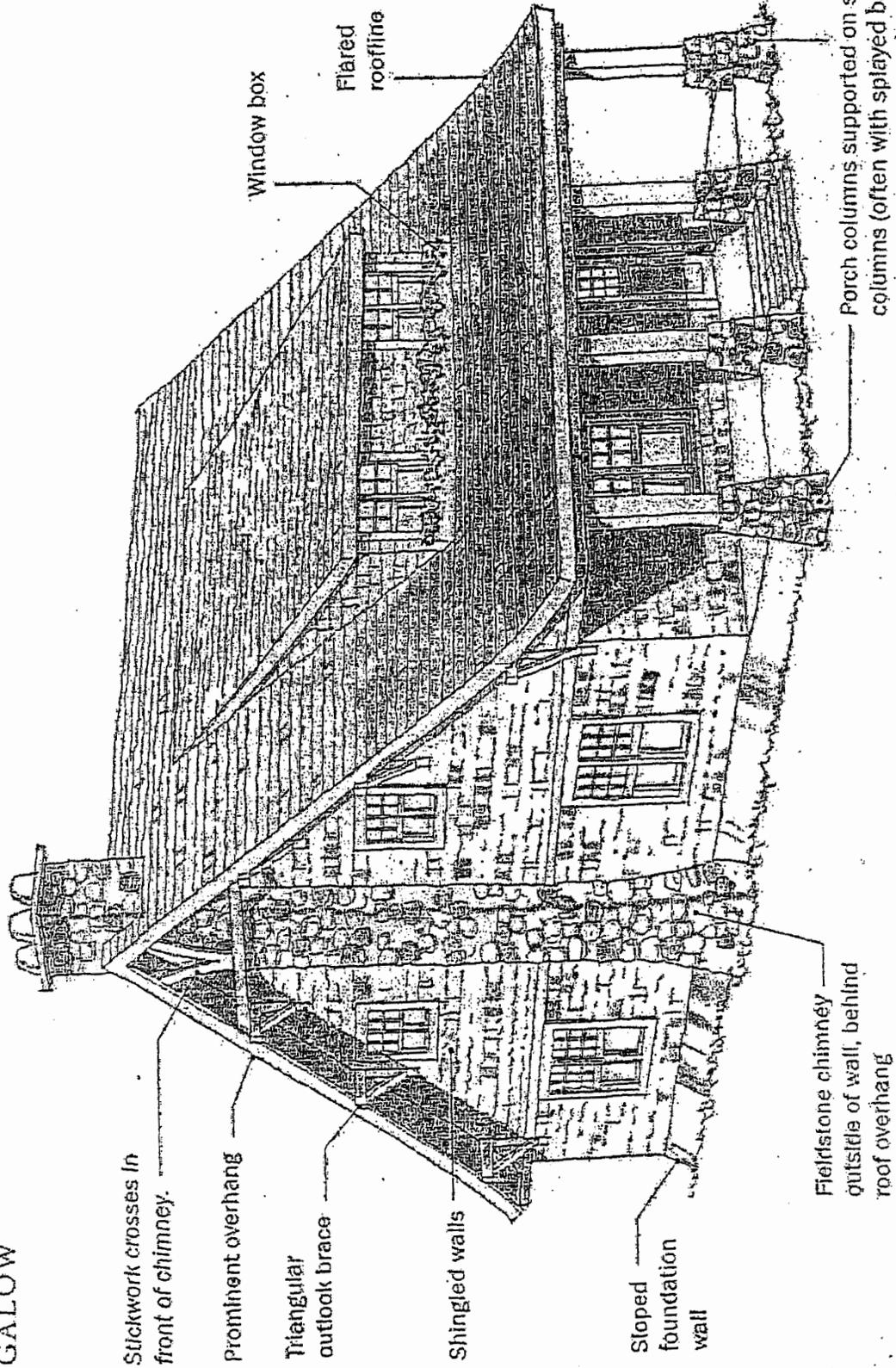
Total 2270 Sq. Ft.
 Main 1150 Sq. Ft.
 Second 1120 Sq. Ft.

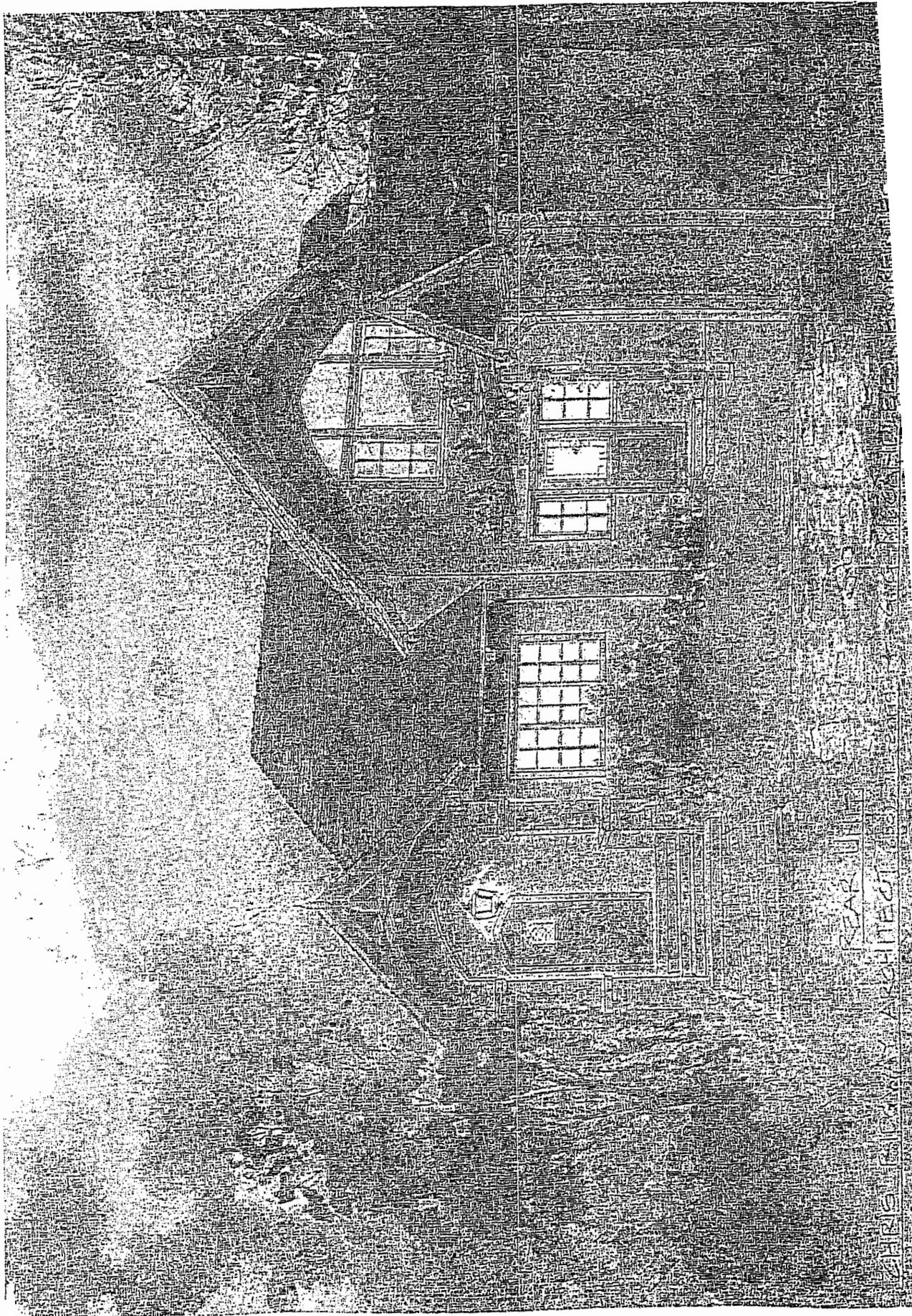






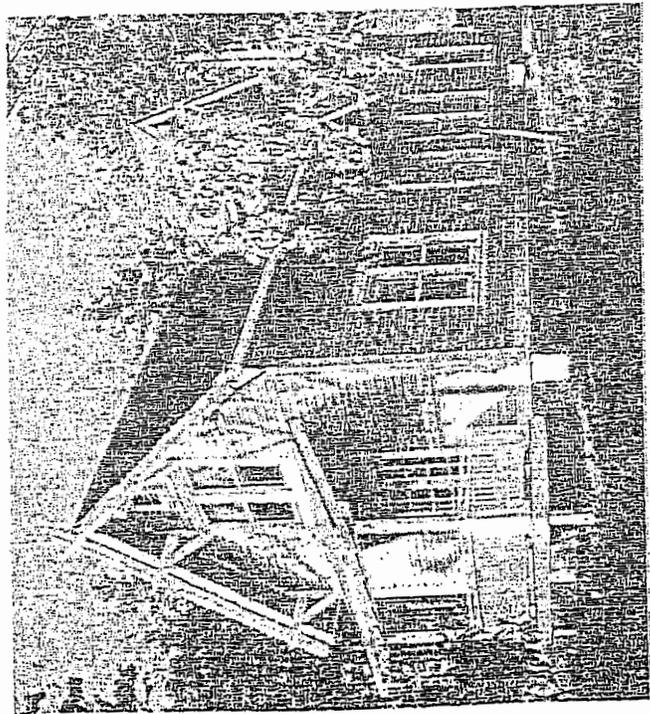
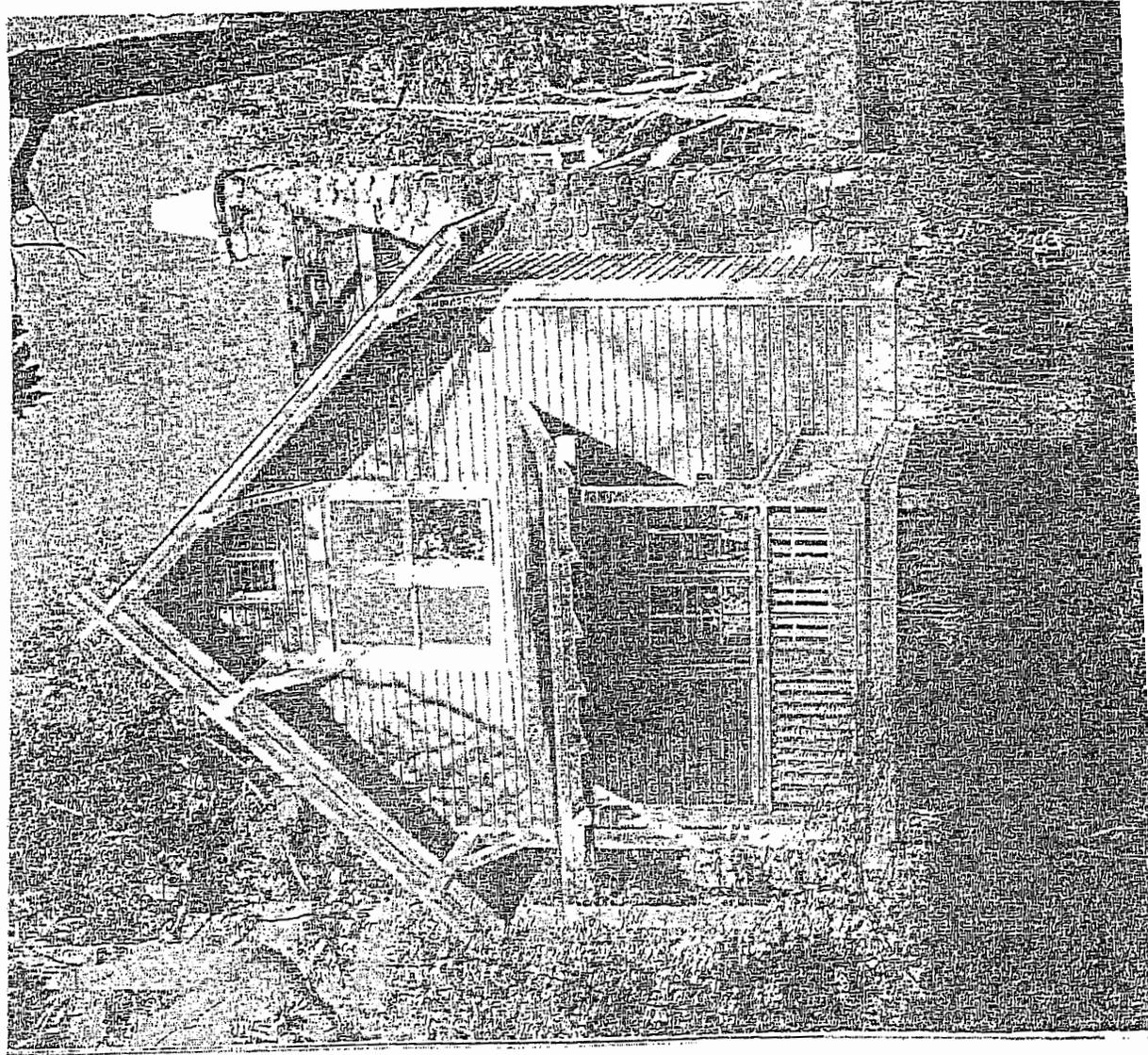
BUNGALOW

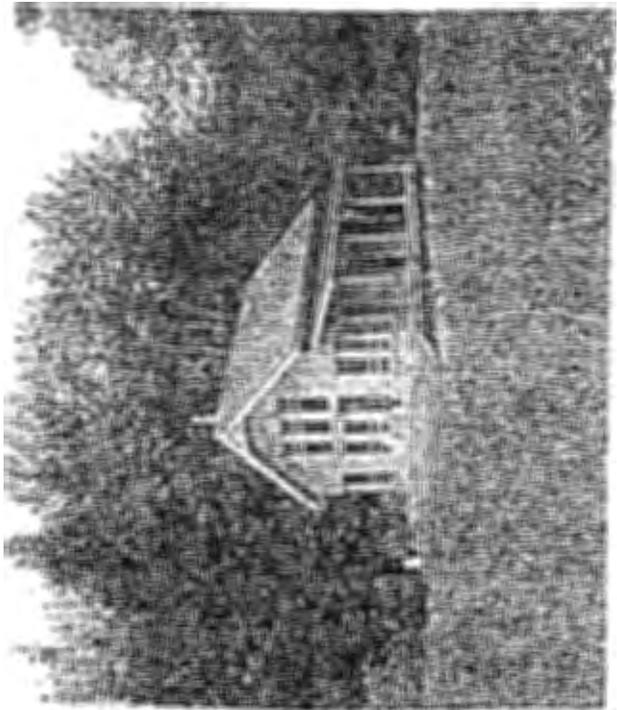
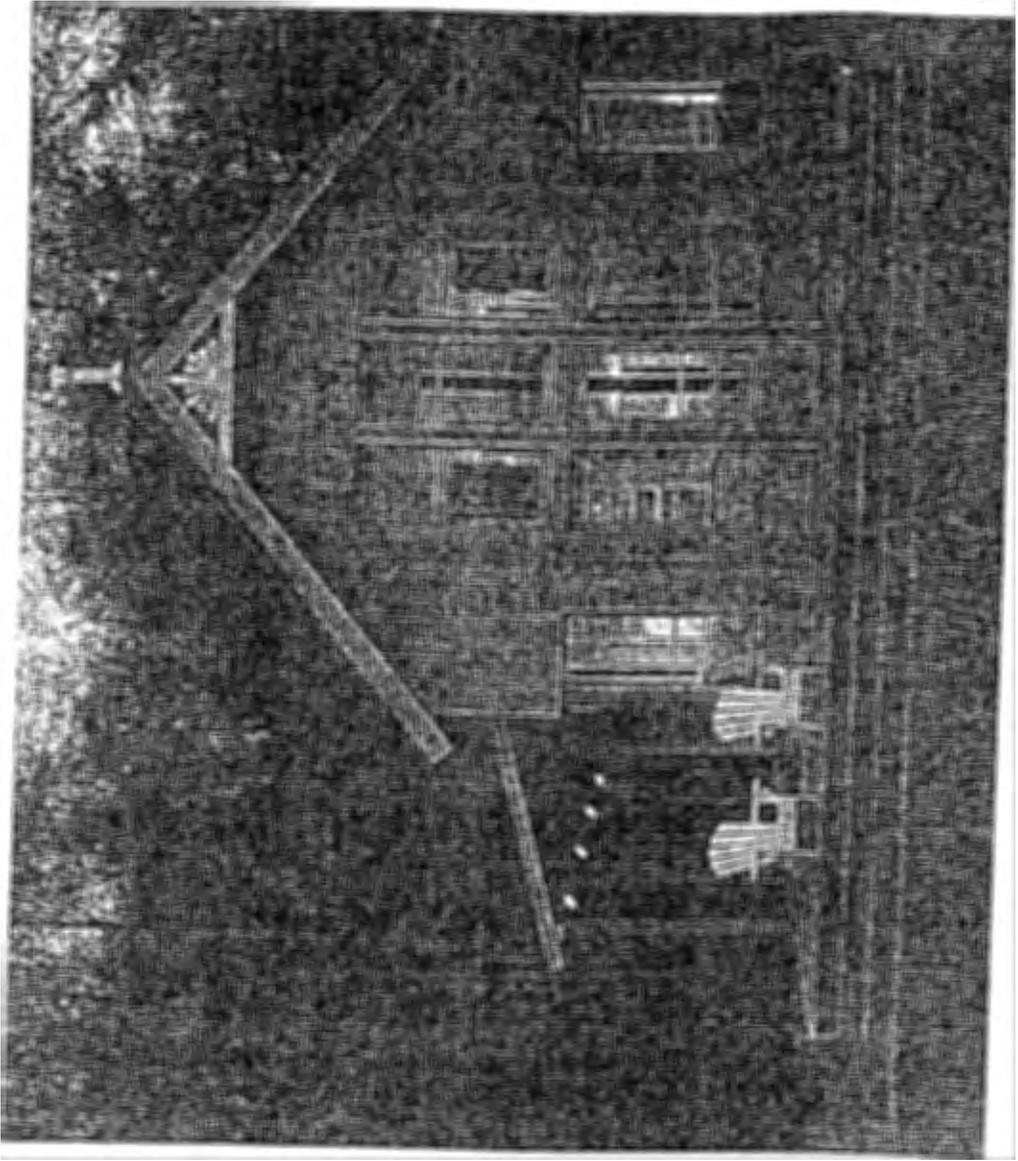


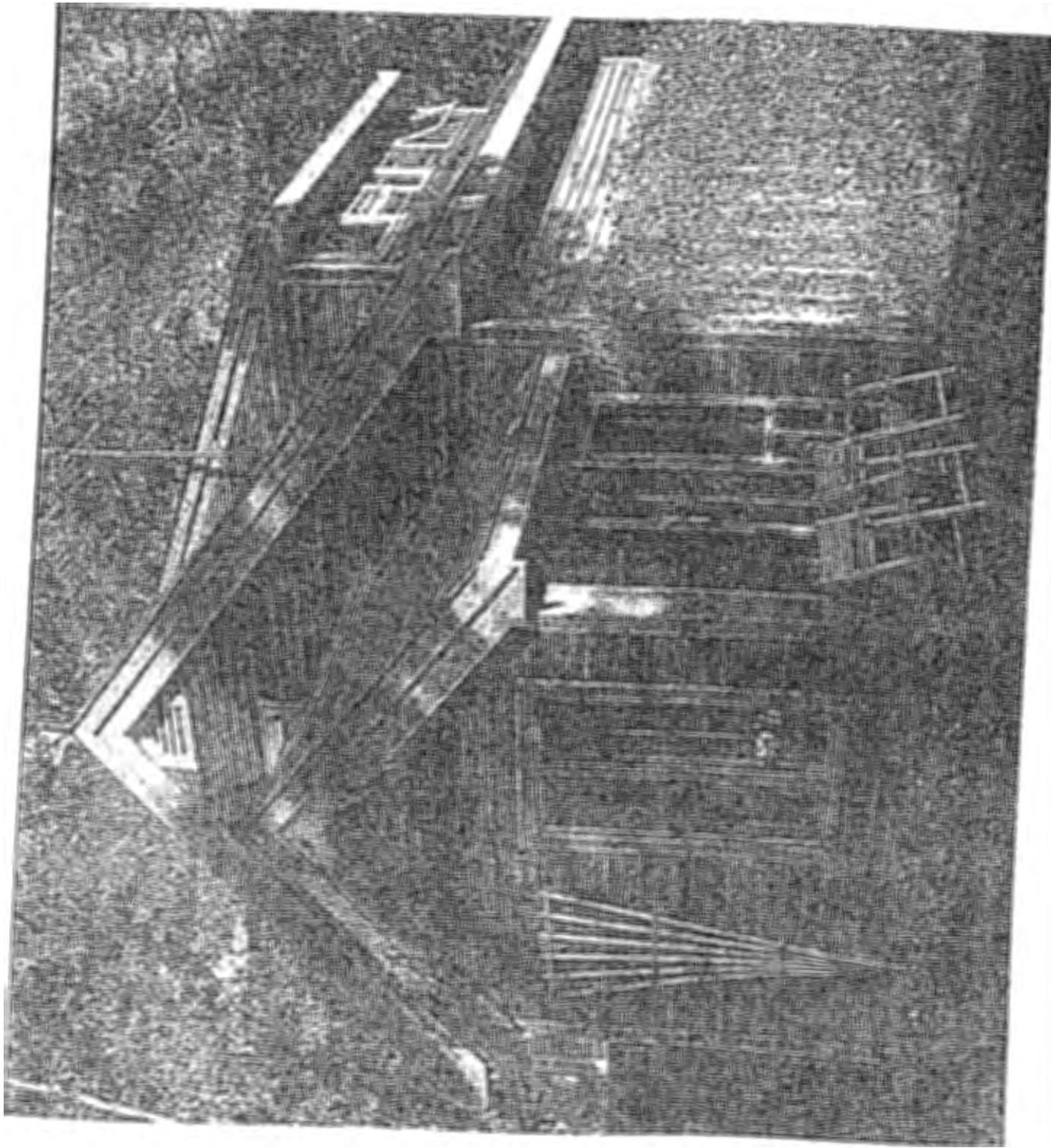


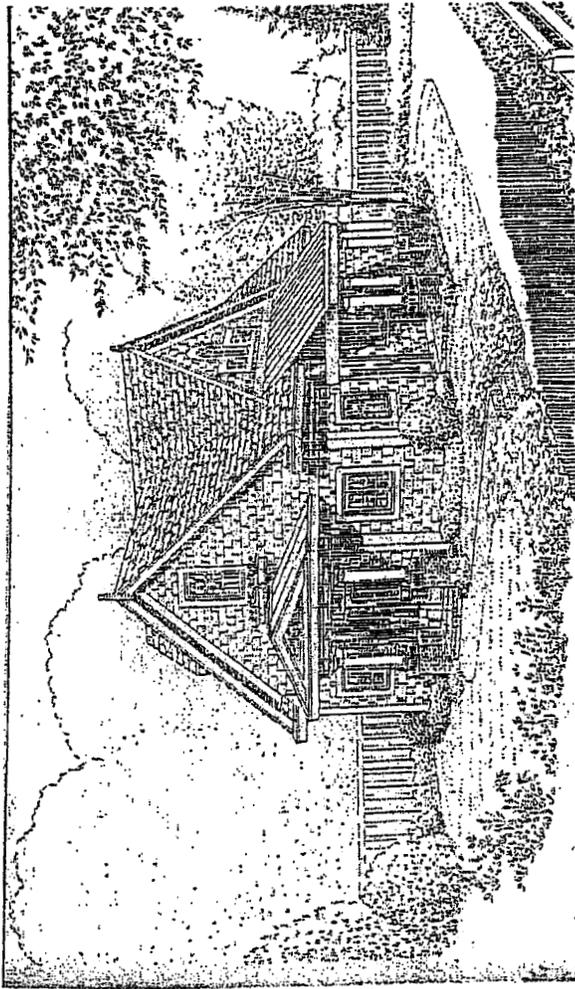
CHRISTOPHER ARCHITECT
REAR VIEW











Design AA9117

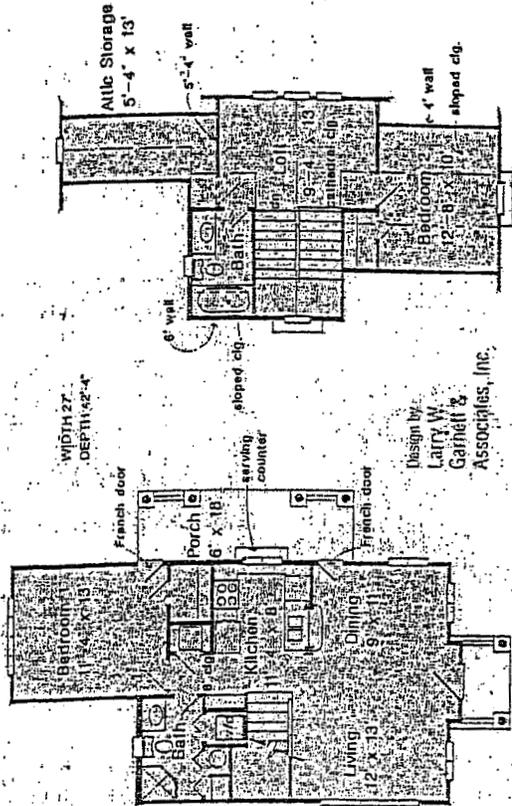
Square Footage: 1,035

Width 27'

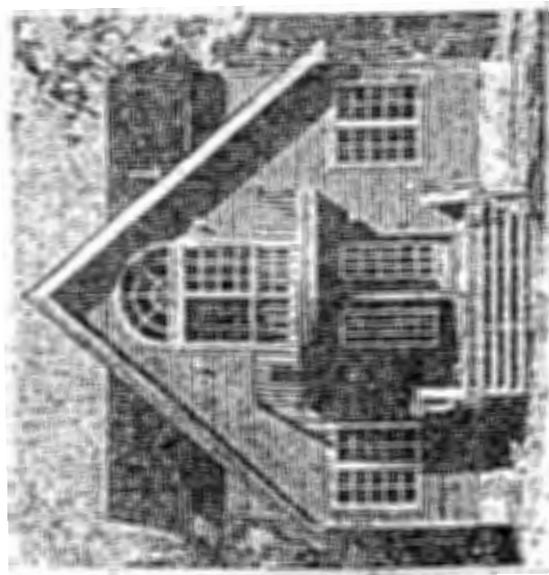
Depth 42'-4"

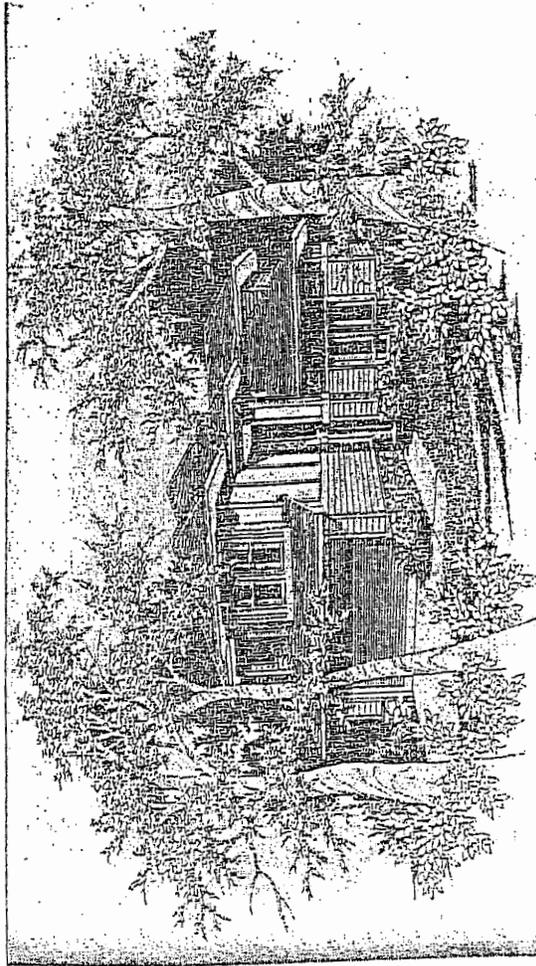
• This quaint, cozy cottage serves a variety of needs. It could be used as a second home or leisure get-away; it could be the perfect guest house or mother-in-law cottage; or it may

even make a great primary residence for a single person or a couple. It's fine detailing and traditional features make it a favorite with everyone.



Design by
Larry W.
Garnett &
Associates, Inc.



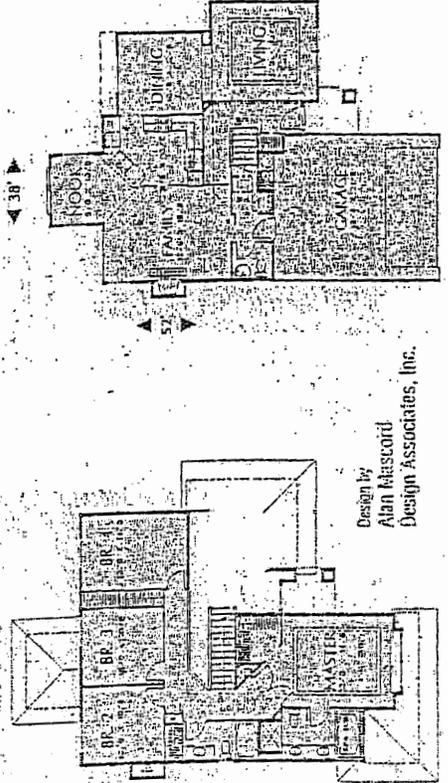


Design A89505

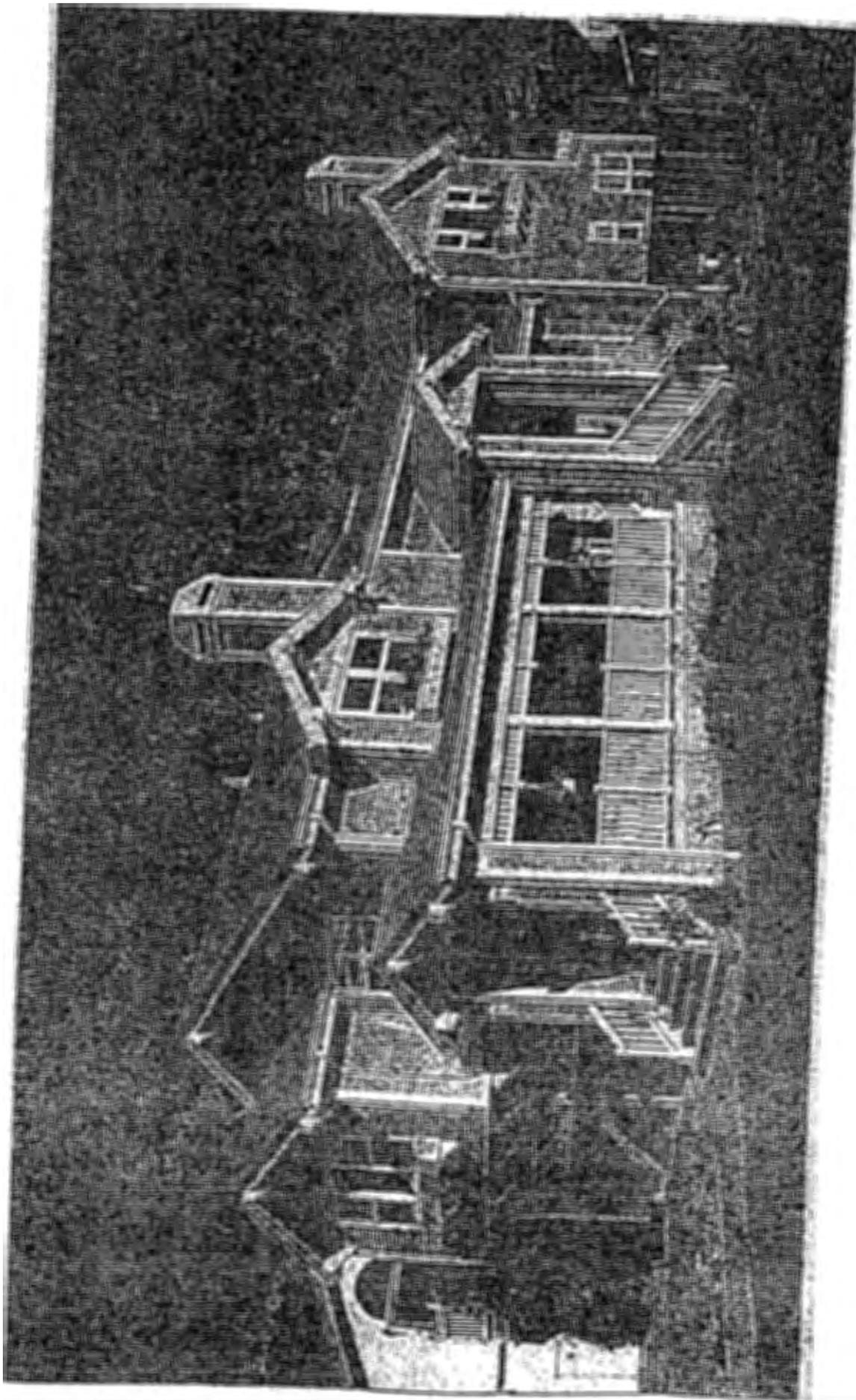
First floor: 910 square feet
 Second floor: 968 square feet
 Total: 1,878 square feet
 Width: 38'
 Depth: 52'

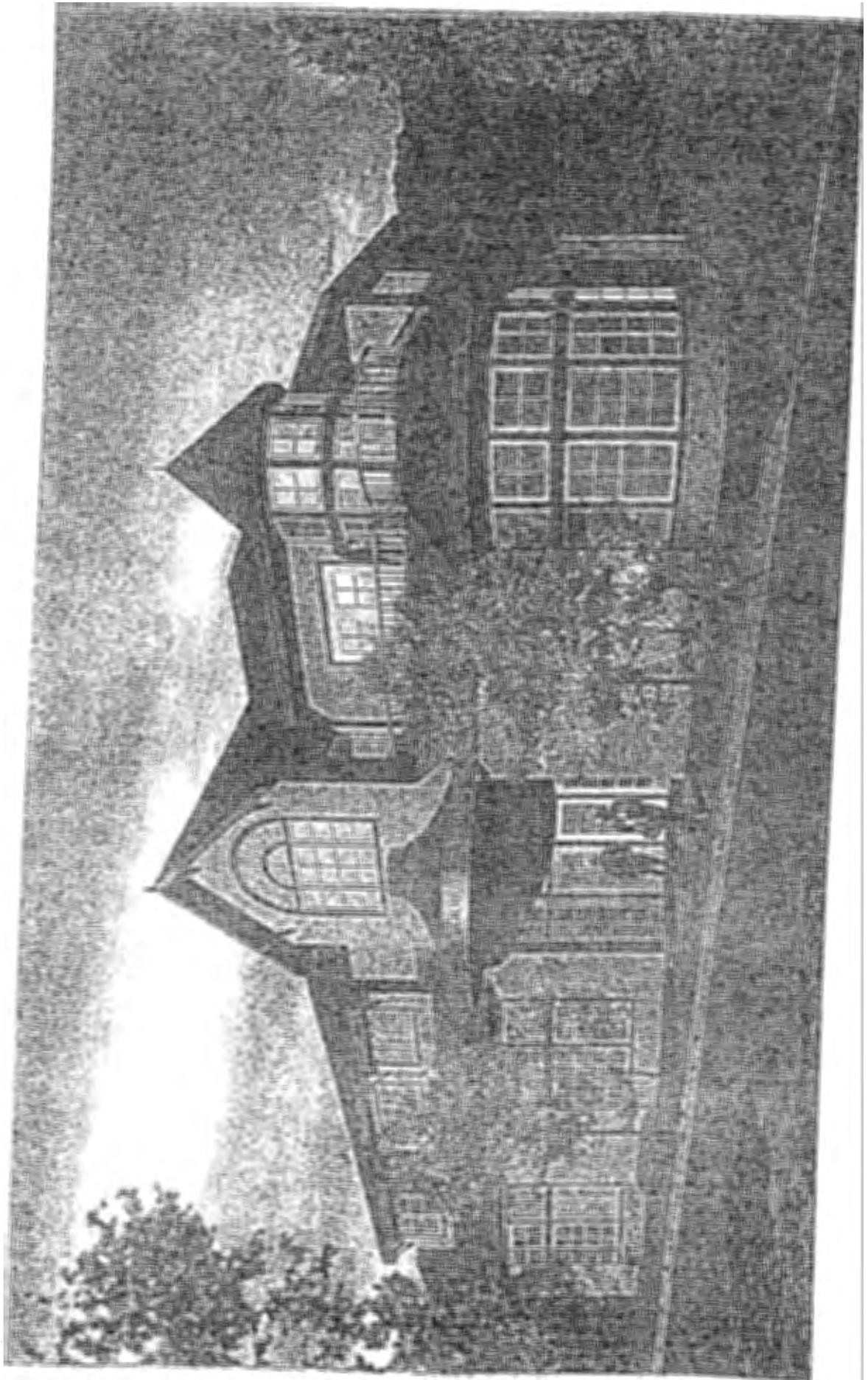
Multi-level rooflines and a two-story foyer lend interest to this four-bedroom plan. The living room, with its stepped ceiling, serves as an elegant prelude to the dining room at the back of the house. A central kitchen services a bump-out nook and a large family room with a fireplace. A vestibule room, with a window for natural light, leads

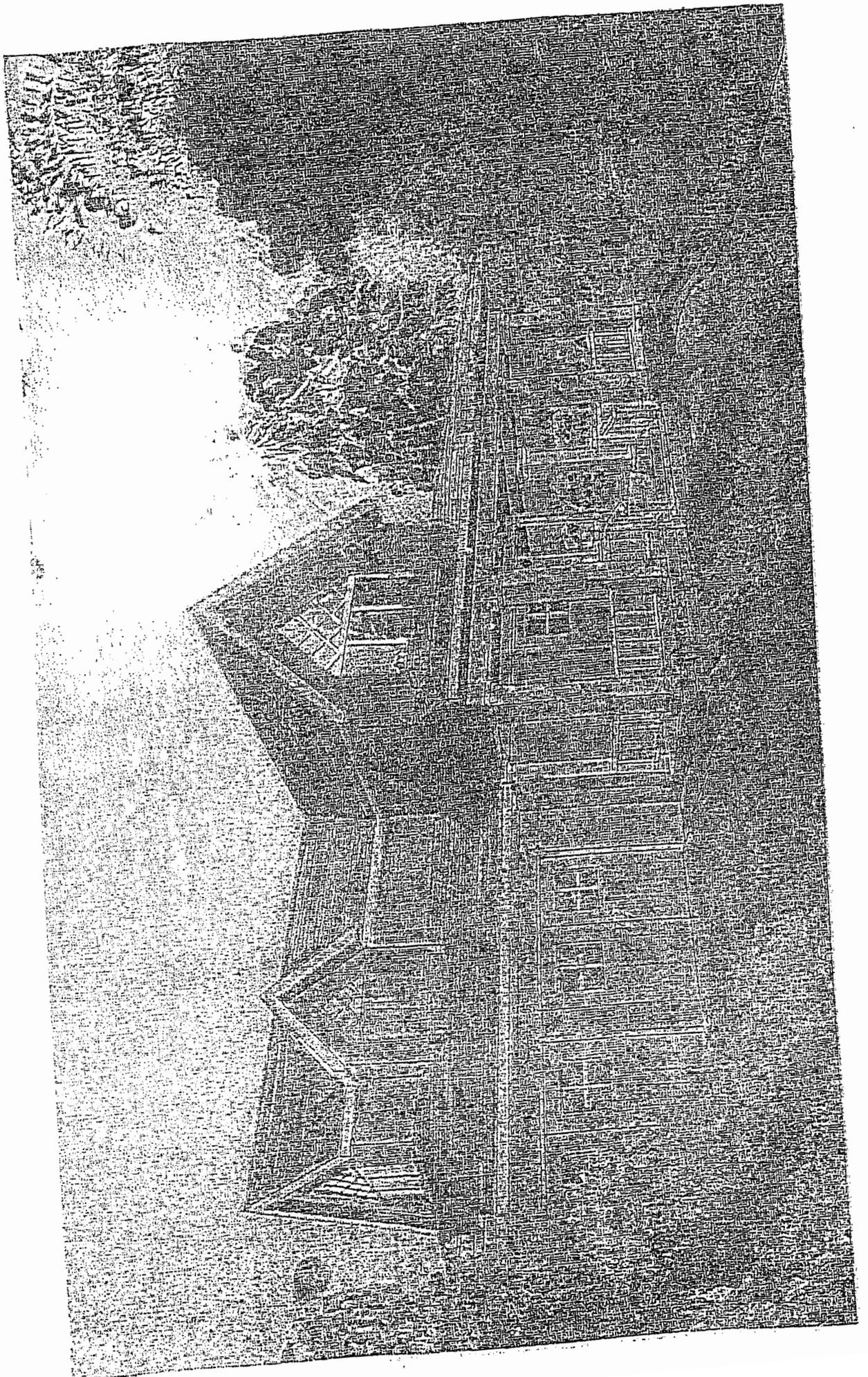
across from the utility room. Access to the two-car garage is gained from this area. The master bedroom dominates the upstairs with a double-door entry, a stepped ceiling and a private bath with a spa tub. Three bedrooms—at the rear of the second floor—share a full hall bath. An open stairwell affords a grand view of the foyer below.



Design by
 Alan Mascord
 Design Associates, Inc.







2/28/01

California Coastal commission
45 Fremont, Ste 2000
San Francisco, CA. 94105-2219

RECEIVED

MAR 05 2001

CALIFORNIA
COASTAL COMMISSION

RE: LCP Amendment 1-00 (major)
City of Half Moon Bay
Zoning Code Amendments to Chapter 18-02 (Definitions) and 18-06
(Residential Land Use)

Dear Coastal Commissioners:

I request that you not hear the matter above until at least the May 8-11 mtg of the Coastal Commission so that the ordinance that directly affect the property owners of Half Moon Bay can be attended by those whom it will effect in a closer proximity to thier homes. We would like to deliver our voice in the matter at public forum and most are incapable of traveling the distance to be heard.

I have enclosed a letter for your review, sent to City of Half Moon Bay regarding the amendment before you from them that will effect our land as well as many others already in the process.

Our purpose is only to ask you consider NOT allowing this ordinance to affect those property owners already in process. Grave financial disaster would befall us and surely other families as well to have to start all over with planning commission meetings, architectural review boards etc. We have endured the process already and we have acheived permissin to celebrate the prospect of finally building a home only to be given new information that we might have actually been spinning our wheels the last two years and may have to start anew. What a waste of man hours, effort and dollars.

There are likely merits to the ordinance set before you. Please review it with the sense of a decision from this day forward though.

Sincerely,

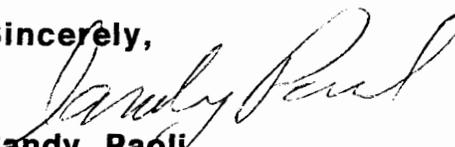
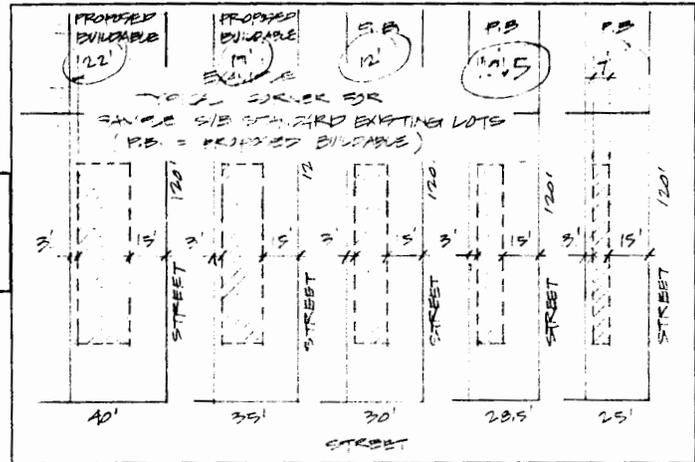

Sandy Paoli
2647 Washington Ave.
Redwood City, Ca. 94061
650-363-0677

EXHIBIT NO.	Half Moon
APPLICATION NO.	Bay LCP Amend. 1-00
February 28, 2001 letter from Sandy Paoli to Coastal Commission	

Reason number two:
 Those existing lots, less than 50' wide, can reduce the street facing side setback; yet are often non buildable

EXAMPLE
 TO ILLUSTRATE FOR
 SAME SIDE SETBACK EXISTING LOTS
 (P.B. = PROPOSED BUILDABLE)



Now the city's attitude is that this is legal - to make building impossible or impractical. Another city attitude is that there are so few lots that become non-buildable as to be of no consequence.

By my own visual survey, there are ~~252~~³⁶⁺ potential lots.

There is also another category, the triangular or gore shaped lots that also become non-buildable.

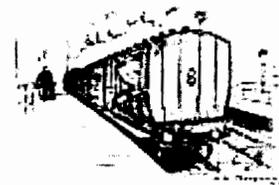
NOTE: Concerning Procedure:

What I have done is use the city's county tax assessors maps to visually survey these lots. The attached , with legend, is my record of existing conditions and is reasonably accurate.

All of the graphic examples are from visual survey.

Number three: As an Architect, I have often had the duty to explain a poorly written ordinance to property owners. It is the better road to deal with unintended results at this level.

These residents have passed a 1% growth initiative. Let's give the lucky 1% the opportunity through zoning to do excellent work. Under the proposed ordinance, one could better park railroad cars on the narrow building sites than design a home.



Also, the larger sites would be denied a private backyards.

Give me a chance to improve the usability of this ordinance.

Respectfully,

Douglas L. Snow

Douglas L. Snow
 Architect/Watercolorist

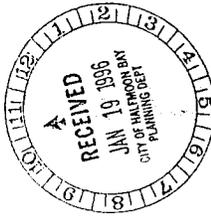
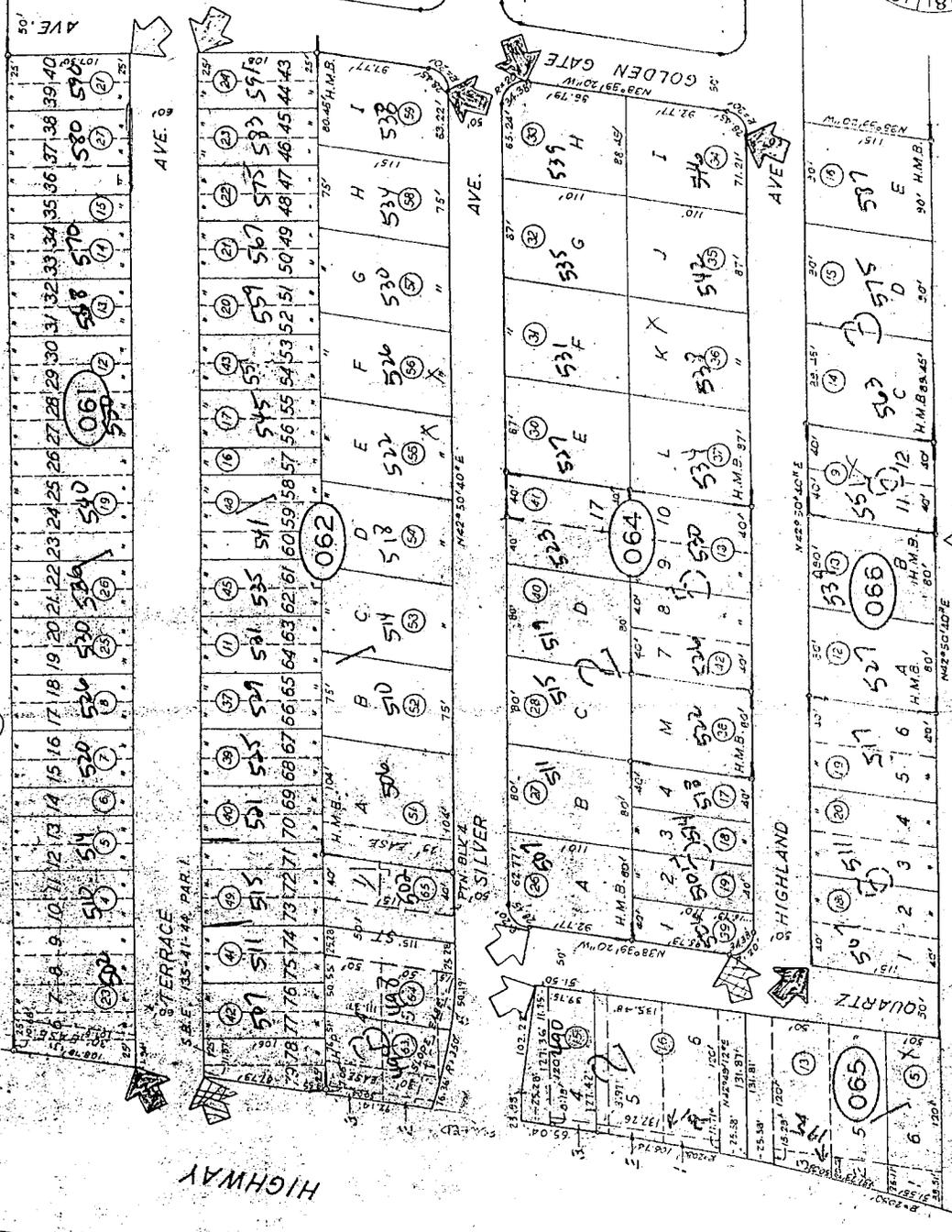
56-6

JAN 17 1996

1/4 100'

TAX CODE AREA

BK-48 (28)



CITY OF HALF MOON BAY
 OFFICIAL MAP NO. 3 RSM 107/34-35
 NEWPORT TERRACE TRACT RSM 411
 ASSESSORS PARCELS SHOWN DO NOT

(3)

CABRILLO

GRAND BLVD.

BELLEVILLE BLVD.

QUARTZ

HIGHLAND

SILVER

TERRACE

AVE. 3

AVE.

GOLDEN GATE

AVE. 1

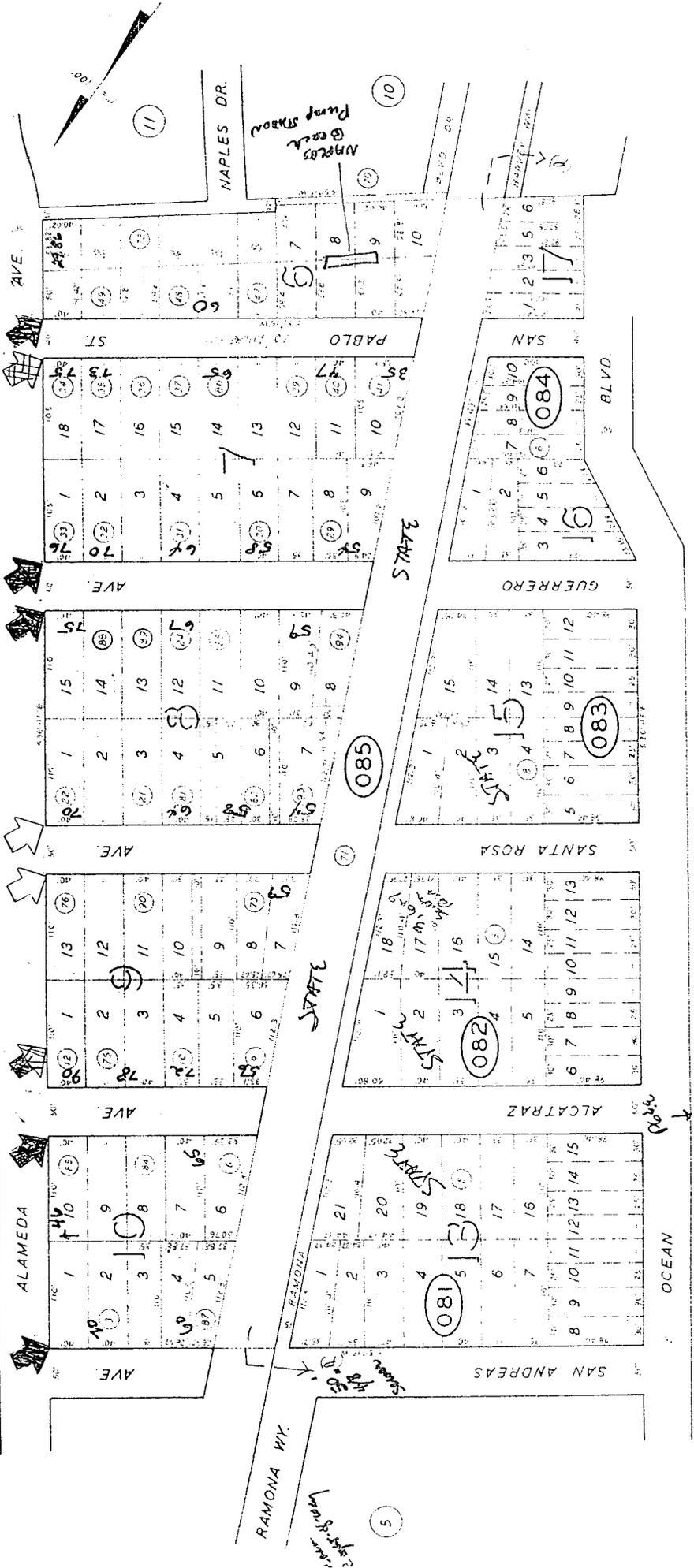
AVE. 05

48-8

NOV 17 2000

TAX CODE AREA

GUERRERO ST



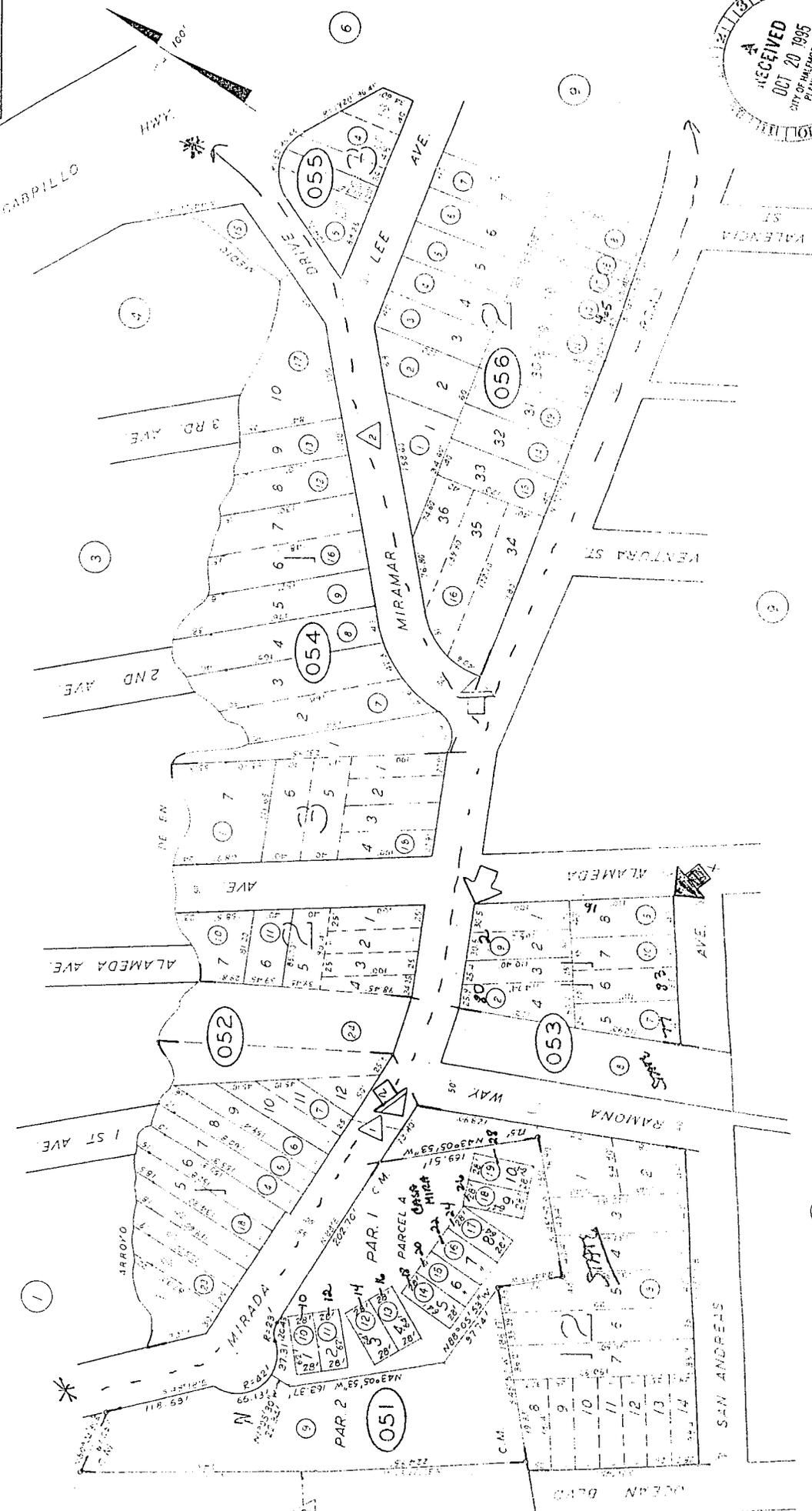
PACIFIC OCEAN

MIRAMAR BEACH RSM 4/11

A

TAX CODE AREA

48-5



▲ MIRAMAR BEACH RSM 4/11
 ▲ MIRAMAR TERRACE RSM 4/12

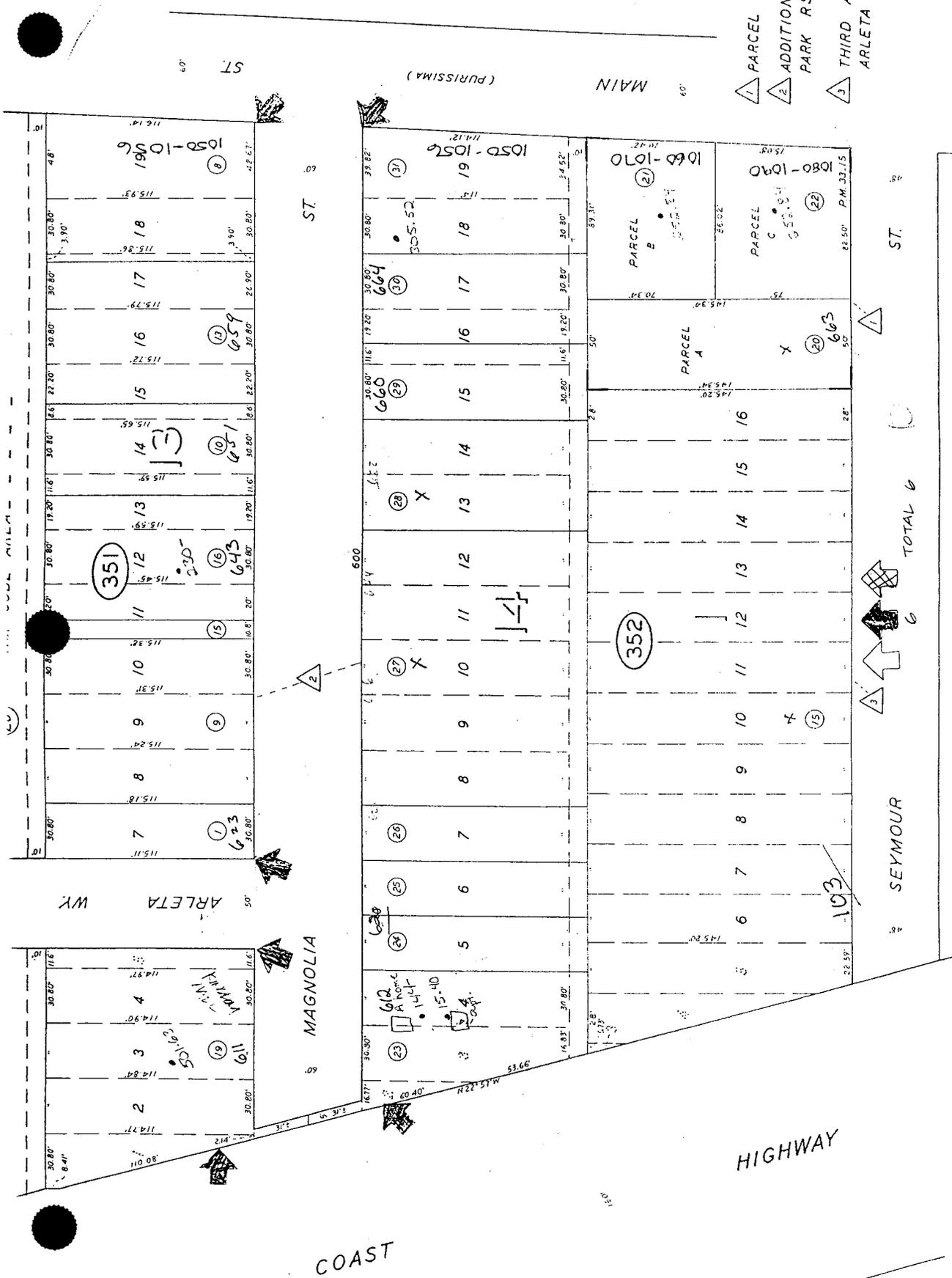


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37

- 1 PARCEL MAP VOL. 33/1
- 2 ADDITION TO ARLETA PARK RSM 4/17
- 3 THIRD ADDITION TO ARLETA PARK RSM 6/3



ST.

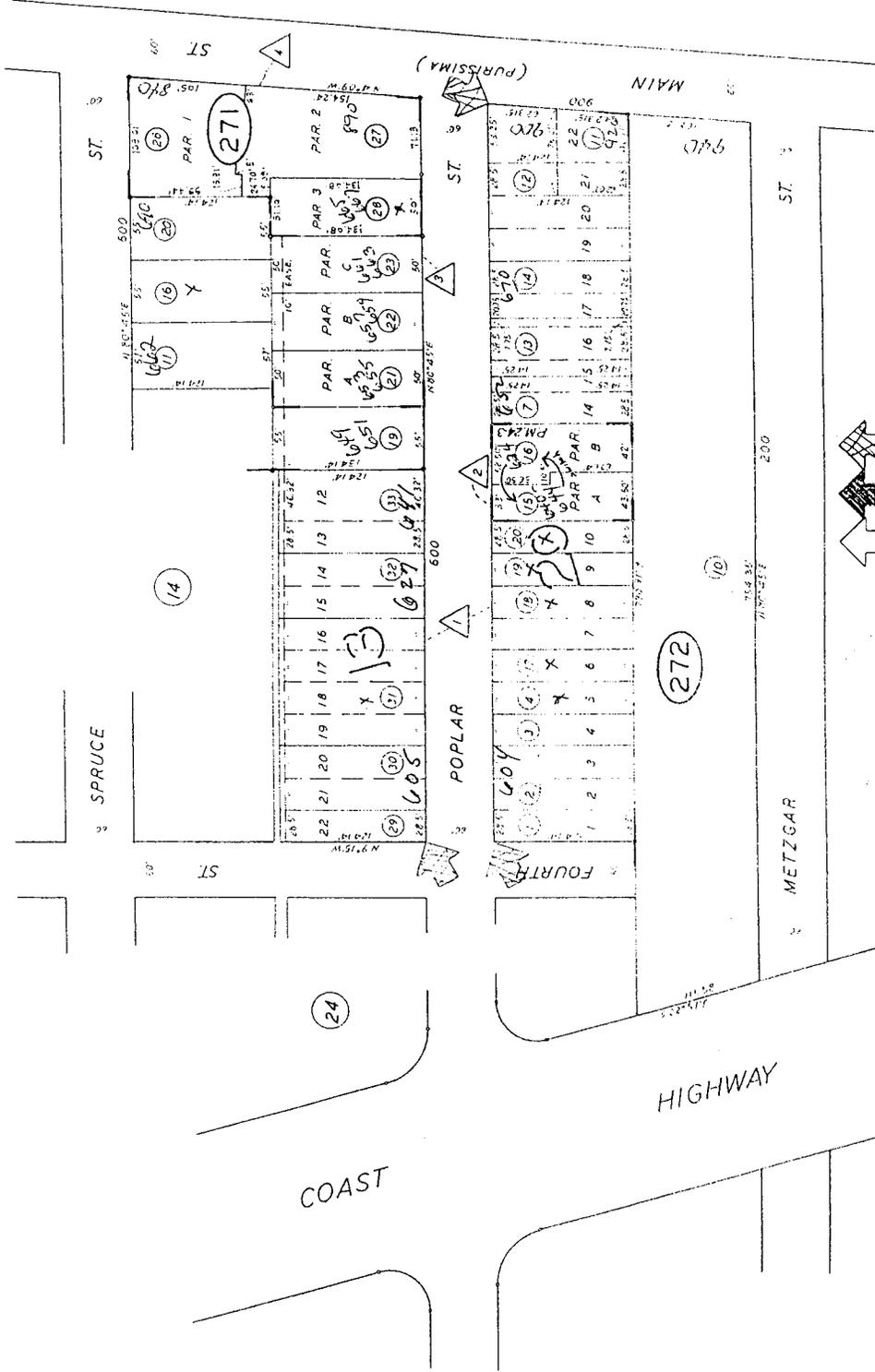
SEYMOUR

TOTAL 6

HIGHWAY

COAST

34



BK-56 (21)

123456789011213141516171819202122232425262728293031
 PLANNING DEPT
 KING COUNTY
 AUG 1993

- 1 SECOND ADDITION TO ARLETA PARK RSM 4/36
- 2 PARCEL MAP VOL. 24/3
- 3 PARCEL MAP VOL. 34/37

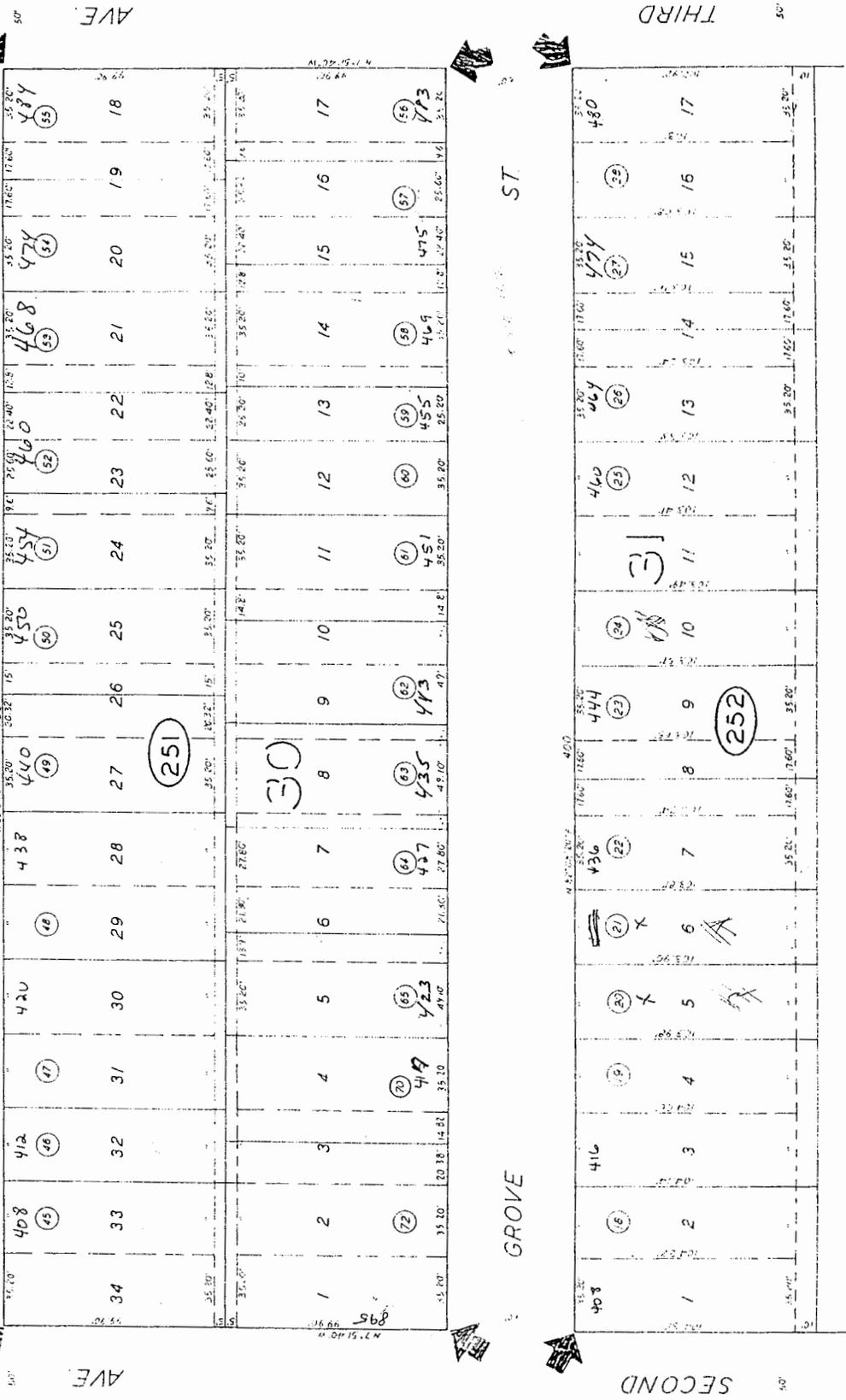
TOTAL 3

ASSESSOR'S PARCELS SHOWN DO NOT
 NECESSARILY CONSTITUTE LEGAL LOTS
 OR BUILDING SITES.



METZGAR

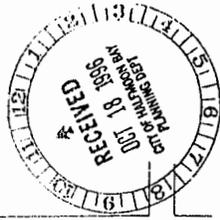
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ASSESSORS PARCELS SHOWN DO NOT NECESSARILY CONSTITUTE LEGAL LOTS OR BUILDING SITES.

TOTAL 6

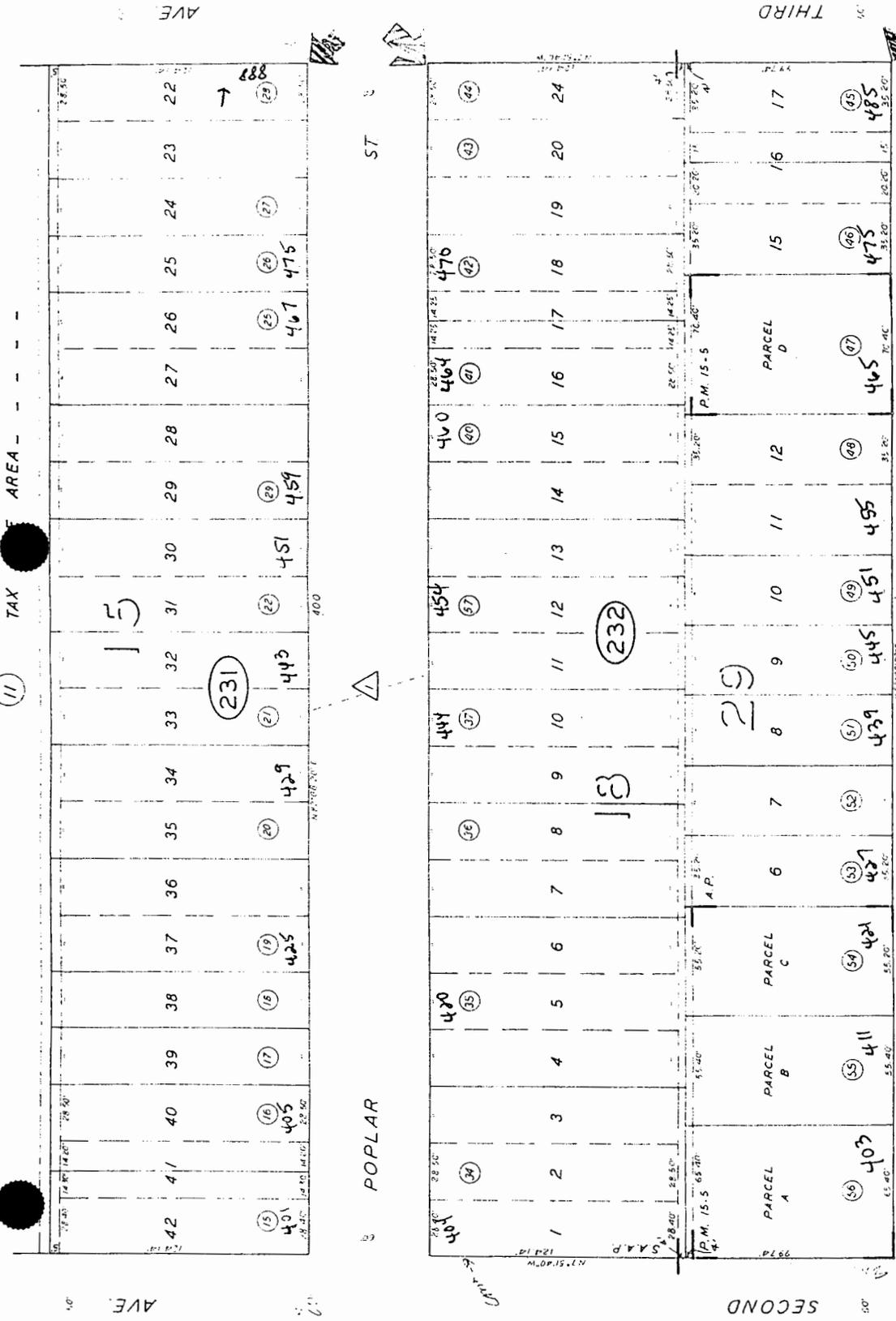
ARLETA PARK RSM 4/30



DEC 20 2000



(24)



- 1 ARLETTA PARK RSM 4/30
- 2 SECOND ADDTN. ARLETTA PARK RSM 4/36
- 3 PARCEL MAP VOL 15/5

ST. 8

TOTAL-3

METZGAR

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SECOND

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THIRD

AVE.

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POPLAR

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(231)

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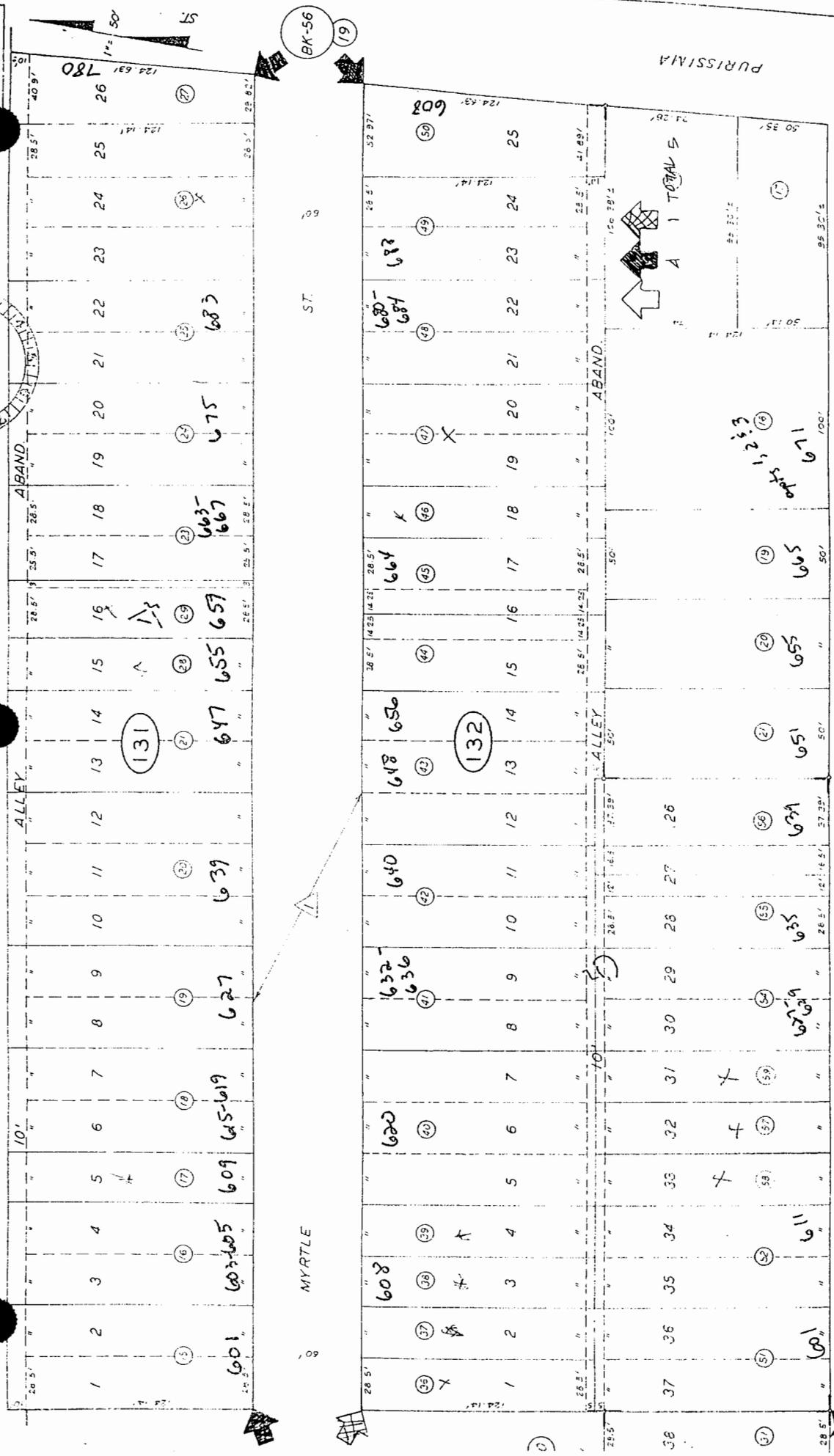
427

427

427

JAN 13 1991
CITY OF HALFHORN BAY
PLANNING DEPT

JAN 9 - 1997 64-13



FILBERT
S.M. ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF

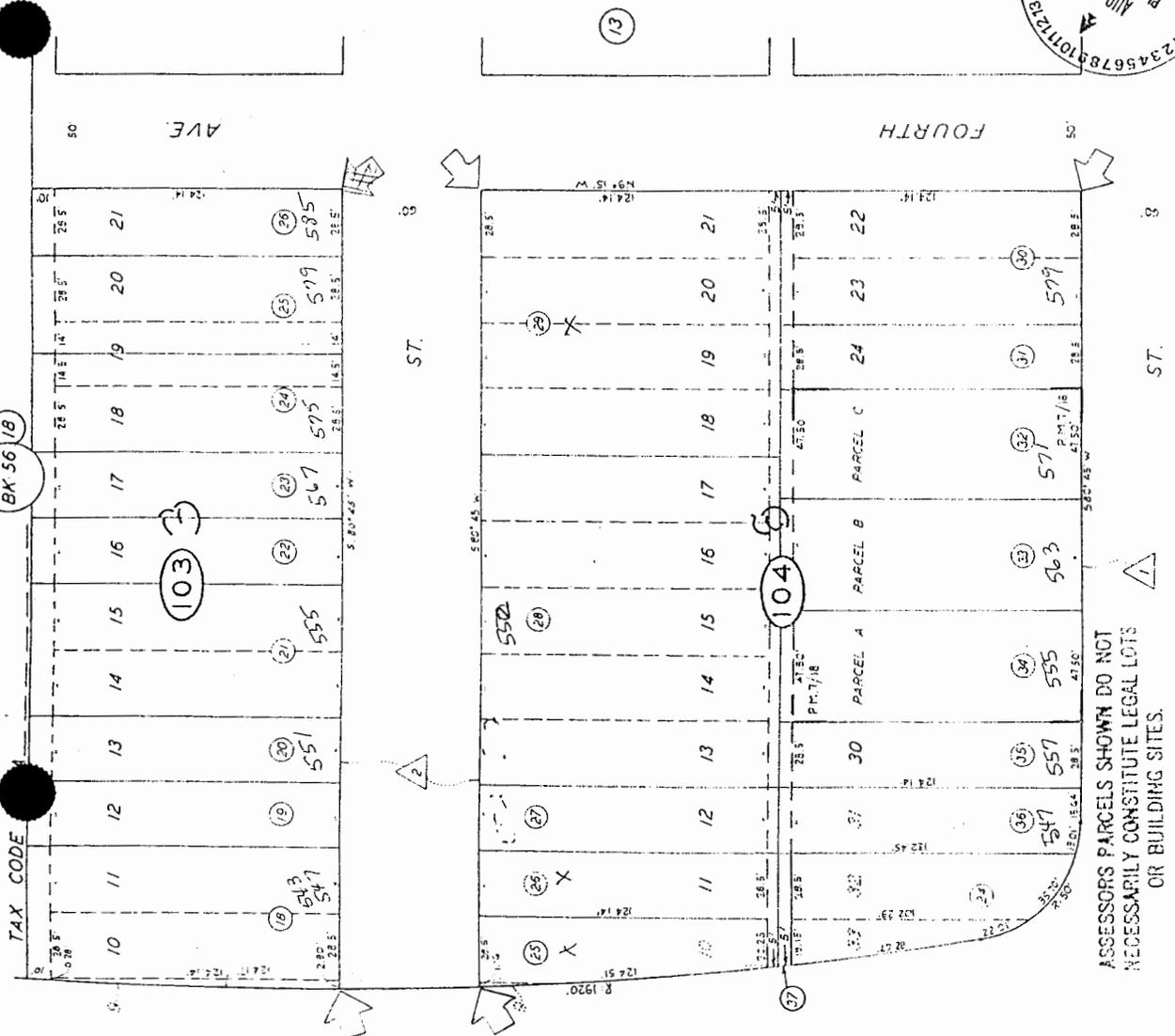
RECORDING OFFICE: COUNTY OF SAN MATEO, CALIF. RECORDING NO. 14

SECOND ADDN TO ARLETA PARK RSM 4/36
2-AMENDED MAP ARLETA PARK & ADDN'S RSM 7/6

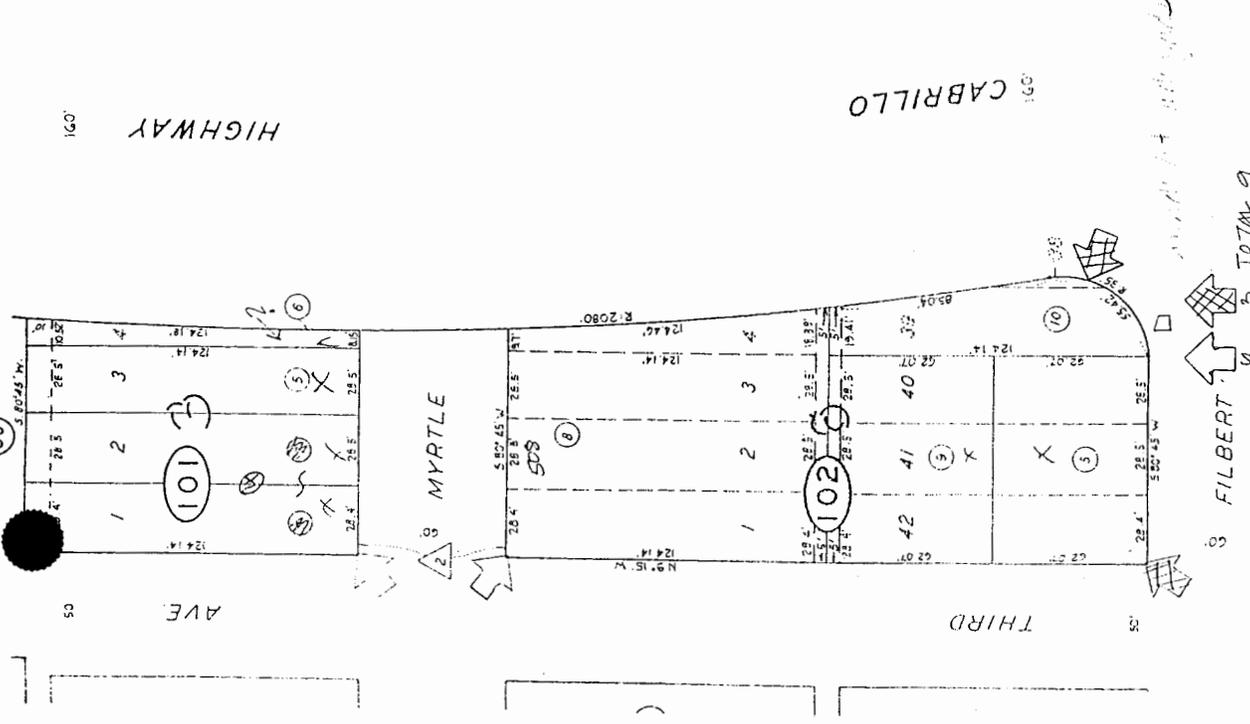
PARCEL MAP VOL. 7/18
 SECOND ADDITION TO ARLETA PARK AMENDED R.S.M. 7/6 (4/36)



64-10
 AUG 5 - 1993

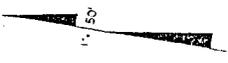


ASSESSORS PARCELS SHOWN DO NOT
 NECESSARILY CONSTITUTE LEGAL LOTS
 OR BUILDING SITES.



5 FILBERT
 5 TOTAL

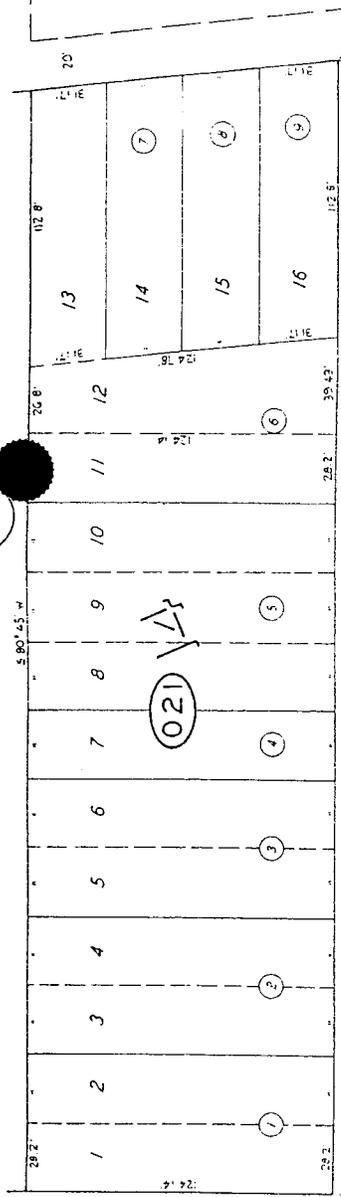
64-2



ZONING

TAX CODE AREA

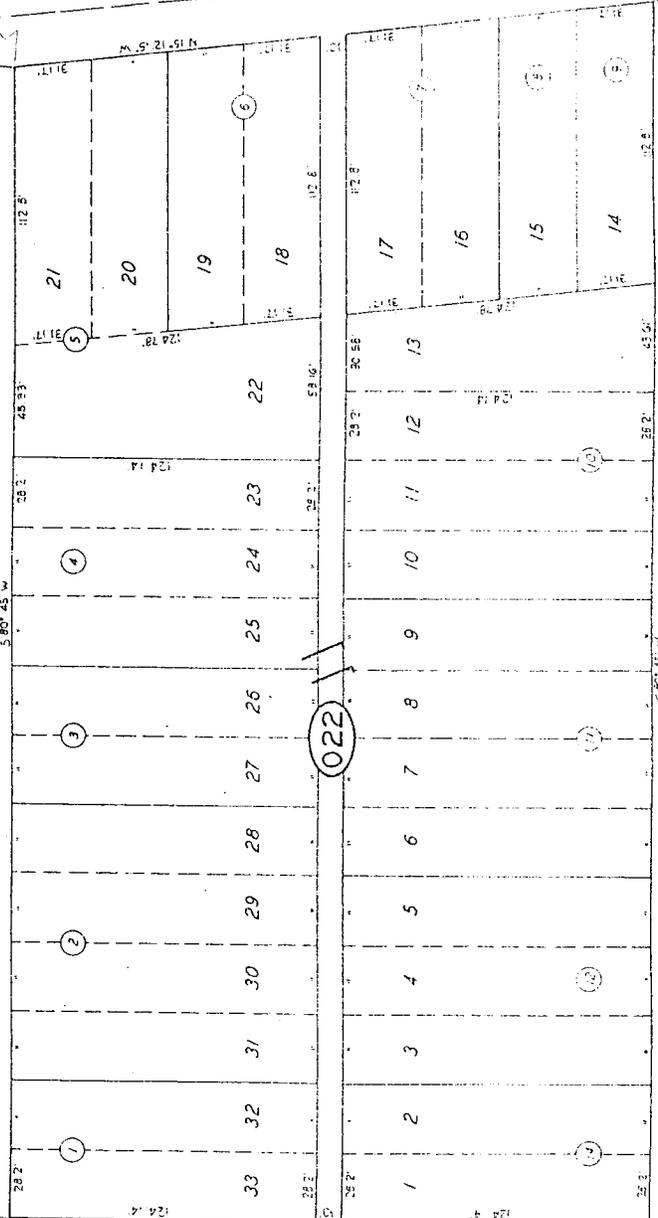
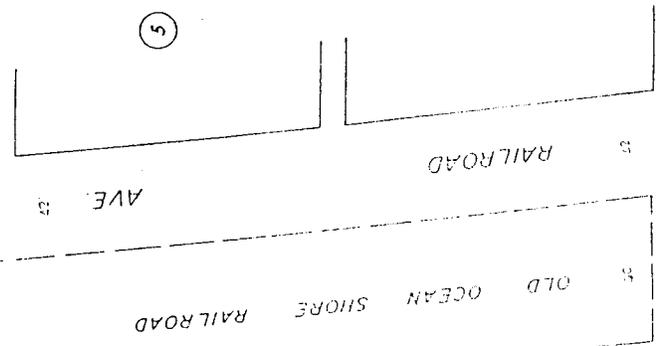
BK-56 (12)



S MYRTLE ST.

ST.

SEE PAGE 5



PACIFIC

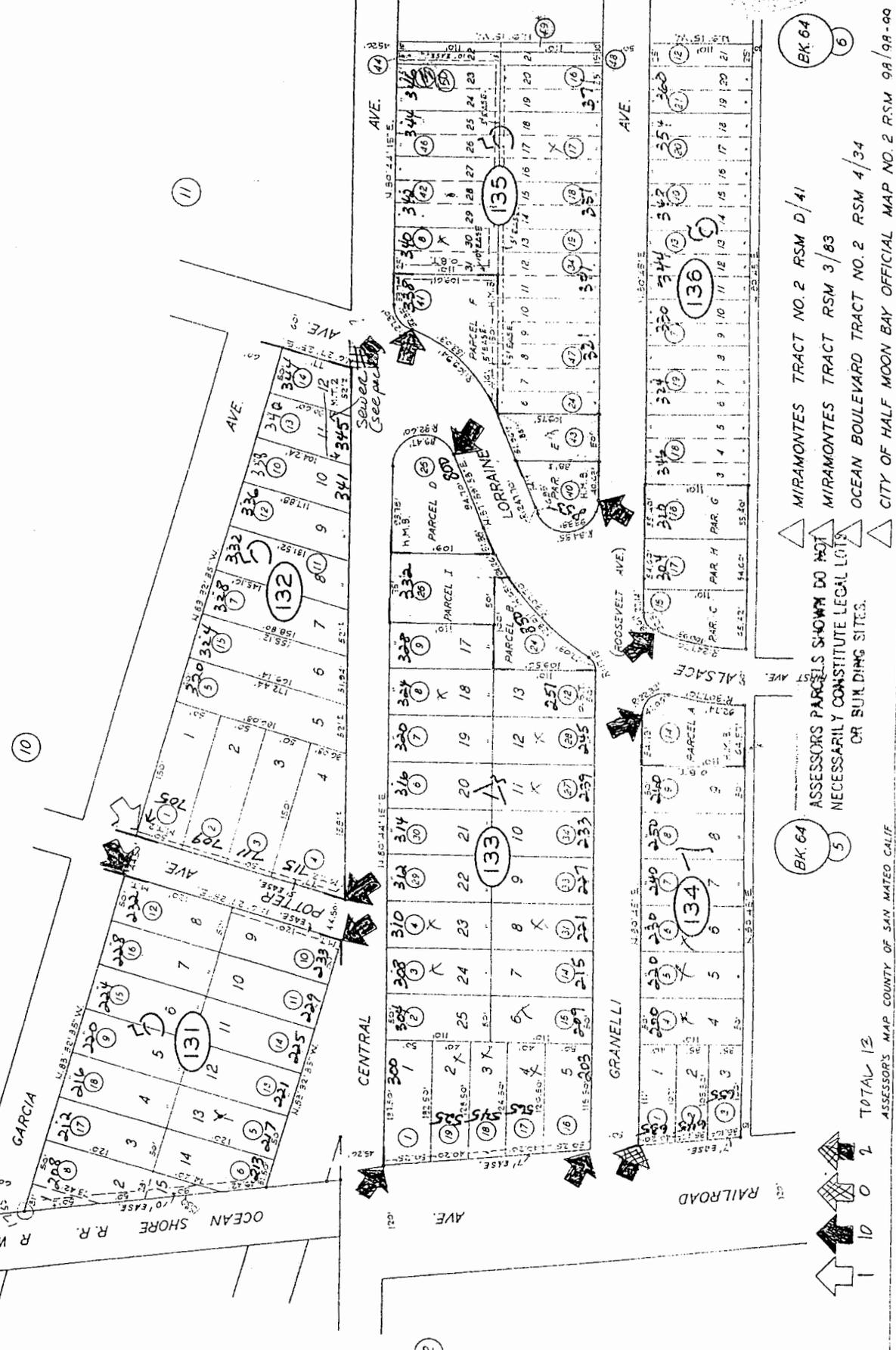
FILBERT

4 2 TOTAL=6

ST.

ST.

ARLETA PARK R.S.M. 4/30



BK. 64 36

BK. 64 6

MIRAMONTES TRACT NO. 2 RSM D/41

MIRAMONTES TRACT RSM 3/83

OCEAN BOULEVARD TRACT NO. 2 RSM 4/34

CITY OF HALF MOON BAY OFFICIAL MAP NO. 2 RSM 9A/9A-90

ASSESSORS PARCELS SHOWN DO NOT NECESSARILY CONSTITUTE LEGAL LOTS OR BUILDING SITES.

BK. 64 5

TOTAL 12

ASSESSOR'S MAP COUNTY OF SAN MATEO CALIF.



10

11

12

GRANELLI

RAILROAD

ALSACE

(ROOSEVELT AVE)

AVE. 44

AVE. 48

CENTRAL

AVE. 9

AVE. 11

GARCIA

OCEAN SHORE R.R.

POTTER

Sewer (See parcel)

AVE. 13

AVE. 15

AVE. 17

AVE. 19

AVE. 21

AVE. 23

AVE. 25

AVE. 27

AVE. 29

AVE. 31

AVE. 33

AVE. 35

AVE. 37

AVE. 39

AVE. 41

AVE. 43

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56-10

OCT 6 - 1980



▲ MIRAMONTES TRACT RSM 3/83
 ▲ MIRAMONTES TRACT NO. 2 RSM 4/13

ASSESSORS PARCELS SHOWN DO NOT
 NECESSARILY CONSTITUTE LEGAL LOTS
 OR BUILDING SITES.

11

S10 (see pg 09)

OCEAN AVE

AVE

AVE

AVE

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48-36

TAX CODE AREA

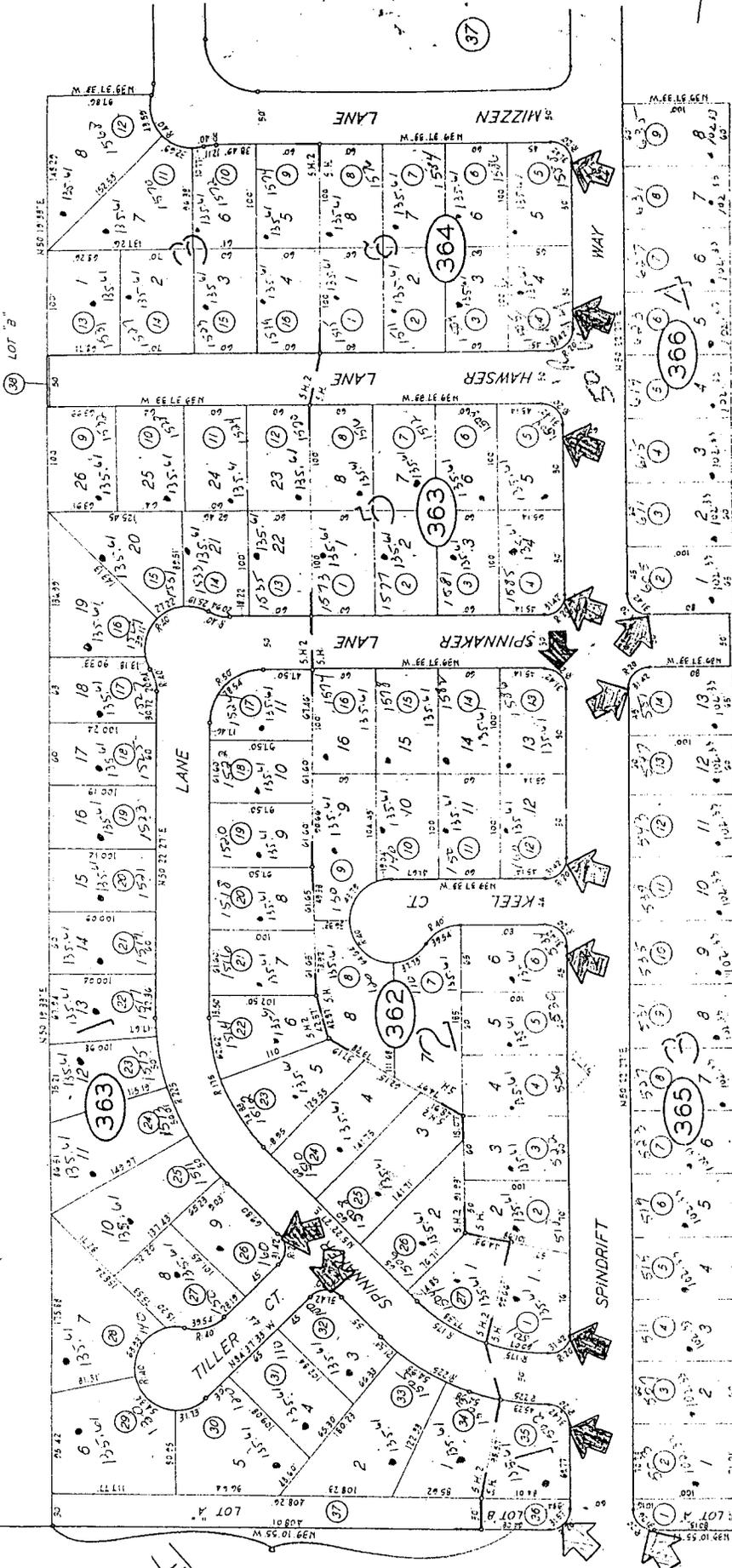
10,849.71

79 lots x 135.61

1 lot x 136.30

31

1' NON ACCESS STRIP



1' NON ACCESS STRIP

31

↑ 12 2 TOTAL 14

SPINDRIFT WAY
lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

SEA HAVEN NO.2 RSM 73/43-44
SEA HAVEN RSM 71/45-46

ASSESSORS MAP COUNTY OF SAN MATEO CALIF.

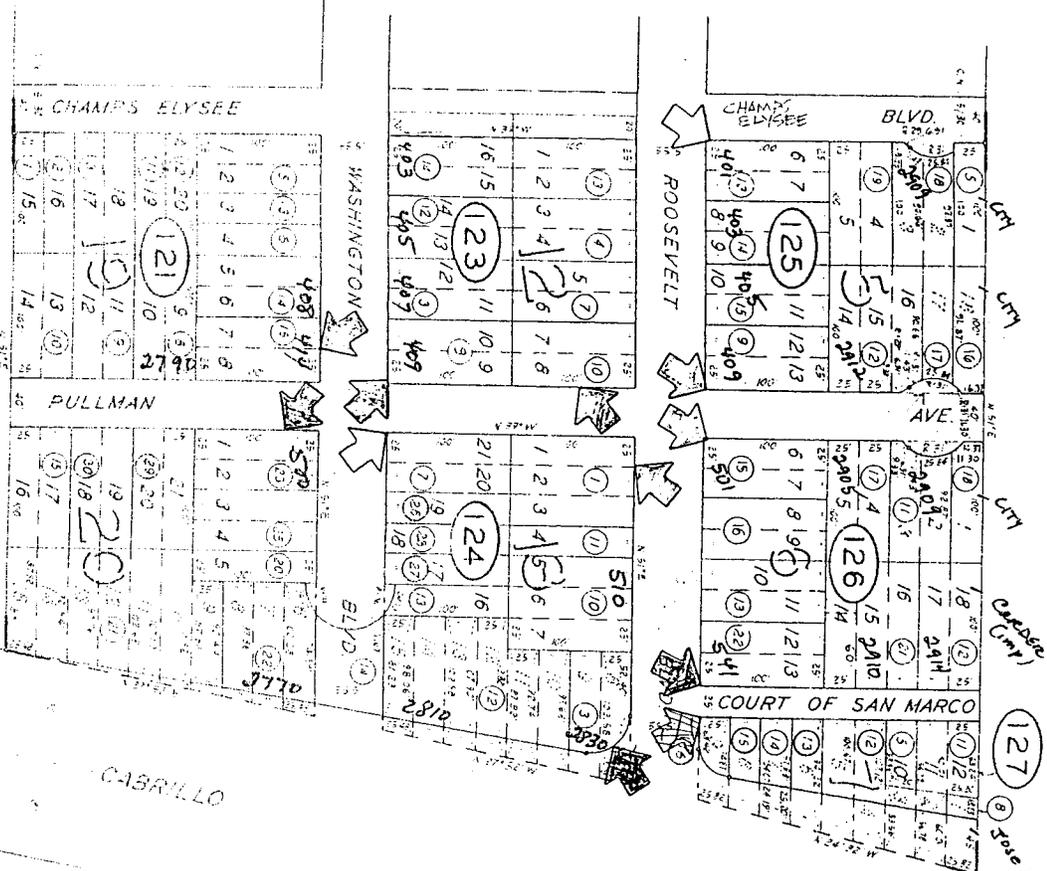
Phase III

HIGHWAY

CABRILLO

SURF BEACH

TRAM



9

127

Golf House

TAX CODE AREA



TOWN 12

11

30

JAN 5 - 2000

48-12