

CALIFORNIA COASTAL COMMISSION

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TO: Commissioners and Interested Parties

RECORD PACKET COPY

FROM: Peter Douglas, Executive Director
Steven F. Scholl, Deputy Director
Chris Kern, North Central Coast District Supervisor
Peter T. Imhof, North Central Coast AnalystSUBJECT: **City of Half Moon Bay Local Coastal Program Amendment 1-99**
(Alves/Caltrans Annexation)

1.0 AMENDMENT DESCRIPTION

The proposed amendment to the City of Half Moon Bay's certified Local Coastal Program (LCP) involves the annexation of three parcels, a total of 3.56 acres, in unincorporated San Mateo County by the City of Half Moon Bay and the Coastside County Water District (CCWD) and the rezoning of two, adjacent parcels already within the City limits. Annexation of the parcels by the City also involves redrawing the Urban/Rural boundary to include the annexed parcels.

The three parcels to be annexed are located on the southeast boundary of the City, on the east side of Highway 1, north of Miramontes Point Road, at 2003 South Cabrillo Highway (APN 066-093-240) and 2251 South Cabrillo Highway (APNs 066-093-130 and 066-093-180) (**Exhibits 1-3**). One parcel is owned by the California Department of Transportation (Caltrans) and is used as a Coastside highway maintenance facility. The other two parcels are the two eastern parcels belonging to the Alves Dairy. Although it is developed and used as a maintenance yard, the Caltrans parcel to be annexed is presently zoned Planned Agricultural District (PAD) by the County. The two Alves Dairy parcels to be annexed are partially developed with a dairy retail store, not presently in use, and are zoned Neighborhood Commercial (C-1) by the County.

The City is seeking annexation of the Alves Dairy site to bring commercial development within the City limits and protect the City's property tax base. Caltrans is seeking annexation of the Caltrans site to extend sewer service to the rear Caltrans parcel and continue to operate its maintenance facility. Inclusion of the Alves Dairy property in the City and CCWD boundaries would place these commercially zoned parcels within the same jurisdiction as adjacent parcels under common ownership and facilitate consistent land use project review. The annexation and rezoning would also result in consistent zoning of both the Caltrans and Alves Dairy properties. After the rezoning, the entire Caltrans property would be designated Public Facilities and Institutions under the Land Use Plan (LUP) and zoned entirely Public Service (P-S), consistent with the Caltrans parcel already in the City. The Alves Dairy parcels already within the City, which are presently zoned Open Space Reserve, would be designated Commercial-General under

the LUP and rezoned Commercial-General (C-G), as will the Alves Dairy parcels to be annexed, which are presently zoned Neighborhood Commercial (C-1) by the County.

The subject properties are already developed and have not been in any agricultural use for at least several decades. Because of poor underlying soils and the existing development on both properties, neither property is suitable for agricultural use. Annexation and rezoning of the parcels is not in conflict with Coastal Act policies protecting and limiting conversion of agricultural lands and requiring that new development be located within, contiguous with, or in close proximity to existing developed areas. Adequate infrastructure and public services exist to serve the affected parcels.

2.0 BACKGROUND

Prior to the current proposal, two earlier proposals for annexation of this land were proposed, but not ultimately approved. In 1994, Caltrans submitted an application to the San Mateo County Local Area Formation Commission (LAFCO) for annexation of the maintenance yard to the City in order to extend sewer service for a proposed facility expansion. The City rejected the application at the time because it included only the Caltrans yard and not adjacent parcels. In February 1997, by Resolution C-19-97, the City of Half Moon Bay approved a second proposed submittal to the LAFCO involving annexation of 95 acres east of Cabrillo Highway. Many of the parcels proposed for annexation were agriculturally zoned and under Williamson Act contracts. The application met with opposition because of the potential for conversion of extensive agricultural lands.

In January of 1999, following discussions between City and County officials, property owners and the Committee for Green Foothills, the City approved Resolution C-4-99 and submitted the current LAFCO application for annexation of 3.56 acres including only the Caltrans maintenance yard and Alves property, both already developed. On April 6, 1999, the City Council subsequently adopted Resolution C-24-99, approving a tax exchange agreement between the City and County (**Exhibits 5 and 6**).

A Negative Declaration has been certified by the City concluding no significant environmental impact will result from the annexation and rezoning.

At hearing on April 21, 1999, the San Mateo LAFCO adopted Resolution 902 approving the reorganization of three parcels into the City of Half Moon Bay and the Coastside County Water District and amendment of the City of Half Moon Bay's Sphere of Influence. The LAFCO's approval was conditioned upon certification of the City's LCP/LUP amendment by the Coastal Commission (**Exhibit 4**).

3.0 STANDARD OF REVIEW

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

4.0 SUMMARY OF STAFF RECOMMENDATION

Because the affected properties and neighboring properties on both sides of Highway 1 are already developed (to the west, with residential and commercial development, to the east,

predominantly with large, greenhouse floriculture) and are not within view of coastal recreation areas, the annexation and redesignation of the Caltrans parcel as Public Facilities and Institutions and of the Alves Dairy parcels to Commercial-General are consistent with the existing character of the area and will not result in impacts to coastal views. Because of poor underlying soils and the existing development on both properties, neither property is suitable for agricultural use. For these reasons, the proposed LUP amendment is accordingly consistent with and adequate to carry out the policies of Chapter 3 of the Coastal Act and the certified LUP. Similarly, the IP zoning classifications are site-appropriate and conform to the LUP designations and policies. Staff recommends certification of both the proposed LUP and IP amendment as submitted.

5.0 EFFECTIVENESS OF LUP 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. Section 13551(b)(2) of the Commission regulations provides that a local government may submit a proposed amendment as an amendment that will require formal government adoption after Commission approval with suggested modifications. Section 13544 requires that the Executive Director and the Commission certify that the City's adoption actions were adequate before the amendment is considered effective.

The City Council adopted Resolution C-4-99 on January 5, 1999 for the purpose of forwarding the application for annexation of the three parcels to the City of Half Moon Bay and the Coastside County Water District to the San Mateo County Local Agency Formation Commission (LAFCO) (**Exhibit 6**). The resolution states that the Planning Commission and the City Council have recommended the annexation in its current form and indicates that the City intends to carry out the LCP amendment in conformity with the Coastal Act. LAFCO approval of the annexation is now complete, conditioned only on Commission certification. Unless the Commission certifies the amendment as submitted and the amendment takes effect immediately, the City's intent is to adopt the LCP amendment following Commission approval with suggested modifications, in conformity with 14 CCR Section 13551(b)(2). Consistent with Section 13544, the Executive Director and the Commission must certify that the City's actions adopting the the suggested modifications were adequate before the amendment is considered effective.

PART I: LUP AMENDMENT

6.0 STANDARD OF REVIEW FOR LUP AMENDMENT

Section 30514(b) of the Coastal Act states that "[a]ny proposed amendments to a certified local coastal program shall be submitted to, and processed by, the commission in accordance with the

applicable procedures and time limits specified in Sections 30512 and 30513 [except that no substantial issue determination is required].”

Sections 30512(c) states that “[t]he Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 [of the Coastal Act].” The applicable standard of review for the proposed LUP amendment is therefore the policies of Chapter 3 of the Coastal Act.

7.0 STAFF RECOMMENDATION FOR LUP AMENDMENT

The staff recommends that the Commission certify the amendment to the LUP for the City of Half Moon Bay as proposed.

MOTION:

I move that the Commission certify Amendment 1-99 of the certified Land Use Plan for the City of Half Moon Bay as submitted.

STAFF RECOMMENDATION TO CERTIFY AS SUBMITTED:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby certifies Amendment 1-99 of the certified Land Use Plan for the City of Half Moon Bay as submitted and adopts the findings set forth below on grounds that the land use plan will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan complies with 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 plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan.

8.0 FINDINGS AND DECLARATIONS TO APPROVE LUP AMENDMENT

The Commission hereby finds and declares:

8.1 LUP Amendment Description

The proposed LUP amendment involves the annexation of three parcels, a total of 3.56 acres, by the City of Half Moon Bay and the CCWD: APN 066-093-240 (belonging to Caltrans) and

**City of Half Moon Bay Local Coastal Program Amendment 1-99
(City of Half Moon Bay)**

APNs 066-093-130 and 066-093-180 (belonging to Alves Dairy). The LCP amendment also involves redesignating two Alves Dairy parcels already within the City limits located adjacent to those to be annexed (APNs 066-093-120 and 066-093-110).

The current City boundary at this location runs north-south, parallel to Highway 1, including within the City the first row of parcels immediately east of and adjacent to the highway. The proposed annexation pushes the City boundary eastward to encompass the three parcels to be annexed (**Exhibit 3**). The proposed LUP amendment resolves the presently inconsistent zoning of these adjacent parcels, which are under common ownership, and brings them entirely within the City's jurisdiction. The Caltrans site would be consolidated under the Public Facilities and Institutions designation. The County zoning would be amended to conform to the City zoning. With the Alves Dairy site, the LUP redesignation is the reverse. The County designation is commercial and the City portion of the site is being redesignated to Commercial from Open Space Reserve to conform to the County designation.

The following table describes the current and proposed land use designations and zoning of the parcels to be annexed:

PARCELS TO BE ANNEXED

		Caltrans (APN 066-093-240)	Alves (APNs 066-093-130, 066-093-180)
Current	LUP	Agricultural	General Commercial
	Zoning	Planned Agricultural District (PAD)	Neighborhood Commercial (C-1)
Proposed	LUP	Public Facilities & Institutions	Commercial-General
	Zoning	Public Service (P-S)	Commercial, General (C-G)

The following table presents the same information for the two Alves Dairy parcels already within the City of Half Moon Bay to be redesignated and rezoned:

PARCELS WITHIN CITY TO BE REZONED

		Alves (APNs 066-093-120, 066-093-110)
Current	LUP	Open Space Reserve
	Zoning	Open Space Reserve (OS-R)
Proposed	LUP	Commercial-General
	Zoning	Commercial, General (C-G)

The current boundary of CCWD corresponds to the City limits and annexation by the City of the subject parcels also involves annexation by CCWD. Similarly, because the Urban-Rural Boundary is coterminous with the City limits, the annexation also requires extension of the Urban-Rural Boundary to incorporate the annexed parcels.

The annexation will also result in a change in delivery of local services to the annexed parcels. The annexed parcels will be eligible for connection to the CCWD water supply and to sewer service from the Sewer Authority Mid-Coast (SAM). Previously no sewer service and no water service was available to the annexed parcels. Sewer capacity from the recently upgraded plant is adequate to serve these parcels.

No new development is proposed as part of the LCP amendment. Any proposal to use either property for a new commercial use would require a separate coastal development permit.

8.2 Description of Site and Adjacent Land

Caltrans parcels. The Caltrans parcel to be annexed (APN 066-093-240) is used for activities associated with maintenance and repair of State highway infrastructure. Although the Caltrans parcel to be annexed is zoned Planned Agriculture District, the Caltrans maintenance yard is partially developed with sheds and storage areas and is heavily disturbed. It is used by Caltrans for storage of materials and equipment. San Mateo County issued a coastal development permit for the yard in 1995 (CDP 93-0012). The portion of the maintenance yard located on the adjacent Caltrans parcel to the west, which is already within the City limits, is designated Public Facilities & Institutions and zoned Public Service (P-S). The portion of the Caltrans yard that is being annexed will be similarly designated and zoned, consistent with the land use designation and zoning of the western portion of the yard that is already within the City limits.

Alves Dairy parcels. The Alves Dairy parcels to be annexed (APNs 066-093-130, 066-093-180) as well as those already within the City to be redesignated and rezoned (APNs 066-093-120, 066-093-110) were originally used for commercial dairy operations, including a retail store. The Alves Dairy property is essentially an abandoned dairy drive-in retail. It was established around 1950 to sell dairy products produced by the Alves Dairy operation located further up the Miramontes Point Road canyon. The historic dairy sales building, which is not presently in use, is located on approximately a quarter of the existing site and straddles the current City/County boundary. The balance of the site is undeveloped. The Alves Dairy parcels to be annexed are bounded to the south by Miramontes Point Road, formerly Alves Dairy Road. The Alves Dairy parcels already within the City are fronted by Highway 1. The Alves Dairy parcel to be annexed is presently designated General Commercial and zoned Neighborhood Commercial (C-1) by the County. Within the City limits, the Alves Dairy parcel and the land surrounding the Alves Dairy property are designated Open Space Reserve and zoned Open Space Reserve (OS-R). The Alves Dairy property already within the City limits will be redesignated Commercial-General and rezoned to general commercial (C-G), consistent with the existing county zoning to the east. Although the Alves Dairy property itself has been a dairy sales building for at least 50 years, the surrounding area, including the Alves Dairy property, is designated "grazing land" on the San Mateo County Important Farm Land map. "Grazing land" in the County is land on which the existing vegetation is suitable for grazing of livestock with a minimum mapping unit for this category of 40 acres. The Alves Dairy property by itself would not qualify for the County grazing land designation because of its small size and preexisting use.

Adjacent land. The adjacent land between and to the east of the Caltrans and the Alves Dairy parcels is intensively cultivated in greenhouse floriculture employing container pot technology (**Exhibit 3**). To the south of the Caltrans parcel, is Nurseryman's Exchange. To the east is a greenhouse operation producing mushrooms. Bay City Flowers uses land in the County adjacent to the Alves Dairy property to the north for container pot floriculture. This adjacent land is

zoned for Agriculture and Open Space. However, all of these agricultural operations use container pot technology, which is not dependent on soil quality, as soils are not adequate for cut flower cultivation.

The adjacent land immediately to the north of the Caltrans parcels to be annexed is developed and used as a commercial building materials operation. Lands farther to the north are in use as open agricultural fields. Adjacent lands to the south of the Alves Dairy parcel are also zoned for agriculture, and used as open agricultural fields, floriculture, a kennel, and a ranch. To the west, the Caltrans and Alves Dairy properties are bounded by Highway 1. The San Mateo County Important Farm Land map produced in 1998 by the Department of Conservation designates lands surrounding the Alves Dairy property as "grazing land" and "farmland of local importance." AS stated above, "grazing land" is land on which the existing vegetation is suitable for grazing of livestock. The minimum mapping unit for this category is 40 acres. "Farmland of local importance" is land other than prime, statewide or unique that produces the following crops: oats, Christmas trees, pumpkins, dryland pasture, other grains and hay lands.

West of Highway 1, within the current boundaries of the City, adjacent land uses and zoning are residential and commercial. The area west of Highway 1 is the Ocean Colony subdivision and is already developed.

8.3 Relevant Coastal Act, Williamson Act and LCP Provisions

8.3.1 Coastal Act and Williamson Act Policies

Coastal Act Section 30113 defines the term "prime agricultural land" to have the same meaning it is given in the California Land Conservation Act of 1965, or "Williamson Act" (Cal. Gov. Code Section 51201(c)).¹

The Williamson Act definition of "prime agricultural land" given in Section 51201(c) of the Government Code includes all of the following:

- (1) All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.*
- (2) Land which qualifies for rating 80 through 100 in the Storie Index Rating.*
- (3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.*
- (4) Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the*

¹ The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

**City of Half Moon Bay Local Coastal Program Amendment 1-99
(City of Half Moon Bay)**

- commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.*
- (5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars (\$200) per acre for three of the previous five years.*

Coastal Act Section 30241 provides:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following: (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses. (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development. (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250. (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands. (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality. (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands.

Coastal Act Section 30241.5 provides:

(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements: (1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program. (2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program. For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program. (b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government

determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

Coastal Act Section 30242 provides:

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Section 30250 provides:

(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.

8.3.2 LUP Classifications

The full text of the applicable LUP designation provisions are attached hereto as Appendices A and B, for San Mateo County and the City of Half Moon Bay, respectively.

Upon certification of the LCP amendment, and final implementation of the annexation and rezoning by the City, the entirety of the Caltrans property will be designated Public Facilities and Institutions and zoned Public Service (P-S). The entirety of the Alves Dairy property will be designated Commercial-General LUP and zoned Commercial, General (C-G) under the City's zoning code.

The Public Facilities and Institutions designation of the LUP contemplates educational, governmental and institutional uses "not normally accommodated in offices . . ." including utilities yards and maintenance buildings.

The Commercial-General LUP designation encompasses downtown business uses and arterial commercial uses not restricted to visitor-serving facilities. General office, wholesale, retail and other commercial uses are all permissible under this designation.

The County's existing Agricultural designation of the rear Caltrans parcel to be annexed is an exclusive agricultural designation permitting only limited residential use accessory to permitted agricultural uses. The existing use by Caltrans of this parcel is inconsistent with the present land use designation.

The City's Open Space Reserve designation of the Alves Dairy parcel fronting Highway 1 already within the City limits are designated reserve open land on the perimeter of existing developed areas for accommodation of future development needs. Open Space Reserve lands

allow for agricultural as well as very low density residential uses "until those areas are needed for urban development." Their existing use (developed with an existing retail structure) and the County's designation of the rear Alves Dairy parcels as General Commercial is inconsistent with the Open Space Reserve designation of the forward Alves Dairy parcels.

8.4 Discussion

8.4.1 Prime Agricultural Land

Section 30241 of the Coastal Act protects "prime agricultural land" by requiring that the maximum amount of prime agricultural land be maintained in agricultural production and by seeking to minimize conflicts between agricultural and urban land uses through, *inter alia*, (a) stable urban and rural boundaries, (b) limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses, (c) permitting the conversion of agricultural land where it is located within, contiguous with, or in close proximity to, existing developed, urban areas able to accommodate it, (d) developing available lands not suited for agriculture prior to the conversion of agricultural lands, and (e) assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

The parcels to be annexed and/or redesignated as part of the proposed LCP amendment are not "prime agricultural land" as defined in the Coastal Act. Section 30113 of the Coastal Act gives "prime agricultural land" the definition of the term contained in the Williamson Act, as codified in Government Code Section 51201(c). By this definition, "prime agricultural land" includes any of the following:

- (1) All land that qualifies for rating as class I or class II;
- (2) Land which qualifies for rating 80 through 100 in the Storie Index Rating;
- (3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
- (4) Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.
- (5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars (\$200) per acre for three of the previous five years.

Neither the Alves nor the Caltrans parcels meet any of the above criteria:

1. Neither the Caltrans nor the Alves site contains Class I or Class II soils in the Soil Conservation Service land use capability classifications. The Soil Conservation Service Soil Survey, San Mateo Area, California, 1961, indicates that the subject parcels are WmA or WmB, Watsonville Loam, nearly level or gently sloping, respectively. These soils are Class III, indicating that they have severe limitations that reduce the choice of plants, or that require special conservation practices or both. The Subclass of both WmA and WmB is

Ills-3. This unit is shallow to moderately deep soils underlain by a slowly or very slowly permeable subsoil.

2. Neither the Caltrans nor the Alves site contains soil with a Storie index rating of 80-100. Watsonville Loam, nearly level, (WmA) has a Storie index rating of 54, and Watsonville Loam, gently sloping, (WmB) has a Storie index rating of 51. The Storie Index expresses numerically the relative degree of suitability or value of a soil for general intensive agriculture. The index rating is a percentage score based on numeric analysis of the characteristics of the soil profile and soil depth, texture of the surface soil, slope, other factors such as drainage, alkali and erosion. Other factors such as availability of water for irrigation, climate and distance from markets are not considered. A low soil class rating will result in a low index rating.
3. Neither the Caltrans nor the Alves parcels are land which supports livestock. The Caltrans site is already built out or heavily disturbed. The Alves site has existing buildings on much of the site and, according to the San Mateo County Farm Bureau, at less than two acres is too small to support livestock.
4. Neither the Caltrans nor the Alves parcels are now or have ever been planted with fruit- or nut-bearing trees, vines, bushes or crops.
5. Finally, none of the affected parcels are land which is in agricultural production or has had any returns from agricultural production for three of the previous five years.

Because none of the parcels affected by the proposed LCP amendment constitute "prime agricultural land" within the meaning of the Coastal Act, the Commission finds that the LCP amendment conforms to the provisions of Sections 30113 and 30241 protecting "prime agricultural land."

8.4.2 Non-Prime Agricultural Land

Section 30242 of the Coastal Act provides certain protection for lands suitable for agricultural other than prime agricultural land. As noted above, Section 30242 provides:

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

The lands affected by the annexation and rezoning are not "suitable for agricultural use" as used in Section 30242 since all of the Caltrans property and much of the Alves Dairy properties are now developed and are in other, non-agricultural uses. In addition, although neighboring properties are used for greenhouse floricultural, neither the Caltrans nor the Alves Dairy property is in contiguous ownership with adjacent parcels which are currently used for agricultural. The Caltrans parcel is partially developed with storage sheds and currently used for building and materials storage. The Alves Dairy parcel does contain about 1.5 acres of undeveloped land around the old dairy sales building. However, this is too little land for livestock and soils are not suitable for irrigated agricultural, viticultural, or orchard use. Any agriculture that might return to either property would likely be by an adjacent operator in the form of potted plant or

greenhouse floriculture. As noted, all adjacent nursery and greenhouse operations use container pot cultivation because soils are not suitable for other cultivation. Given the existing development on the annexed parcels and the poor soils, there is the limited potential for return of the affected parcels to agricultural use.

Also of note in connection with the existing uses of the affected parcels, a portion of each of the Caltrans and Alves Dairy properties is presently zoned commercial. In the instance of the Caltrans maintenance yard, the westward parcel already within the city is zoned commercial. In the instance of the Alves Dairy property, the parcel currently in the County's jurisdiction is zoned commercial. In both cases, the entirety of both properties has historically been in commercial, rather than agricultural use.

Because none of the parcels affected by the proposed LCP amendment constitute "other lands suitable for agricultural use" as used in the Coastal Act, the Commission finds that the LCP amendment conforms to Section 30242.

8.4.3 Infrastructure

Section 30250 of the Coastal Act provides, in relevant part:

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

The annexation of the Caltrans and Alves Dairy parcels by the City also involves annexation by the CCWD at the same time. Annexation by the City also entitles the annexed parcels to City sewer service. Because the parcels to be annexed are under contiguous ownership with the adjacent parcels already in the City, both the Caltrans and Alves Dairy properties already have both water and sewer service to the parcels fronting Highway 1. Extending water and sewer service to the rear parcels does not require additional infrastructure over and above the immediate link between the adjoining parcels.

Any new development proposed for either parcel would require a coastal development permit and would be required to demonstrate the existence of necessary infrastructure, including a water connection and adequate sewer capacity. Adequate sewer capacity presently exists to serve both parcels. Although water connections within the Midcoast area are limited, as noted, any new development would have to show a connection reserved for the project prior to obtaining necessary permits.

The land fronting Highway 1 to the west of the parcels to be annexed and redesignated is already intensively developed with commercial and residential uses. In addition, land adjacent to the Caltrans property to the north is developed with a building materials business. Land between the Caltrans and the Alves properties is cultivated with greenhouse floricultural. As a result of the adjacent and nearby development, the parcels affected by the proposed annexation and redesignation are contiguous with and in close proximity to existing developed areas.

The Commission finds that adequate public services exist to serve the affected properties, that any new development resulting from the annexation and redesignation will be contiguous with or

in close proximity to existing developed areas and that the LCP amendment therefore conforms to Section 30250 of the Coastal Act.

8.4.4 Visual Resources

Coastal Act Section 30251 provides:

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 . . .

Coastal Act Section 30253 provides:

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

The area immediately surrounding the Caltrans and Alves Dairy parcels is predominantly greenhouse development. Greenhouse structures and fences continuously line Highway 1 from the Caltrans property to the Alves Dairy property, giving the impression of continuous development in this area. Similarly, the west side of Highway 1 over the same stretch is continuously lined with residential and commercial development. The Highway 1 street frontage of both the Caltrans and Alves Dairy parcels is also developed with existing structures. Given the already developed context of the surrounding area and the fact that the street frontage of the affected parcels is already developed, the annexation and rezoning of the subject parcels will not likely affect views or the visual character of this portion of Highway 1.

The area affected by the LCP amendment is not immediately adjacent to the coast or coastal areas or communities which serve as popular visitor destinations for recreational use. Coastal access is available nearby for the public in Ocean Colony subdivision at the Ritz Carlton hotel, at the end of Redondo Beach Road, and at the end of Miramontes Point Road. However, members of the public must travel through developed areas to reach these public access points and these public access points are not within view of the parcels affected by this LCP amendment.

Because the Highway 1 street frontage and surrounding area are already developed, any new development of the either property permissible under commercial zoning would not be likely to affect views or the visual character of the area. In any case, any new development proposed on either of the affected properties would necessitate a coastal development permit from the City of Half Moon Bay. Any such hypothetical, future development would need to conform to all of the policies of the City's certified LCP, including the visual resource policies. Visual resource policies of the Half Moon Bay LCP include Sections 30251 and 30253 of the Coastal Act, which are incorporated in the LCP. Other policies of the Half Moon Bay LCP that would be applied to proposed development include:

Policy 7-3 - Off-premise advertising structures shall be prohibited.

Policy 7-4 - Utilities shall continue to be placed underground in all new developments.

Policy 7-5 - All new development, including additions and remodeling, shall be subject to design review and approval by the City Architectural Review Committee.

Policy 7-9 - New development shall be sited and designed so as to avoid or minimize destruction or significant alteration of significant existing plant communities identified in the General Plan (which include riparian vegetation along stream banks and notable tree stands).

Policy 7-11 - 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.

Given the existing development on the subject parcels, the already developed character of the immediately surrounding highway frontage and the visual resource policies of the City's LCP, which would be applicable to any development, the Commission finds that the LCP amendment conforms to Sections 30251 and 30253 of the Coastal Act.

PART II: IMPLEMENTATION PROGRAM AMENDMENT

As submitted, the proposed IP amendment is fully consistent with and adequate to carry out the policies of the LUP, as modified and certified.

9.0 STANDARD OF REVIEW FOR IMPLEMENTATION PROGRAM AMENDMENT

Sections 30513 of the Coastal Act states that the "[t]he 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 provisions of the certified land use plan are thus the standard of review for implementing zoning ordinances. To approve the amendments to the Implementation Program (IP), the Commission must find the IP, as amended, will conform with and adequately carry out the policies of the LUP, as modified and certified.

10.0 STAFF RECOMMENDATION FOR IMPLEMENTATION PROGRAM AMENDMENT

MOTION:

I move that the Commission reject the Amendment 1-99 of the Implementation Program for the City of Half Moon Bay as submitted.

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of 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 IMPLEMENTATION PROGRAM AS SUBMITTED:

The Commission hereby certifies Amendment 1-99 of the Implementation Program for the City of Half Moon Bay as submitted and adopts the findings set forth below on grounds that the Implementation Program conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended, and certification of the Implementation Program 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 Implementation Program 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 Implementation Program.

11.0 FINDINGS TO APPROVE IMPLEMENTATION PROGRAM AMENDMENT

The Commission hereby finds and declares:

11.1 Description

The following table describes the current and proposed land use designations and zoning of the parcels to be annexed:

PARCELS TO BE ANNEXED

		Caltrans (APN 066-093-240)	Alves (APNs 066-093-130, 066-093-180)
Current	LUP	Agricultural	General Commercial
	Zoning	Planned Agricultural District (PAD)	Neighborhood Commercial (C-1)
Proposed	LUP	Public Facilities & Institutions	Commercial-General
	Zoning	Public Service (P-S)	Commercial, General (C-G)

The following table presents the same information for the two Alves Dairy parcels already within the City of Half Moon Bay to be redesignated and rezoned:

PARCELS WITHIN CITY TO BE REZONED

		Alves (APNs 066-093-120, 066-093-110)
Current	LUP	Open Space Reserve

**City of Half Moon Bay Local Coastal Program Amendment 1-99
(City of Half Moon Bay)**

	Zoning	Open Space Reserve (OS-R)
Proposed	LUP	Commercial-General
	Zoning	Commercial, General (C-G)

The full text of the applicable LUP designations and zoning code provisions are attached hereto as Appendices A and B, for San Mateo County and the City of Half Moon Bay, respectively.

Upon certification of the LCP amendment, and final implementation of the annexation and rezoning by the City, the entirety of the Caltrans property will be zoned Public Service (P-S) and the entirety of the Alves Dairy property will be zoned Commercial, General (C-G) under the City's zoning code.

The City's Public Service (P-S) zoning falls within the Public Facilities and Institutions designation of the LUP, which contemplates educational, governmental and institutional uses "not normally accommodated in offices . . .," including utilities yards and maintenance buildings.

The City's Commercial, General (C-G) falls within the Commercial-General LUP designation, which encompasses downtown business uses and arterial commercial uses not restricted to visitor-serving facilities. General office, wholesale, retail and other commercial uses are all permissible under this designation. This zoning classification is generally consistent with the uses presently permissible by use permit under the County's Neighborhood Commercial (C-1) zoning on the Alves Dairy parcels to be annexed.

11.2 Analysis

As noted above, the proposed IP amendment includes consolidating the entirety of the Caltrans property under the City's existing Public Service (P-S) zoning classification and the entirety of the Alves Dairy property under the City's existing Commercial, General (C-G) zoning classification. Both Public Service (P-S) zoning and Commercial, General (C-G) are existing zoning classifications in the City's current IP and zoning code, which conform, respectively, to the Public Facilities and Institutions and Commercial-General LUP designations.

With respect to the Caltrans property, the rezoning of the rear parcel presently in the County brings the rear parcel into conformity with the existing Public Service (P-S) zoning of the parcel abutting Highway 1. Public Service (P-S) zoning conforms to the Public Facilities and Institutions designation of the certified LUP. The LUP amendment merely redesignates the annexed parcel, but does not propose to change the LUP designation itself. Public Service (P-S) zoning is appropriate to the existing and proposed future use of the rear Caltrans parcel as a Caltrans maintenance yard.

With respect to the Alves Dairy property, the rezoning of both front and rear parcels under Commercial, General (C-G) zoning conforms to the Commercial-General designation of the amended LUP. The commercial uses allowable under the City's Commercial, General (C-G) zoning corresponds roughly to commercial uses permissible under the County's existing Neighborhood Commercial (C-1) zoning of the rear parcel. Commercial zoning of the parcels fronting Highway 1, which are already developed with the former dairy retail store are consistent with the existing use of the property.

**City of Half Moon Bay Local Coastal Program Amendment 1-99
(City of Half Moon Bay)**

The Commission finds that the proposed zoning of the affected parcels and corresponding amendment of the IP will conform with and adequately carry out the policies of the LUP, as modified and certified.

12.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. Additionally, the Commission's LCP review and approval procedures have been found by the Resources Agency to be functionally equivalent to the environmental review process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP and LCP amendment submitted for Commission review and approval. Nevertheless, the Commission is required when approving an LCP to find that the LCP does conform with the applicable provisions of CEQA.

As stated above, City of Half Moon Bay LCP amendment 1-99 consists of a Land Use Plan (LUP) amendment and a new Implementation Plan (IP). The Commission incorporates its findings on Coastal Act and land use plan conformity at this point as it is set forth in full above.

The Commission finds that City of Half Moon Bay LCP amendment 1-99 will not result in significant unmitigated adverse environmental impacts within the meaning of CEQA. Further, any future individual development projects would require coastal development permits issued by the City of, in the case of original jurisdiction, by the Coastal Commission. Throughout the Coastal Zone, specific impacts associated with individual development projects area assessed through the CEQA environmental review process' thus, an individual project's compliance with CEQA would be assured. Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures within the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts.

EXHIBITS

1. Regional Map
2. Location Map
3. Parcel Map; Aerial Photo
4. April 21, 1999, San Mateo LAFCO Resolution 902 approving the reorganization of three parcels into the City of Half Moon Bay and the Coastside County Water District and amendment of the City of Half Moon Bay's Sphere of Influence..
5. April 6, 1999 City of Half Moon Bay City Council Resolution C-24-99 approving a tax exchange agreement between the City and County.
6. January 5, 1999 City of Half Moon Bay City Council Resolution C-4-99 authorizing forwarding the annexation application to the San Mateo County LAFCO.

APPENDICES

Appendix A: Applicable San Mateo County LUP Designations and Zoning Code Provisions

Appendix B: Applicable Half Moon Bay LUP Designations and Zoning Code Provisions

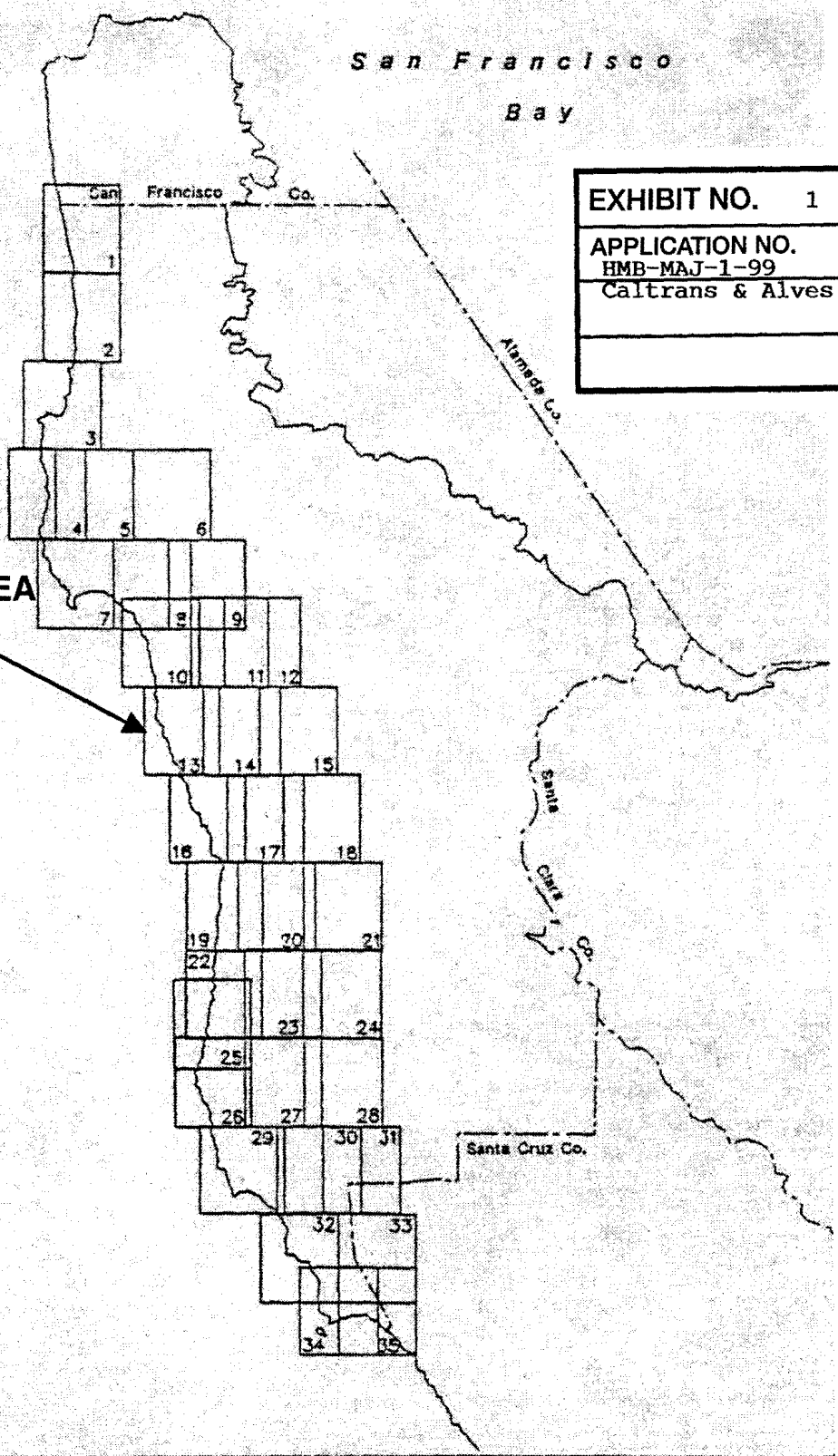
A B C D E F G H I J K L M N O

San Francisco Bay

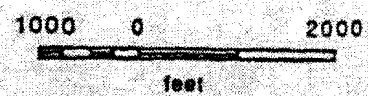
EXHIBIT NO.	1
APPLICATION NO.	HMB-MAJ-1-99
	Caltrans & Alves

PACIFIC OCEAN

PROJECT AREA

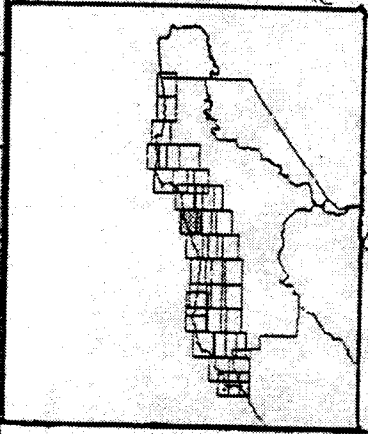
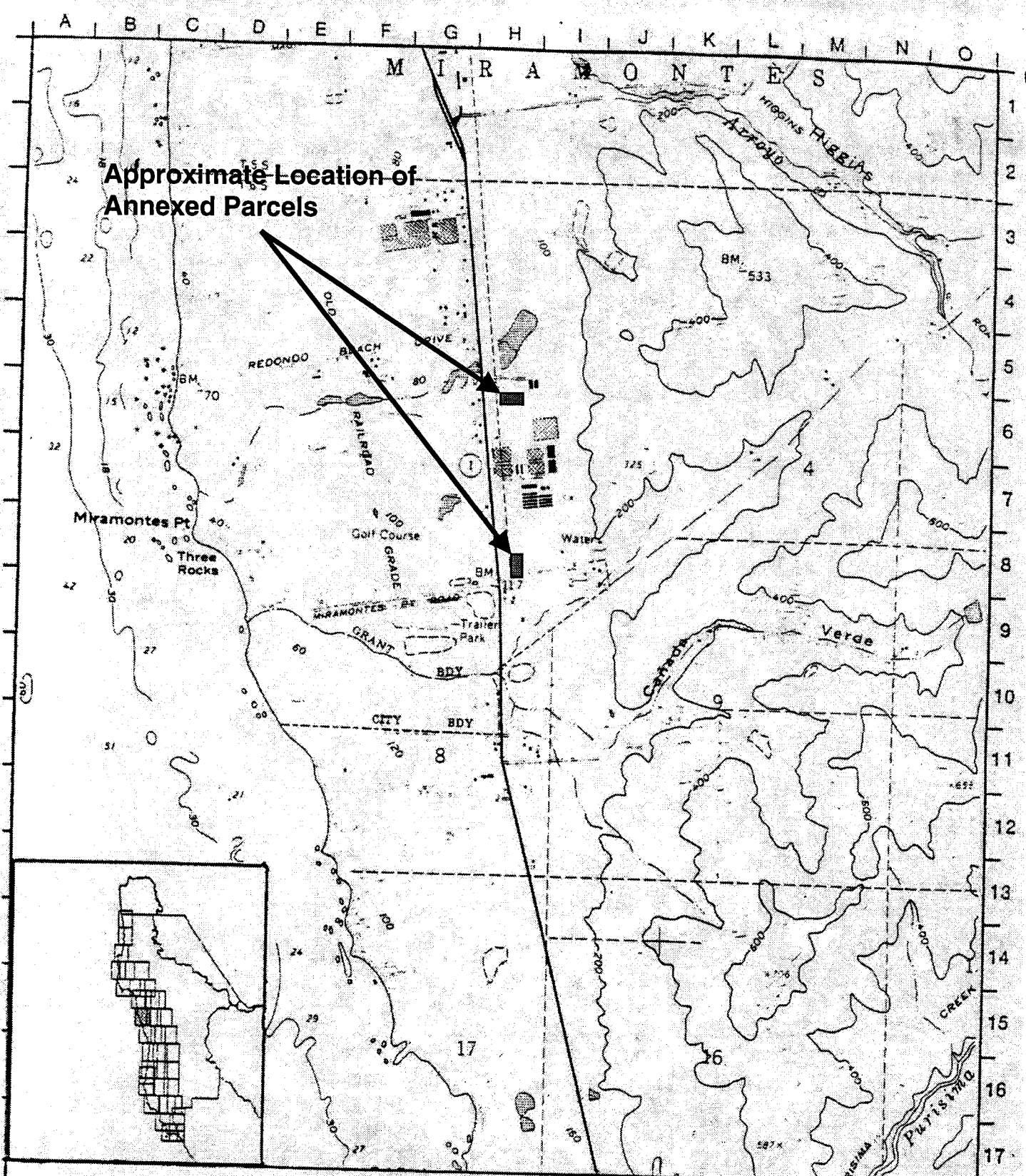


Central Coast District Index Map 7



California Coastal Commission

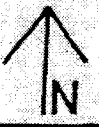
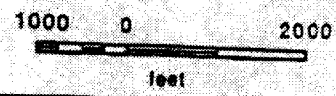
City of San Mateo



California Coastal Commission

County of San Mateo

EXHIBIT NO. 2
APPLICATION NO. HMB -MAJ-1-99
Caltrans & Alves



Sheet 13 of 35

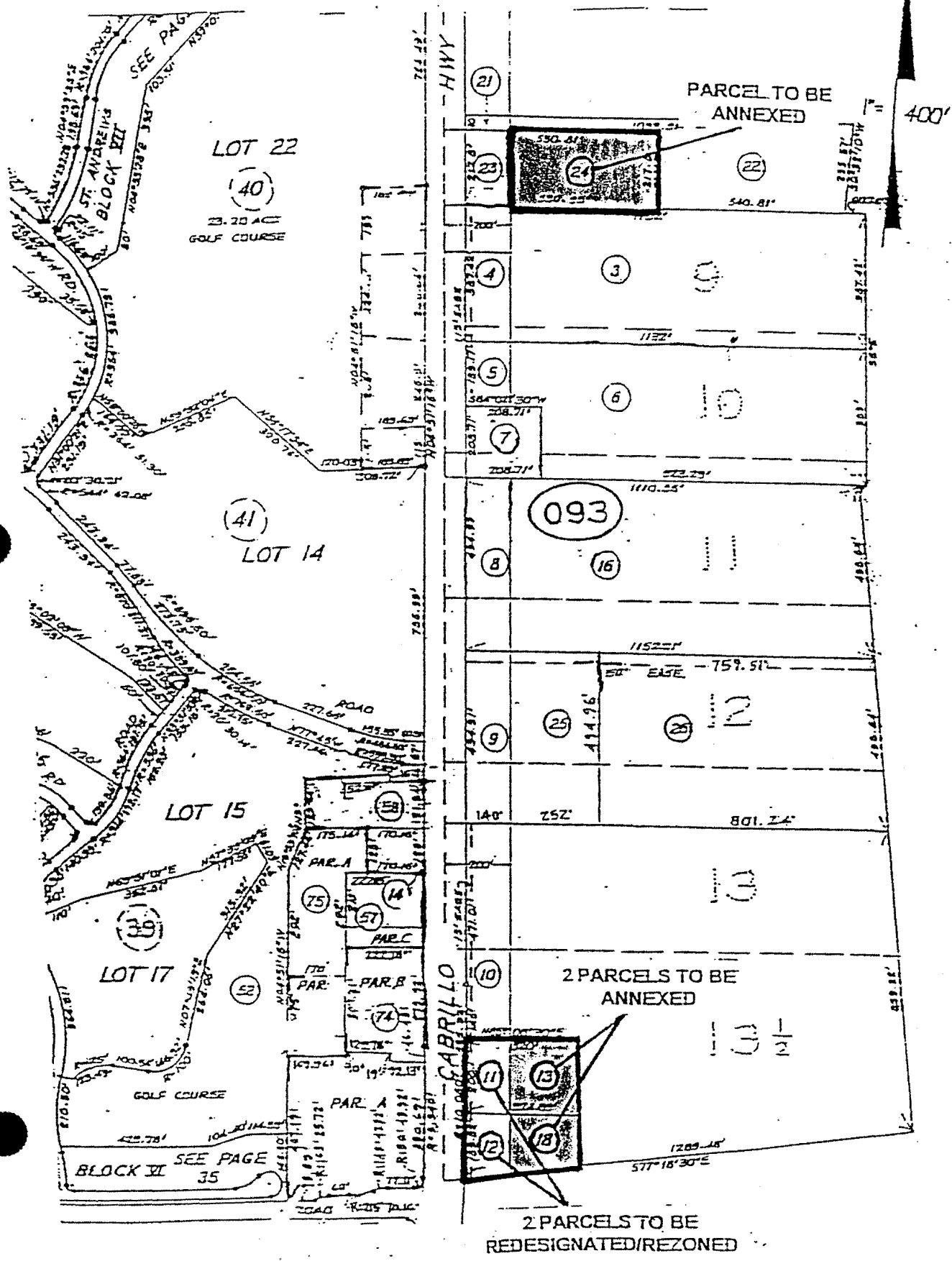
EXHIBIT NO. 3

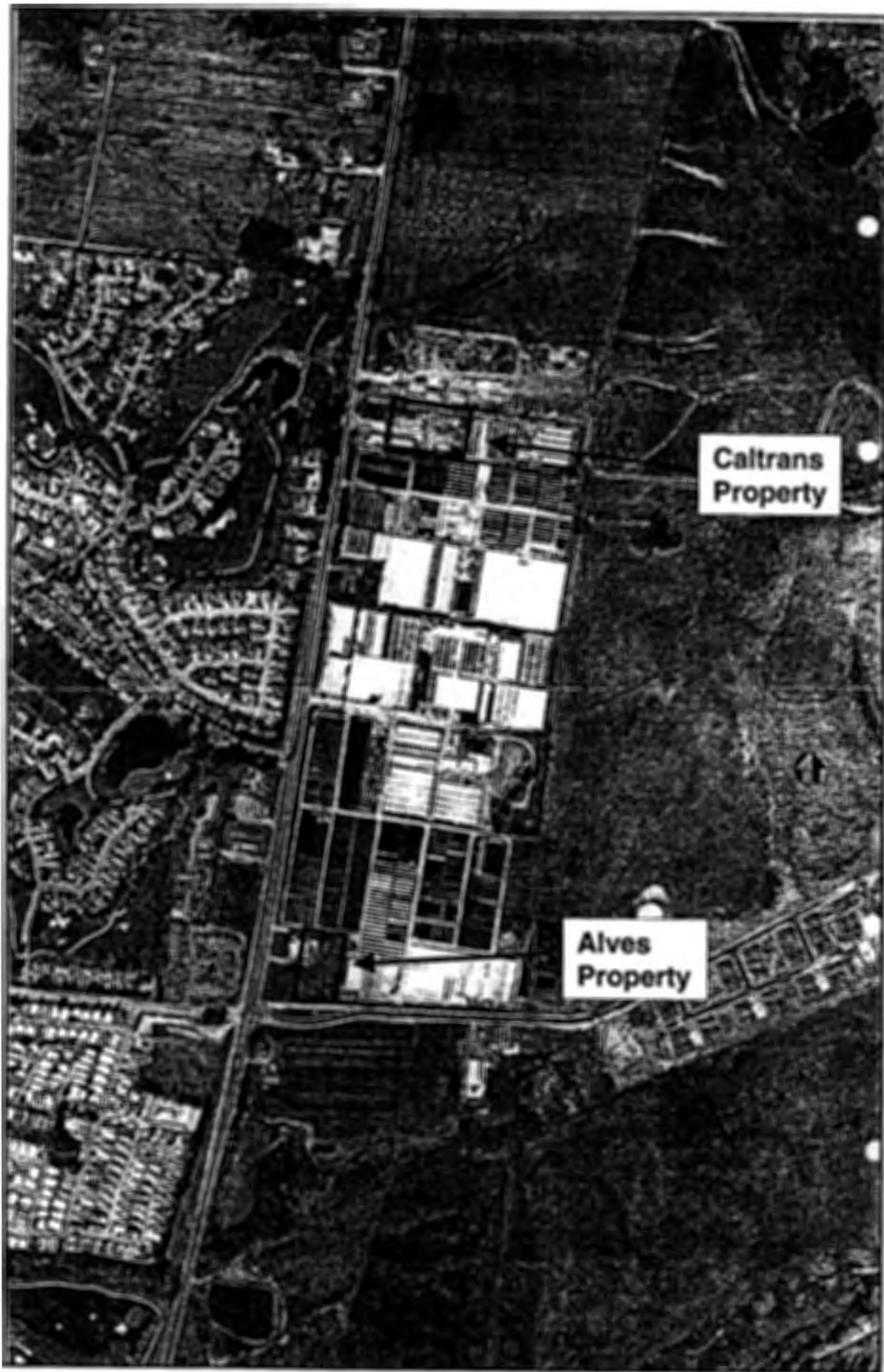
APPLICATION NO.
HMB-MAJ-1-99

Caltrans & Alves

(Page 1 of 2)

EXHIBIT A





Caltrans
Property

Alves
Property

San Mateo County Planning & Building Di	
To	Peter Dunhof
Dept	
Fax #	
From	Markus Poyf
Notes	
No. pages	4
Fax #	650 / 363-484
Phone #	650 / 363-416

LAFCo File Nos. 99-2

RESOLUTION NO. 902

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
 OF THE COUNTY OF SAN MATEO
 MAKING DETERMINATIONS, AMENDING THE SPHERES OF INFLUENCE
 OF THE CITY OF HALF MOON BAY AND COASTSIDE COUNTY WATER DISTRICT
 AND APPROVING THE
 ANNEXATION OF THE CALTRANS MAINTENANCE YARD AND
 ALVES PROPERTY
 TO THE TO THE CITY AND DISTRICT

RECEIVED
 MAR 19 2002
 CALIFORNIA
 COASTAL COMMISSION

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the City of Half Moon Bay and Coastsides County Water District in the County of San Mateo was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including his recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal at the time noticed thereof, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

EXHIBIT NO.	4
APPLICATION NO.	HMB-MAJ-1-99
	Caltrans & Alves
	(Page 1 of 4)

Page 2

Resolution No. 902

WHEREAS, the reorganization is not consistent with existing city and district spheres of influence, which are coterminous with city boundaries in this area, and it is appropriate that the Commission consider amendment of the spheres in connection with this proposal; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The City of Half Moon Bay and Coastside County Water District spheres of influence are hereby amended to include the territory shown in Exhibit 1 and the Commission adopts the findings set forth in Exhibit B.

Section 2. This proposal is approved subject to the following conditions:

- a. The applicant shall submit a map and legal description that meets the requirements of the State Board of Equalization
- b. Coastal Commission certification of the City of Half Moon Bay's Local Coastal Program/Land Use Plan

Section 3. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "1" attached hereto and by this reference incorporated herein.

Section 4. The territory consists of 3.56 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of the Caltrans Maintenance Yard and Alves Property to the City of Half Moon Bay and Coastside County Water District.

Section 5. The City Council of the City of Half Moon Bay is designated as the conducting agency, and the Council is hereby directed to initiate subsequent proceedings in compliance with this resolution and Government Code Section 57000 and without notice and hearing pursuant to Section 56837.

Regularly passed and adopted this 21st day of April, 1999.

Ayes and in favor of said resolution:

Commissioners: Malcolm Dudley
Roger Goodrich
Rich Gordon
Jerry Hill
Howard Jones
Pierre Palengat
Steven W. Waldo

Noes and against said resolution:

Commissioners: none

Absent and/or Abstentions:

Commissioners: none

Steven W. Waldo

 Chairman
 Local Agency Formation Commission
 County of San Mateo
 State of California

ATTEST:

 Paul M. Koenig
 Executive Officer
 Local Agency Formation Commission

Date: _____

I certify that this is a true and correct copy of the resolution above set forth.

Date: _____

 Martha Poyatos
 Clerk to the Commission
 Local Agency Formation Commission

Exhibit B

Determinations pursuant to Government Code Section 56425 regarding amendment of the spheres of influence of the City of Half Moon Bay and the Coastside County Water District:

1. Present and planned land uses in the area, including agricultural and open space lands:

Existing land uses in the proposal area are primarily commercial and agricultural with the exception of the existing transportation maintenance yard. The city and the district serve the front portions of these parcels. The 3.56 acre territory proposed for sphere amendment is public facility and commercial in nature and does not contain open space or agricultural lands.

2. Present and probable need for public facilities and services in the area:

There are three commercially or public facility zoned parcels in the amendment area, all of which are developed. Expansion of the Caltrans Maintenance Yard and use of the already developed Alves property requires extension of sewer and water service to the subject territory.

3. Present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

The City of Half Moon Bay is authorized to provide sewer services and Coastside County Water District provides water to all territory within City and District boundaries. The addition of the proposed sphere amendment territory will not impact the capacity or adequacy of District facilities or services and is consistent with City and District plans for extending service.

4. Existence of any social or economic community of interest:

The Caltrans Maintenance Yard serves as the only facility of the California Department of Transportation and is necessary for continued provision of essential Caltrans services on the Coastside. Inclusion of the Alves property in City and District boundaries would place these commercially zoned parcels within the same jurisdictions as adjacent parcels under the same ownership and facilitate consistent land use project review.

RESOLUTION C-24- 99

**RESOLUTION OF THE COUNCIL OF THE CITY OF HALF MOON BAY
MAKING DETERMINATION OF PROPERTY TAX EXCHANGE PURSUANT TO
THE PROVISIONS OF CHAPTER 282, SECTION 59, PART 0.5
IMPLEMENTATION OF ARTICLE XIII A OF THE CALIFORNIA
CONSTITUTION, COMMENCING WITH SECTION 95, DIVISION 1, OF THE
REVENUE AND TAXATION CODE**

RESOLVED, by the Council of the City of Half Moon Bay, that

WHEREAS, state law requires that the County of San Mateo and the City of Half Moon Bay agree to a property tax exchange as a result of the proposed annexation of the Lands of Alves and CalTrans Maintenance Yard to the City of Half Moon Bay;

WHEREAS, the County and City have agreed on certain other matters relating to the proposed annexation;

WHEREAS, the subject determination has been made prior to and as a condition precedent to the Executive Officer of the Local Agency Formation Commission issuing the Certificate of Filing on said proposal;

WHEREAS, the County of San Mateo in making this determination has reviewed the proposed property tax exchange and the amount of said exchange;

WHEREAS, it has been agreed that property tax revenue produced an incremental factor .0600000000 for the affected properties will be transferred between the County of San Mateo (Tax Code Area 87020) and the City of Half Moon Bay; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF HALF MOON BAY DETERMINE AND ORDER, that the property tax incremental factor to be transferred from the County of San Mateo (Tax Code 87020) to the City of Half Moon Bay is .0600000000. In accordance with Section 3a of Article XIII B of the State Constitution, the appropriation limit of the City of Half Moon Bay shall be increased by amounts indicated above, and the appropriation limits of the transfer or entities described above shall be decreased by the same amount. The exchange of said revenues is approved conditioned upon the completion of the proposed annexation of the Lands of Alves and CalTrans Maintenance Yard to the City of Half Moon Bay and is effective immediately upon completion of the annexation.

EXHIBIT NO.	5
APPLICATION NO.	HMB-MAJ-1-99
	Caltrans & Alves
(Page 1 of 2)	


I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly passed and adopted by the City Council of the City of Half Moon Bay, San Mateo County, California, at a meeting thereof held on the 6th day of April, 1999.

AYES, Councilmembers: Patridge, Ruddock, Stone and Vice Mayor Coleman

NOES, Councilmembers: _____

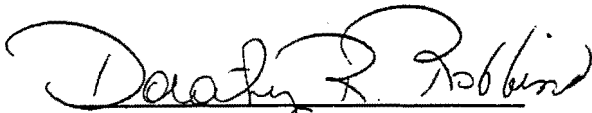
ABSTAIN, Councilmembers: _____

ABSENT, Councilmembers: Mayor Donovan



Dennis Coleman, Vice Mayor

ATTEST:



Dorothy R. Robbins, City Clerk

EXHIBIT NO.	6
APPLICATION NO.	HMB-MAJ-1-99
Caltrans & Alves	
(Page 1 of 6)	

RESOLUTION NO. C-4- 99

A RESOLUTION OF APPLICATION BY THE CITY COUNCIL OF THE CITY OF HALF MOON BAY ADOPTING THE NEGATIVE DECLARATION AND RECOMMENDING THAT STAFF:

FORWARD AN APPLICATION FOR REORGANIZATION TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR AN ANNEXATION OF THREE PARCELS TO THE CITY OF HALF MOON BAY AND THE COASTSIDE COUNTY WATER DISTRICT AND ENTER INTO A PROPERTY TAX EXCHANGE AGREEMENT WITH SAN MATEO COUNTY FOR THE THREE ANNEXED PARCELS

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

WHEREAS, the City of Half Moon Bay desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 1985, commencing with Section 56000 of the California Government Code, for the annexation of three parcels into the City of Half Moon Bay; and

WHEREAS, notice of intent to adopt this Resolution of Application has been given to each interested party and each subject agency; and

WHEREAS, the territory proposed to be annexed is uninhabited and a map of the boundaries of the subject territory and a parcel list of parcels to be annexed is set forth in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, the reasons for the proposed annexation are as follows:

- (A) The Urban-Rural Boundary is defined by the existing City Limits; and
- (B) The City of Half Moon Bay and County of San Mateo have provisions in their respective Local Coastal Plans prohibiting the extension of utility services beyond the Urban-Rural Boundary; and
- (C) Caltrans has a maintenance yard fronting on Cabrillo Highway that is bisected by the City and County boundary; and
- (D) Caltrans desires to modernize their maintenance yard, which will require the extension of water and sewer service beyond the existing Urban-Rural Boundary; and

(E) Caltrans has stated that without the necessary modernization they may abandon the facility; and

(F) The retention of the Caltrans maintenance yard is essential to provide immediate response to any emergencies that may arise on State Routes 92 and 1; and

(G) It is necessary to annex the property to relocate the Urban-Rural Boundary in order to extend the required utility services to ensure the retention of the Caltrans maintenance yard; and

(H) The annexation of the Commercial zoned Alves Dairy will protect the City's tax base by insuring that commercial development occurs within the City limits; and

(I) The City is of the opinion that the proposed text of the Land Use Plan and the Zoning District applied to the properties will adequately ensure that the spirit and intent of the Urban Rural Boundary will be protected.

WHEREAS, the Initial Study/Negative Declaration was completed for this Application in accordance with CEQA by the City of Half Moon Bay, as the Lead Agency, and forwarded to the State Clearinghouse for distribution to Commenting and Responsible Agencies; and

WHEREAS, the public review period for the Reorganization Application CEQA document was from November 9, 1996 to December 9, 1998, and all comments received during the review period have been incorporated into an Amended Negative Declaration, attached to the January 5, 1999, City Council Staff Report as ATTACHMENT C; and

WHEREAS, the City of Half Moon Bay is committed to maximum public participation and involvement in matters pertaining to annexation, General Plan Map Amendments and Zoning Map Amendments; and

WHEREAS, notice containing a brief description of the proposed annexation and related amendments and the date, time, and place of the Planning Commission and City Council public hearings was mailed to all persons expressing an interest in these proceedings, to all property owners within 300 feet of the territory, and to all County, State, and federal Responsible Agencies; and

WHEREAS, notice containing a brief description of the proposed annexation and related Amendments and the date, time, and place of the Planning commission and City Council public hearings was published in the Half Moon Bay Review, a newspaper of general circulation in the City; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the 12th day of December, 1996, and all those in attendance desiring to be heard were given an opportunity to speak on this Application and related Amendments; and

WHEREAS, the City Council conducted its public hearings on January 21 and February 4, 1997, and all those in attendance desiring to be heard were given an opportunity to speak on this Application and related Amendments; and

WHEREAS, the Planning commission and City Council have found that the proposed Reorganization and accompanying Amendments (GPA-01-96, REZ-01-96) are in accordance with all applicable policies of the Half Moon Bay Municipal Code and Half Moon Bay Local Coastal Program Land Use Plan; and

WHEREAS, the City Council has reviewed the Checklist Initial Study/Proposed Negative Declaration for the proposed Reorganization and has found that the proposed Reorganization and related Amendments could not have a significant effect on the environment and that a Negative Declaration is appropriate; and

WHEREAS, the City Council conducted a duly noticed public hearing on January 5, 1998 and all those in attendance desiring to be heard were given an opportunity to speak on this Application; and

WHEREAS, the Planning Commission and City Council considered all written and oral testimony presented in their consideration of this Application and related Amendments.

NOW, THEREFORE BE IT RESOLVED that this Resolution of Application is hereby adopted and approved by the City Council of the City of Half Moon Bay and the San Mateo Local Agency Formation Commission is hereby requested to take proceedings for the Reorganization of territory as shown in Exhibit A, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 1985.

PASSED AND ADOPTED as a Resolution of the City of Half Moon Bay at a regular City Council meeting thereof held on the 5th day of January, 1999.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly passed and adopted by the City Council of the City of Half Moon Bay, San Mateo County, California, at the meeting thereof held on the fifth day of January, 1999, by the following vote of the members thereof:

AYES, and in favor thereof,
Councilmembers:

Ruddock, Stone, Patridge and Coleman

NOES, Councilmembers:

ABSTAIN, Councilmembers:

ABSENT, Councilmembers:

Donovan



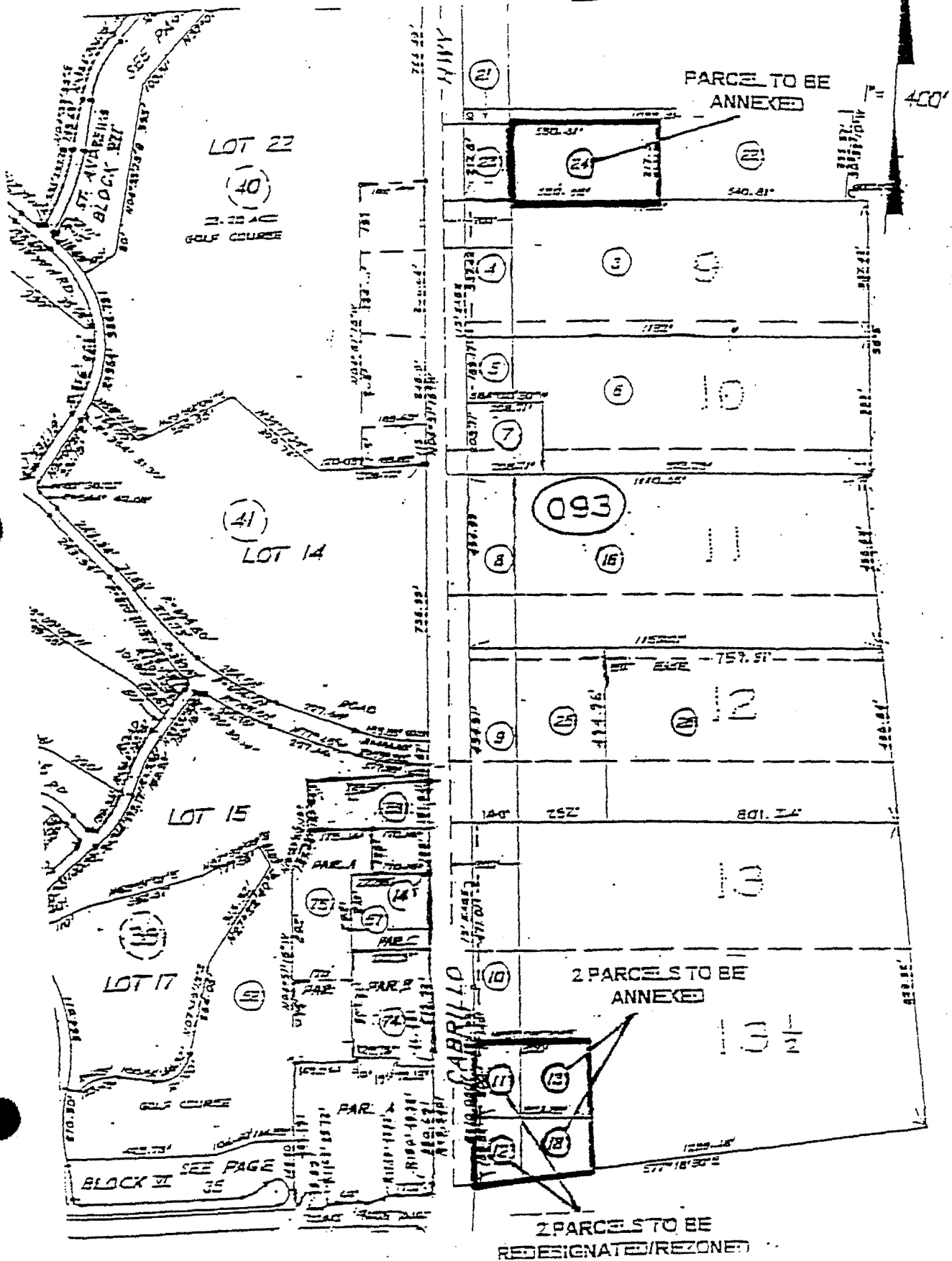
Dennis Coleman
Vice Mayor

ATTEST:



Dorothy R. Robbins, CITY CLERK

EXHIBIT A



Territory Proposed to be Annexed

Assessor Parcel Number List:

Caltrans Parcel: 066-093-240

Alves Parcels: 066-093-130
066-093-180

CHAPTER 15. "C-1" DISTRICTS
(NEIGHBORHOOD BUSINESS DISTRICTS)

SECTION 6250. REGULATIONS FOR "C-1" DISTRICTS. The following regulations shall apply in all "C-1" Districts and shall be subject to the provisions of Chapter 22 of this Part.

SECTION 6251. USES PERMITTED.

- (a) A use permit as provided in Chapter 24 of this Part shall be required for the following uses:
1. Hospitals, rest homes, sanitariums, clinics.
 2. Philanthropic and charitable institutions.
 3. Automobile courts.
 4. Hotels.
 5. Any residential use, including accessory buildings and uses. The Planning Director may, on a case-by-case basis, exempt accessory buildings and uses from the use permit requirement.
 6. Large collection facilities for recyclable materials.
- (b) The following retail stores, shops, or businesses:
1. Automobile service stations for only the sale of gasoline, oil, and new accessories, including washing and lubrication services. Used tires accepted in trade on the premises may be resold.
 2. Bakeries but not including the wholesale baking or bakery goods to be sold off the premises.
 3. Banks.
 4. Bars.
 5. Barber shops.
 6. Beauty parlors.
 7. Book or stationary stores.

8. Clothes cleaning agency or pressing establishment.
9. Confectionery stores.
10. Conservatories for instruction in music and the arts.
11. Dressmaking or millinery.
12. Drug store.
13. Dry goods or notion store.
14. Florist or gift shop.
15. Grocery, fruit or vegetable store.
16. Hardware or electric appliance store.
17. Jewelry store.
18. Laundry agency.
19. Meat market or delicatessen store.
20. Offices, business or professional.
21. Photographic or camera store.
22. Restaurant, tea room, or cafe.
23. Shoe store or shoe repair store.
24. Tailor, clothing or wearing apparel.
25. Theaters.
26. Dry cleaning establishments using self-service coin operated machines.
27. Bowling alleys.
28. Massage establishments.
29. Maintenance and operation of up to five electronic amusement devices, provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest

entrance to or exit from any public or private school of elementary or high school grades.

30. Reverse vending machines.
31. Small collection facilities for recyclable materials, subject to obtaining a building permit, provided there is no additional mechanical processing equipment on site, that collection facilities shall not be located within 30 feet of any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between containers and residential use, that there is no decrease in traffic or pedestrian circulation or the required number of on-site parking spaces for the primary use, and all litter and loose debris shall be removed on a daily basis.
32. Pet sales and/or grooming establishments.
33. Limited keeping of pets.

(c) Exterior signs pertaining to the business uses conducted on the premises and subject to the following limitations:

1. Signs shall not exceed one hundred fifty (150) feet in area on one face and not more than three hundred (300) sq. ft. in total area on the premises. Larger areas may be authorized by the use permit in exceptional cases.
2. Signs shall not project more than one (1) foot beyond the street property line, but if a building is set back from a street property line, then such sign shall not project more than eight (8) feet from the face of the building.
3. Attached signs shall not project above the roof line or cornice except when in the opinion of the Planning Commission the sign is an architectural part or feature of the building.
4. Freestanding signs shall not extend to a height more than twenty (20) feet above the sidewalk or paved area except when in the opinion of the Planning Commission the sign is an architectural feature of the site.
5. Signs shall not face the side line of any adjoining lot in any "R" District when such sign is within twenty-five (25) feet of said side line.

(d) The following uses subject to securing a use permit as specified in Chapter 24 of this Part.

1. Mortuaries.

2. Outdoor advertising structures or signs as defined in Sections 5202 and 5203 of the Business and Professions Code of the State of California.
3. Retail dry cleaning establishments.
4. Patio and garden supply sales.
5. Bulk storage plants for liquefied petroleum gas and similar types of home fuels.
6. Veterinary hospitals for small animals.
7. The sale of used merchandise or vehicles.

SECTION 6252. YARDS REQUIRED.

- (a) Front yards required: None.
- (b) Side and rear yards required:
 1. Every building or portion thereof which is designed, intended and/or used for any purpose permitted in any "R" District shall comply with the provisions of this Part as to side and rear yards which are required by any combined "S" District, provided that when the ground floor of any such building is used exclusively for any commercial purpose, no side or rear yard shall be required for said ground floor except as set forth in the following subparagraphs 2 and 3.
 2. There shall be a side yard of at least three (3) feet along the side of every lot in a "C-1" District, which side is bordering on property in any "R" District.
 3. There shall be a rear yard of at least six (6) feet along the rear of every lot in a "C-1" District, which rear is bordering on property in any "R" District.

CHAPTER 21A. "PAD" DISTRICT **(PLANNED AGRICULTURAL DISTRICT)**

SECTION 6350. PURPOSE OF THE PLANNED AGRICULTURAL DISTRICT. The purpose of the Planned Agricultural District is to: 1) preserve and foster existing and potential agricultural operations in San Mateo County in order to keep the maximum amount of prime agricultural land and all other lands suitable for agriculture in agricultural production, and 2) minimize conflicts between agricultural and non-agricultural land uses by employing all of the following techniques:

- (a) establishing stable boundaries separating urban and rural areas and, when necessary, clearly defined buffer areas,
- (b) limiting conversions of agricultural lands around the periphery of urban areas to lands where the viability of existing agricultural use has already been severely limited by conflicts with urban uses, and where the conversion of such land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development,
- (c) developing available lands not suitable for agriculture before converting agricultural lands,
- (d) assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality, and
- (e) assuring that all divisions of prime agricultural land (except those stated in (b)) and all adjacent development does not diminish the productivity of prime agricultural lands and other land suitable for agriculture.

SECTION 6351. DEFINITIONS. For the purposes of this Chapter, certain terms used herein are defined as follows:

A. Prime Agricultural Land

- 1. All land which qualifies for rating as Class I or Class II in the U.S. Department of Agriculture Soil Conservation Service Land Use Compatibility Classification, as well as all Class III lands capable of growing artichokes or Brussels sprouts.
- 2. All land which qualifies for rating 80-100 in the Storie Index Rating.

3. Land which supports livestock use for the production of food and fiber, and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S. Department of Agriculture.
4. Land planted with fruit or nut bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.
5. Land which has returned from the production of an unprocessed agricultural plant product on an annual value that is not less than \$200 per acre within three of the five previous years.

The \$200 per acre amount in subsection (4) and (5) shall be adjusted regularly for inflation, using 1965 as the base year, according to a recognized Consumer Price Index.

B. Lands Suitable for Agriculture

Land other than Prime Agricultural Land on which existing or potential agricultural use is feasible, including dry farming, animal grazing, and timber harvesting.

C. Other Lands

Any portion of a parcel in the Planned Agricultural District which does not meet the definition of Prime Agricultural Land or Lands Suitable for Agriculture.

D. Agriculture

Activities including, but not limited to, the cultivation of food, fiber, or flowers, and the grazing, growing or pasturing of livestock.

E. Uses Ancillary to Agriculture

Agricultural grading equipment supplies, agricultural rental supplies, topsoil stockpiling, and other similar uses determined to be appropriate by the Planning Director.

F. Non-Residential Development Customarily Considered Accessory to Agricultural Uses

Barns, storage/equipment sheds, stables for farm animals, fences, water wells, well covers, pump houses, water storage tanks, water impoundments, water

pollution control facilities for agricultural purposes, and other similar uses determined to be appropriate by the Planning Director.

G. Commercial Recreation

Country inns, commercial stables, riding academies, campgrounds, rod and gun clubs, private beaches, food/gasoline/telephone services, hostels, and other similar uses determined to be appropriate by the Planning Commission.

H. Public Recreation

Lands and facilities serving primarily a recreation function which are operated by public agencies or other non-profit organizations. Public recreation facilities include, but are not limited to, public beaches, parks, recreation areas, natural preserves, wild areas and trails.

I. Land Division

The creation of any new property line whether by subdivision or other means.

J. Density Credits

The maximum number of land divisions permitted for a parcel computed in accordance with Section 6356. Credits may be combined for uses on a single parcel if the number of land divisions permitted is reduced accordingly; however, only one credit shall be assigned to an agricultural parcel. Only one dwelling unit or non-agricultural use shall be permitted per parcel.

K. Feasible

Capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social, and technological factors.

L. Non-Agricultural Parcel

After a Master Land Division Plan has been approved, the parcels which may be used for non-agricultural purposes.

M. Agricultural Parcel

After a Master Land Division has been approved, the remaining, large residual parcel restricted to agricultural uses by an easement as specified in Section 6361B.

SECTION 6352. USES PERMITTED. The following uses are permitted in the PAD:

A. On Prime Agricultural Lands

1. Agriculture.
2. Non-residential development customarily considered accessory to agricultural uses.
3. Soil dependent greenhouses and nurseries provided that a soil management plan is prepared showing how open prime soils on the site will be preserved and how soils will be returned to their original condition when operations cease.
4. Temporary roadstands for seasonal sale of produce grown in San Mateo County providing that (1) sales activities are limited to less than a nine-month operating period per year, (2) all structures are of portable construction and shall be removed from the site within 10 days of the seasonal closure of the stand, (3) roadstand size shall be limited to 200 square feet and appearance, including signs, color and materials, is consistent with the policies of the certified LCP and meets the satisfaction of the Planning Director, and (4) access and parking requirements meet the satisfaction of the Director of Public Works, however, no impervious paving shall be required.
5. Repairs, alterations, and additions to existing single-family residences.
6. Keeping of pets in association with a one-family dwelling.
7. Limited keeping of pets in association with a farm labor housing unit or multiple-family dwelling unit.
8. Animal fanciers.

B. On Land Suitable for Agriculture and Other Lands

1. Agriculture.
2. Non-residential development customarily considered accessory to agricultural uses.
3. Dairies.
4. Greenhouses and nurseries.

5. Temporary roadstands for seasonal sale of produce grown in San Mateo County providing that (1) sales activities are limited to less than a nine-month operating period per year, (2) all structures are of portable construction and shall be removed from the site within 10 days of the seasonal closure of the stand, (3) roadstand size shall be limited to 200 square feet and appearance, including signs, color and materials, is consistent with the policies of the certified LCP and meets the satisfaction of the Planning Director, and (4) access and parking requirements meet the satisfaction of the Director of Public Works, however, no impervious paving shall be required.
6. Repairs, alterations, and additions to existing single-family residences.
7. Keeping of pets in association with a one-family dwelling.
8. Limited keeping of pets in association with a farm labor housing unit or multiple-family dwelling unit.
9. Animal fanciers.

SECTION 6353. USES PERMITTED SUBJECT TO THE ISSUANCE OF A PLANNED AGRICULTURAL PERMIT. The following uses are permitted in the PAD subject to the issuance of a Planned Agricultural Permit, which shall be issued in accordance with the criteria set forth in Section 6355 of this ordinance.

Applications for Planned Agricultural Permits shall be made to the County Planning Commission and shall be considered in accordance with the procedures prescribed by the San Mateo County Zoning Ordinance for the issuance of use permits and shall be subject to the same fees prescribed therefore.

A. On Prime Agricultural Lands

1. Single-family residences.
2. Farm labor housing.
3. Public recreation/shoreline access trail (see Section 6355D.2).
4. Non-soil dependent greenhouses and nurseries if no alternative building site on the parcel exists.
5. Onshore oil and gas exploration, production, and minimum necessary related storage subject to the issuance of an oil well permit, except that no wells shall be located on prime soils.
6. Uses ancillary to agriculture.

7. Permanent roadstands for the sale of produce, providing that the amount of prime agricultural land converted does not exceed one-quarter (1/4) acre, and subject to the findings required for the approval of use permits established in Section 6503 of the San Mateo County Zoning Ordinance.
8. Facilities for the processing, storing, packaging, and shipping of agricultural products.
9. Commercial woodlots and temporary storage of logs.

B. On Lands Suitable for Agriculture and Other Lands

1. Single-family residences.
2. Farm labor housing.
3. Multi-family residences if for affordable housing.
4. Public recreation/shoreline access trail (see Section 6355D.3 and 4).
5. Schools.
6. Fire stations.
7. Commercial recreation.
8. Aquacultural activities.
9. Wineries, subject to the findings required for the approval of use permits established in Section 6503 of the San Mateo County Zoning Ordinance.
10. Timber harvesting, commercial woodlots and log storage, providing that no commercial timber harvesting shall occur within 1,000 feet of any legal dwelling in existence on June 18, 1991, except under the following circumstances:
 - a. Timber harvesting operations for which all permits had been received on or before June 18, 1991, may complete operations in accordance with the terms and conditions of such permits.
 - b. Timber harvesting operations may occur within the 1,000-foot buffer zone with prior written approval of the owner of the affected dwelling, subject to the prior recordation of the statement specified in Section 6401.5.

- c. Normal forest maintenance may be conducted within the 1,000-foot buffer zone, but shall be limited to: (a) removing dead, dying, or diseased trees and snags; (b) salvaging downed wood; (c) cutting trees for the purposes of developing viewsheds or landscape aesthetics in accordance with other applicable provisions of this Part and of Division VII, San Mateo County Ordinance Code; or (d) clearing for firebreaks, in accordance with requirements of the County Fire Marshal or other applicable fire authority having jurisdiction.

Notwithstanding the above, access roads to the site of timber harvesting operations may be constructed, improved, and used within the 1,000-foot buffer zone. The limitation on harvesting within 1,000 feet of an existing dwelling shall not apply to a dwelling located on the parcel which is proposed for timber harvesting.

For the purpose of this section, the distance from a dwelling shall be measured along the surface of the ground.¹

11. Onshore oil and gas exploration, production, and storage subject to the issuance of an oil well permit.
12. Facilities for the processing, storing, packaging, and shipping of agricultural products.
13. Uses ancillary to agriculture.
14. Kennels or catteries, subject to a kennel/cattery permit.
15. Scientific/technical research and test facilities, provided a Planned Agricultural Permit shall only be issued for this use upon the following findings:
 - a. That the use is of a low-intensity nature with minimum of permanent construction required, no permanent on-site personnel or permanent on-site vehicles.
 - b. That the nature of the operation requires an open, isolated, and radio frequency interference-free environment.
 - c. That no manufacturing or industrial activities are involved.

¹Not effective in the Coastal Zone unless and until certification without change by the California Coastal Commission. Certification had not occurred as of the reprinting date of this Chapter (July 1999).

- d. That the size, location and design of any proposed facility as well as level of activity on the site are compatible with the policies of the Local Coastal Program.
 - e. That the proposed use does not impair existing or potential agricultural uses on the site or on surrounding properties. The applicant shall demonstrate how agriculture will not be impaired, including provisions for leasing portions of the site for agricultural uses.
 - f. That the proposed use or facility does not create a potential for any health or safety hazard.
 - g. That the applicant for such a facility shall describe the manner in which other users might be accommodated in sharing the proposed facility so as to avoid the duplication of such facilities in the future.
 - h. That the applicant demonstrate that no feasible sites exist in the RM, RM-CZ, TPZ, or TPZ-CZ zones for the proposed facility.
16. Permanent roadstands for the sale of produce, subject to the findings required for the approval of use permits established in Section 6503 of the San Mateo County Zoning Ordinance.

SECTION 6354. LAND DIVISIONS. All land divisions permitted in the PAD are subject to the issuance of a Planned Agricultural Permit.

SECTION 6355. SUBSTANTIVE CRITERIA FOR ISSUANCE OF A PLANNED AGRICULTURAL PERMIT. It shall be the responsibility of an applicant for a Planned Agricultural Permit to provide factual evidence which demonstrates that any proposed land division or conversion of land from an agricultural use will result in uses which are consistent with the purpose of the Planned Agricultural District, as set forth in Section 6350. In addition, each application for a division or conversion of land shall be approved only if found consistent with the following criteria:

A. General Criteria

1. The encroachment of all development upon land which is suitable for agricultural use shall be minimized.
2. All development permitted on a site shall be clustered.
3. Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.

B. Water Supply Criteria

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

C. Criteria for the Division of Prime Agricultural Land

1. Prime Agricultural Land which covers an entire parcel shall not be divided.
2. Prime Agricultural Land within a parcel shall not be divided unless it can be demonstrated that existing or potential agricultural productivity of all resulting parcels would not be diminished.
3. Prime Agricultural Land within a parcel will not be divided when the only building site would be on such Prime Agricultural Land.

D. Criteria for the Conversion of Prime Agricultural Lands

1. General Criteria

Prime Agricultural Land within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless it can be demonstrated that:

- a. No alternative site exists on the parcel for the use,
- b. Clearly defined buffer areas are provided between agricultural and non-agricultural uses,
- c. The productivity of an adjacent agricultural land will not be diminished, and

- d. Public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality.

2. Public Recreation Facilities Criteria

For a recreation facility on land owned by a public agency before the effective date of this ordinance, the following additional criteria applies:

- a. The agency, as a condition of approval of the Planned Agricultural Permit, executes a recordable agreement with the County that all prime agricultural land and other land suitable for agriculture which is not needed for recreational development or for the protection and vital functioning of a sensitive habitat will be permanently protected for agriculture.
- b. The agency, whenever legally feasible, agrees to lease the maximum amount of agricultural land to active farm operators on terms compatible with the primary recreational and habitat use.

3. Agriculturally Related Uses Criteria

For uses ancillary to agriculture, facilities for the processing, storing packaging and shipping of agricultural products, and commercial woodlots and temporary storage of logs, the following additional criteria applies:

- a. The area of Prime Agricultural Land converted shall be as small as possible, and,
- b. In all cases, the area of Prime Agricultural Land converted shall not exceed 3 acres.

E. Criteria for the Division of Lands Suitable for Agriculture and Other Lands

Lands suitable for agriculture and other lands shall not be divided unless it can be demonstrated that existing or potential agricultural productivity of any resulting agricultural parcel would not be reduced.

F. Criteria for the Conversion of Lands Suitable for Agriculture and Other Lands

All lands suitable for agriculture and other lands within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless all of the following criteria are met:

1. all agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable, and

2. continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors (Section 30108 of the Coastal Act), and
3. clearly defined buffer areas are developed between agricultural and non-agricultural uses, and
4. the productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing, and
5. public service and facility expansions and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality, and

For parcels adjacent to urban areas, permit conversion if the viability of agricultural uses is severely limited by conflicts with urban uses, and the conversion of land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development, and conditions 3, 4, and 5 of this subsection are satisfied.

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

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

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

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

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

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

Residential Uses

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

Non-Agricultural Uses Except Visitor-Serving Uses

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

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

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

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

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

First Density Credit

For one density credit or the first density credit when multiple density credits are available, either 1 1/2 times the amount stated in Table 1.5 in the column headed "Number of Measuring Units Per Density Credit Based

on Peak Daily Water Use With Conservation Fixtures," or the amount stated in that column and a residential dwelling unit associated with a visitor-serving facility that is occupied by the facility owner or operator.

Additional Density Credits

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

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

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

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

A. Prime Agricultural Lands

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

B. Lands With Landslide Susceptibility

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

C. Land With Slope 50% or Greater

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

D. Remote Lands

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

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

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

F. Land Within Rift Zones or Active Faults

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

G. Lands Within Flood Hazard Areas

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

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

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

I. Land Within Agricultural Preserves or Exclusive Agricultural Districts

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

J. All Other Lands

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

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

SECTION 6357. DENSITY BONUS AND TRANSFER.

A. Consolidating Parcels

In addition to the maximum density of development permitted, bonus densities may be granted when contiguous parcels are combined to form a larger parcel, provided that the density bonus is granted in accordance with LCP Policy 5.11, including deed restriction requirements that any subsequent land division of the merged property shall result in at least one agricultural parcel whose area is greater than the largest parcel before consolidation. The bonus for a proposed combination shall be calculated by:

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

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

B. Agricultural Water Improvements

In addition to the maximum density of development permitted, bonus density credit(s) shall be granted for development of new agricultural water storage capacity in accordance with the following table, upon determination by the Planning Commission and Agricultural Advisory Committee that such water capacity is needed, and will be utilized to provide water exclusively for agricultural cultivation or livestock operations. This provision shall apply to:

1. Construction of new water storage facilities, and,

2. Enlargement of existing water storage facilities (excluding maintenance/dredging activities).

NEW STORAGE CAPACITY (acre-feet)	BONUS DENSITY (dwelling units)
0 - 12.24	0.0
12.25 - 24.49	0.5
24.50 - 36.74	1.0
36.75 - 48.99	1.5
49.00 - 61.24	2.0
Greater than 61.25	Density allocated at above rate

Bonus density credits may be applied on-site, or transferred to another parcel within the rural Coastal Zone, upon determination by the Planning Commission that suitable sites are available on the recipient parcel in accordance with the policies and standards of the Local Coastal Program, providing that density credits are not used to convert Prime Agricultural Land, or locate development within scenic corridors. Frequency of density transfer shall not be limited, providing that each density transfer conforms with the requirements of this section, and appropriate processing fees are collected. At maximum four density credits, whether authorized by this section or other provisions of this Part, may be transferred to any recipient parcel unless otherwise determined by the Planning Commission that additional density would not overburden coastal resources. Should bonus density credits be transferred, deed restrictions must be recorded stating that: (1) the donor parcel has relinquished bonus density credit(s) acquired pursuant to this section, and thereby has voluntarily relinquished all development rights associated with the said density credit(s), and (2) in addition to allowable zoning, the recipient parcel is granted density credit(s) pursuant to this section.

The County shall maintain up to date records in the Planning Department of all bonus credits granted. Records shall indicate the number of bonus credits generated per parcel, and the location and use of the credits including those transferred to another parcel.

C. Prime Agricultural Land

Parcels consisting either entirely of Prime Agricultural Land or Prime Agricultural Land and land which is not developable under the Local Coastal Program, may

apply to transfer development density to another parcel within the rural Coastal Zone, east of Highway 1 only, provided that the entire donor parcel is restricted permanently to agricultural use by an easement granted to the County or other governmental agency, as elaborated below, and upon determination by Planning Commission that suitable sites are available on the recipient parcel in accordance with the policies and standards of the Local Coastal Program, providing that density credits are not used to convert Prime Agricultural Land, or locate development within scenic corridors. Frequency of density transfer shall not be limited, providing that each density transfer conforms with the requirements of this section, and appropriate processing fees are collected. At maximum four density credits whether authorized by this section or other provisions of this Part, may be transferred to any recipient parcel unless otherwise determined by the Planning Commission that additional density would not overburden coastal resources. Deed restrictions must be recorded stating that: (1) the donor parcel has voluntarily relinquished one density credit as determined by this ordinance, and (2) in addition to allowable zoning, the recipient parcel is granted density credit(s) pursuant to this section.

The County shall maintain up to date records in the Planning Department of all density transfer activities. Records shall identify the donor parcel and indicate the number of credits transferred. The location and use of transferred credits shall also be identified.

As a condition of approval for density credit transfer, the applicant shall grant to the County (and the County shall accept) an easement covering the entire donor parcel, containing a covenant, running with the land in perpetuity, which limits the use of the land covered by the easement to agricultural uses, non-residential development customarily considered accessory to agriculture (as defined in Section 6351F of this ordinance) and farm labor housing. The covenant shall specify that, anytime after three years from the date of recordation of the easement, land within the boundaries of the easement may be converted to other uses consistent with open space (as defined in the California Open Space Lands Act of 1972 on January 1, 1980) upon the finding that changed circumstances beyond the control of the landowner or operator have rendered the land unusable for agriculture and upon approval by the State Coastal Commission of a Local Coastal Program amendment changing the land use designation to open space. Uses consistent with the definition of Open Space shall mean all those uses specified in the Resource Management Zone (as in effect on November 18, 1980). Any land use allowed on a parcel through modification of an agricultural use easement shall recognize the site's natural resources and limitations. Such uses shall not include the removal of significant vegetation (except for renewed timber harvesting activities consistent with the policies of the Local Coastal Program), or significant alterations to the natural landforms.

SECTION 6358. MAXIMUM HEIGHT OF STRUCTURES. In the Planned Agricultural District, no residential or commercial structure shall exceed three stories or 36 feet in

height, except as allowed by use permit provisions in Chapter 22, Article 2, Section 6405, of the San Mateo County Ordinance Code.

SECTION 6359. MINIMUM YARDS. In the absence of more restrictive provisions within this ordinance, the minimum yards required in the Planned Agricultural District shall be as follows:

A. Agricultural Development

Front: 30 feet
Side: 20 feet
Rear: 20 feet

B. Non-Agricultural Development

Front: 50 feet
Side: 20 feet
Rear: 20 feet

SECTION 6360. PARCEL SIZE. The parcel size in the PAD shall be in accordance with the following:

A. Agricultural Parcels

For any parcel created after the effective date of this ordinance which is to be used for agricultural purposes, the parcel size shall be as specified in the Planned Agricultural Permit issued pursuant to Section 6354 of this ordinance.

B. Non-Agricultural Parcels

For any parcel created after the effective date of this ordinance which is to be used for non-agricultural purposes, the parcel size shall be determined on a case-by-case basis to ensure that domestic well water and on-site sewage requirements are met. Non-agricultural parcels shall be as small as possible, and when used for residential purposes shall not exceed 5 acres. All non-agricultural parcels shall be clustered (in one or as few clusters as possible), and sited in locations most protective of existing and potential agricultural uses.

C. Parcels Created Before Ordinance Adoption

For any parcel legally created before adoption of this ordinance, minimum parcel size shall be determined in accordance with Section 6311 of the San Mateo County Ordinance Code.

SECTION 6361. PROCEDURAL CRITERIA FOR ISSUANCE OF A PLANNED AGRICULTURAL PERMIT.

A. Master Land Division Plan

Before any division of land, the applicant shall file a Master Land Division Plan demonstrating how the parcel will be ultimately divided according to maximum density of development permitted and which parcels will be used for agricultural and non-agricultural uses if conversions are permitted. Division for non-agricultural parcels shall be as small as practicable, not to exceed 5 acres when used for residential purposes, and shall ensure that minimum domestic well water and on-site sewage disposal area requirements are met. Division shall be permitted in phases, and all future divisions occurring on land for which a plan has been filed must conform to that plan. Master Land Division Plans shall not be required for land divisions which solely provide affordable housing, as defined by LCP Policy 3.7 on March 25, 1986.

B. Easements on Agricultural Parcels

After a Master Land Division Plan has been filed, and as a condition of approval thereof, the applicant shall grant to the County (and the County shall accept) an easement containing a covenant, running with the land in perpetuity, which limits the use of the land covered by the easement to agricultural uses, non-residential development customarily considered accessory to agriculture (as defined in Section 6352C and D of this ordinance) and farm labor housing. The covenant shall specify that, anytime after three years from the date of recordation of the easement, land within the boundaries of the easement may be converted to other uses consistent with open space (as defined in the California Open Space Lands Act of 1972 on January 1, 1980) upon the finding that changed circumstances beyond the control of the landowner or operator have rendered the land unusable for agriculture and upon approval by the State Coastal Commission of a Local Coastal Program amendment changing the land use designation to open space. Uses consistent with the definition of Open Space shall mean all those uses specified in the Resource Management Zone (as in effect on November 18, 1980). Any land use allowed on a parcel through modification of an agricultural use easement shall recognize the site's natural resources and limitations. Such uses shall not include the removal of significant vegetation (except for renewed timber harvesting activities consistent with the policies of the Local Coastal Program), or significant alterations to the natural landforms.

C. Agricultural Land Management Plan

For parcels 20 acres or more in size before division or conversion, the applicant shall file an agricultural land management plan demonstrating how, if applicable, the agricultural productivity of the land will be fostered and preserved in accordance with the requirements of Sections 6350 and 6355 of this ordinance.

D. Map and Deed Notice

When a parcel on or adjacent to agricultural land is subdivided, the following statement shall be included as a condition of approval on all parcel and final maps and in each parcel deed.

This subdivision is adjacent to property utilized for agricultural purposes, and residents of the subdivision may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers; and from the pursuit of agricultural operations, including plowing, spraying, pruning and harvesting, which occasionally generate dust, smoke, noise and odor. San Mateo County has established agriculture as a priority use on productive agricultural lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary farm operations.

E. Findings

The County shall make findings with respect to each application for division or conversion of lands in the Planned Agricultural District. Such findings shall be in writing, based on fact, and shall set forth specific reasons why proposed division or conversion meets or fails to meet all applicable requirements of this ordinance.

SECTION 6362. ESTABLISHMENT OF AN AGRICULTURAL ADVISORY COMMITTEE. To assist in the achievement of the objectives of this ordinance, the Board has established an Agricultural Advisory Committee composed of farmers familiar with Coastside crops, agricultural experts, and representatives of the general public interest. Said Committee shall actively assist in the preservation of agriculture of the Coastside by advice and recommendation to the Planning Commission and the Board of Supervisors to achieve the objectives of this ordinance.

SECTION 6363. ESTABLISHMENT AND APPLICATION OF PLANNED AGRICULTURAL DISTRICT. Any parcel of land in the Coastal Zone which contains prime agricultural land and lands suitable for agriculture shall be included in the Planned Agricultural District. The Planned Agricultural District is hereby established and applied to the area depicted on the maps entitled "Planned Agricultural District Boundary," for the Mid-Coast and South Coast, both dated January 23, 1979, and on file in the offices of the County Planning Department.

(Chapter 21A, Sections 6350 through 6360 - Added by Ordinance No. 2614 - October 16, 1979)

(Chapter 21A, Sections 6350 through 6363 - Amended by Ordinance No. 2694 - December 16, 1980)

(Chapter 21A, Sections 6350 through 6363 - Repealed and Replaced Sections 6350 through 6363 by Ordinance No. 2780 - April 6, 1982)

- (Chapter 21A, Sections 6351, 6352, 6353, 6355, 6356, 6357, 6360, and 6361 - Amended by Ordinance No. 3193 - October 24, 1989)
- (Section 6351(A)(4), (B)(5) - Added by Ordinance No. 3262 - September 11, 1990)
- (Section 6351(J) - Amended by Ordinance No. 3718 - June 4, 1996)
- (Section 6351(J) - Amended by Ordinance No. 3798 - November 18, 1997)
- (Section 6352(A)(5), (A)(6), (A)(7) - Added by Ordinance No. 3448 - December 15, 1992)
- (Section 6352(B)(6), (B)(7), (B)(8) - Added by Ordinance No. 3448 - December 15, 1992)
- (Section 6353(B)(10) - Amended by Ordinance No. 3381 - April 14, 1992) - Not effective in the Coastal Zone unless and until certification without change by the California Coastal Commission. Certification had not occurred as of the reprinting date of this Chapter {July 1999}.
- (Section 6353(B)(14) - Amended by Ordinance No. 3448 - December 15, 1992)
- (Section 6353(B)(15) - Added by Ordinance No. 2872 - January 17, 1984)
- (Section 6355(B) - Amended by Ordinance No. 3718 - June 4, 1996)
- (Section 6355(B) - Amended by Ordinance No. 3798 - November 18, 1997)
- (Section 6356 - Amended by Ordinance No. 3669 - September 12, 1995)
- (Section 6356 - Amended by Ordinance No. 3718 - June 4, 1996)
- (Section 6356 - Amended by Ordinance No. 3798 - November 18, 1997)
- (Section 6356G - Amended by Ordinance No. 3002 - July 3, 1984)
- (Section 6357(A) - Amended by Ordinance No. 3718 - June 4, 1996)
- (Section 6357(A) - Amended by Ordinance No. 3798 - November 18, 1997)
- (Section 6359 - Amended by Ordinance No. 3103 - April 14, 1987)
- (Section 6361A - Amended by Ordinance No. 2891 - June 5, 1984)

JKE:fc - JKEI1207.6FR
(7/15/99)

Half Moon Bay LCP Amendment
No. 1-99 (Caltrans & Alves)

PLANNED DEVELOPMENT DISTRICT

As fully described in Section 9 of this Plan, this designation has been given to generally large, undeveloped parcels and areas suitable for residential use, with possible inclusion of neighborhood recreational facilities, commercial recreation and office/industrial. The purpose of this designation is to prevent piecemeal development and to replan old subdivisions by requiring that the entire area or parcel be planned as a unit and be developed in accordance with such a plan. Use of flexible and innovative design concepts is encouraged. Refer to Section 9.3.2 for detailed requirements and permitted uses.

COMMERCIAL-GENERAL

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

COMMERCIAL-VISITOR SERVING

The intent of this designation is to cater to the needs of visitors attracted to coastal recreation. Visitor-serving commercial uses not also provided for in the general commercial areas will normally be found adjacent to coastal recreation areas or along Highway 1. The intensity and nature of commercial development shall be subordinate to the character of the recreational setting and existing neighborhood character. Uses may include hotels, motels, restaurants, bars, equestrian supply stores, clubs, guest ranches and lodges, recreational vehicle campsites, art galleries, fishing and boating facilities, golf courses and sales and related uses. Uses not permitted under this designation include unrelated retail, office and professional services, service stations and other highway related services normally found in the general commercial area. This designation is intended to be generally consistent with, but more restrictive than the existing C-3, Recreational-Commercial Zoning.

HORTICULTURAL BUSINESS

This designation is specifically intended to accommodate the City's important horticulture/floriculture industry, permitting both field production and the use of nurseries and greenhouses for cultivation, but excluding retail sales. The designation is generally consistent with the existing Zoning Designation A-1, but more restrictive with respect to accessory dwellings.

Minimum parcel size is 15 acres, except where existing parcels are smaller. Accessory buildings related and customarily incidental to the principal use would be permitted, including housing for persons employed on the premises; however, no principal dwelling would be permitted. For the purposes of this report the terms horticulture and floriculture are mutually interchangeable. Policies in Section 8 apply more specific requirements with specific siting of structures.

URBAN RESERVE

This designation is intended to reserve primarily open land in existing open field floricultural use and not suitable for greenhouse development for continuation of such use as long as economically feasible and as a reserve for logical subsequent urban expansion once substantial new development has been accommodated on sites designated for new urban development on the Land Use Map. Land under this designation is clearly within the perimeter of existing urban development; continuation of existing uses is not likely to be permanently viable. This designation will reserve such lands for subsequent accommodation of urban infill needs. Permitted uses under the designation are restricted to all open field agricultural uses, except the raising of livestock; accessory buildings related to agricultural uses, including the retail sale of products produced on the premises; residential structures for those employed on the premises and one dwelling for the farm manager or operator for any parcel of at least 15 acres; open recreation uses, such as camping and horseback riding, and minor accessory structures, including stables on parcels of not less than 50 acres. Conditions to be met for urban development and applicable restrictions are contained in Sections 8 and 9.

OPEN SPACE RESERVE

This designation is intended to reserve open land on the perimeter of existing developed areas for accommodation of new development needs once the remainder of the City has been substantially developed. Lands in this category include hilly uplands with limited suitability for intensive

cultivation representing timber and open space resources and having future potential only for very low density development or recreational use and lands with capability for some cultivation until no significant amount of land remains in the City to accommodate reasonable growth requirements. Permitted uses under this description are limited to 1 unit per 50 acres.

REGIONAL PUBLIC RECREATION

The purpose of this designation is to identify and preserve the major coastal recreational resource in the City, the beaches and associated uplands which are in public ownership and should be maintained as a State Beach managed by the Department of Parks and Recreation. Permitted uses would include outdoor recreation, parking to provide for visitors, information centers and structures ancillary to public recreation area maintenance, including headquarters and dwellings for employees on the premises, picnic facilities and tent campsites. Detailed policies and standards are found in Section 2. Conditionally permitted uses include, where not specified in Section 2, restaurants or food stands, recreational vehicle parks and retail concessions catering to visitors related to the recreational use.

This designation is generally consistent with, but more restrictive than, existing Zoning, GB-2, Greenbelt-Public Beaches, Parks and Open Spaces.

COMMERCIAL RECREATION

This designation is intended to provide for commercially-operated recreational facilities which are appropriate for and may contribute to the coastal recreational experience for visitors and residents alike. Permitted uses may include tennis ranches and courts, riding stables and horse rental and boarding facilities, golf courses, swimming facilities, marinas and similar uses.

LIGHT INDUSTRIAL

This designation is intended to provide for wholesaling, distribution, heavy commercial manufacturing, repair, construction, storage and related uses or other large-scale commercial areas due to the characteristics associated with their activities. It is applied to areas identified as appropriate for expansion of such uses within the City in order to assure adequate provision for such business otherwise excluded from the downtown commercial area. Permitted uses would not include heavy manufacturing or energy-related facilities but could include a variety of

public works or public utility uses, including storage of flammable materials.

PUBLIC FACILITIES AND INSTITUTIONS

This designation is intended to provide for educational, governmental and institutional uses not normally accommodated in offices provided in the general commercial area, such as schools, public works and utilities yards and maintenance buildings and hospitals.

LOCAL RECREATION AND OPEN SPACE

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

RIPARIAN HABITAT

This designation is intended to preserve and protect the existing riparian corridors associated with two perennial streams (Frenchmans Creek and Pilarcitos Creek, including the Arroyo Leon tributary) and one intermittent creek, Arroyo Canada Verde. Generally, this designation is intended to restrict intrusion into the riparian corridor as defined in Section 3, and by the Habitat Areas and Water Resouces Overlay Designation.

BEACH ACCESS ROUTE

This designation is specifically intended to identify primary and secondary access routes from Highway 1 for visitors to the regional recreation area, as discussed and provided in detail in Section 2, Coastal Access and Recreation, and Section 9.3.2, Planned Development Districts. Primary access routes are those which terminate at major parking facilities; secondary access routes terminate at designated minor parking facilities.

BEACH PARKING

This designation is intended to indicate the generally appropriate locations and scale of day-use parking facilities to provide for adequate visitor access to the

CHAPTER 18.08

COMMERCIAL LAND USE

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

Sections:

- 18.08.010 Purpose
- 18.08.015 C-VS and C-G Zoning Districts Established
- 18.08.020 Permitted Uses
- 18.08.025 Use Regulations
- 18.08.030 General Development Standards
- 18.08.035 C-VS Zoning District Standards
- 18.08.040 C-G Zoning District Standards
- 18.08.045 Exceptions to Development Standards
- 18.08.050 Nonconforming Structures
- 18.08.055 Historic Structures
- 18.08.060 Permits and Plan Review

18.08.01 Purpose. The purpose of establishing adopting these Visitor Serving Commercial and General Commercial Districts and adopting development standards and use regulations is to:

- A. To guide the orderly development of lands designated on the Land Use Plan Map for Visitor Serving Commercial and General Commercial uses;
- B. Provide appropriately located areas consistent with the Land Use Plan and General Plan for a full range of office, retail commercial, service commercial, and visitor serving uses needed by residents of, and visitors to, the city and region;
- C. Strengthen and expand the city's economic base, while protecting the small businesses that currently serve city residents;
- D. Minimize the impact of commercial development on adjoining residential areas;
- E. Encourage new commercial development compatible with surrounding development and consistent with site limitations;
- F. Ensure the provision of adequate on-site parking, loading and circulation; and

G. Allow public and semi-public uses in commercial areas that are compatible with or supportive of commercial development.

18.08.015 C-VS and CG Zoning Districts Established. The intent of this Chapter is to establish the following commercial districts and to guide the orderly development within each District as follows:

A. **C-VS District, Commercial—Visitor Serving.** Recreational Commercial areas that serve the needs of visitors attracted to coastal recreational opportunities, emphasizing ease of movement and attractiveness for the pedestrian while allowing safe and efficient movement of vehicles, having a consistent design theme, and protecting coastal resources. The intensity and nature of Visitor Serving Commercial uses shall be subordinate to the character of the recreational setting and existing neighborhood character.

B. **C-G District, Commercial—General.** General Commercial areas designated for the development of a full range of retail, service, commercial, and professional office businesses serving both residents and visitors to the City.

18.08.020 Permitted Uses. Table A of this Chapter establishes the uses permitted in the Visitor-Serving Commercial and General Commercial Districts.

A. The uses listed in Table A are numbered and categorized into types of uses. Definitions of each type of use are located within this Title in the chapter entitled, "Use Classifications". Uses that are not listed are prohibited within Visitor Serving Commercial and General Commercial Districts.

B. Use classifications followed by the term "OK" are permitted, whereas use classification followed by the term "UP" require approval of a Use Permit. A use classification followed by the term "NO" means that the use is not permitted. In the event the Planning Director determines that a proposed use is not permitted, an applicant may appeal the determination to the Planning Commission. The letters "UPCC" mean that some or all uses in the use classification are permitted in most cases, but that approval of a Use Permit is required in certain cases.

C. Further description of the circumstances related to the "UPCC" listings in Tables A through E, and other specific regulations for certain uses listed in Tables A through E can be found in Section 18.08.025. The letters and numbers in Section 18.08.025 correspond to the use categories and specific uses listed in Tables A through E.

City of Half Moon Bay

TABLE A-1: COMMERCIAL USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Commercial Uses	C-VS Zoning	C-G Zoning
A-1	Adult Business	NO	UP
A-2	Ambulance Service	NO	UPCC
A-3	Animal Sales or Service:		
a	• Boarding	NO	UP
b	• Grooming	NO	OK
c	• Medical Care	NO	OK
d	• Retail Sales	NO	OK
A-4	Art Gallery	OK	OK
A-5	Artist's Studio	UPCC	UPCC
A-6	Banking:		
a	• Full Service	NO	OK
b	• ATM Only	OK	OK
c	• Drive-Up Teller	NO	OK
A-7	Building Materials Sales or Service	NO	OK
A-8	Catering	NO	OK
A-9	Circus, Carnival or Exhibition	OK	OK
A-10	Commercial Filming	OK	OK
A-11	Commercial Recreation or Entertainment:		
a	• Indoor	NO	OK
b	• Outdoor	UPCC	UPCC
A-12	Communications Facility	NO	OK

City of Half Moon Bay

TABLE A-2: COMMERCIAL USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Commercial Uses	C-VS Zoning	C-G Zoning
A-13	Eating or Drinking Establishment:		
a	• Cafe, Diner or Restaurant	UP	OK
b	• Fast Food or Takeout	UP	OK
c	• Drive-Through Fast Food	UP	OK
d	• Bar or Tavern	UP	OK
A-14	Equestrian Center	UP	NO
A-15	Food or Beverage Sales	OK	OK
A-16	Funeral and Internment Service	NO	OK
A-17	Gardening Service	NO	OK
A-18	Laboratory	NO	OK
A-19	Maintenance or Repair Service	NO	OK
A-20	Nursery, Plant	NO	OK
A-21	Office:		
a	• Business or Professional	NO	OK
b	• Health Service	NO	OK
c	• Travel Agency	OK	OK
A-22	Personal Improvement Service	NO	OK
A-23	Personal Service	UP	OK
A-24	Printing or Publications Facility	NO	OK
A-25	Real Estate Sales Office	NO	OK
A-26	Research and Development	UP	OK

City of Half Moon Bay

TABLE A-3: COMMERCIAL USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Commercial Uses	C-VS Zoning	C-G Zoning
A-27	Retail Sales:		
a	• Indoor Retail	OK	OK
b	• Outdoor Retail	OK	OK
c	• Visitor-Serving Retail	OK	OK
A-28	Seasonal Agricultural Sales	OK	OK
A-29	Secondhand Sales, Pawn Shop	NO	OK
A-30	Vehicle/Equipment Sales or Service		
a	• Automobile Rental	NO	OK
b	• Automobile Washing	NO	UPCC
c	• Service Station	NO	OK
d	• Vehicle or Equipment Repair	UP	OK
e	• Vehicle or Equipment Sale or Rental	UP	OK
f	• Vehicle Storage	UP	OK
A-31	Visitor Accommodation:		
a	• Bed and Breakfast Inn	OK	OK
b	• Campground or RV Park	UP	UP
c	• Hotel, Motel or Time Share	OK	OK
d	• Spa Resort	OK	OK
A-32	Warehouse or Storage	NO	UP

TABLE B: INDUSTRIAL USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Industrial Uses	C-VS Zoning	C-G Zoning
B-1	Custom Industry	NO	OK
B-2	General Industry	NO	NO
B-3	Limited Industry	NO	UP
B-4	Wholesaling, Distribution or Storage	NO	UP

City of Half Moon Bay

TABLE C: PUBLIC AND QUASI-PUBLIC USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Public and Quasi-Public	C-VS Zoning	C-G Zoning
C-1	Club or Lodge	UP	OK
C-2	Convalescent Facility	NO	OK
C-3	Cultural Institution	OK	OK
C-4	Day Care, General	NO	UP
C-5	Government Office	OK	OK
C-6	Health Care:		
a	• Hospital or Clinic	NO	UP
b	• Emergency Health Care	NO	OK
C-7	Park or Recreation Facility	OK	OK
C-8	Public Safety Facility	OK	OK
C-9	Religious Assembly	NO	UP
C-10	Residential Care, General	NO	UP
C-11	School, Public or Private	NO	UP
C-12	Utility:		
a	• Major	NO	UP
b	• Minor	OK	OK

City of Half Moon Bay

TABLE D: RESIDENTIAL USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Residential Uses	C-VS Zoning	C-G Zoning
D-1	Group Residential	NO	OK
D-2	Large Family Day Care	NO	OK
D-3	Limited Day Care	NO	OK
D-4	Limited Residential Care	NO	OK
D-5	Multi-Family Residential	NO	UP
D-6	Single-Family Residential	UP	UP

City of Half Moon Bay

TABLE E: ACCESSORY USES

C-VS	Visitor Serving Commercial Zoning District
C-G	General Commercial Zoning District

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

Key	Accessory Uses	C-VS Zoning	C-G Zoning
E-1	Accessory Use or Structure	OK	OK
E-2	Accessory Dwelling		
E-3	Mixed Commercial and Residential	UP	UP

18.08.025 Use Regulations. The following use categories and any additional regulations associated with an identified use are to be taken together with the permit requirements listed for each use classification in Tables A Through E. These regulations shall apply to both permitted uses and for uses which are only allowed upon approval of a Use Permit by the Planning Commission.

(Commercial Uses)

A-1 Adult Business. No adult business may be located within 1,000 feet of another adult business, or within 500 feet of any R-District, any public or private school or day care facility for children, or any park or recreation facility.

A-2 Ambulance Service. A Use Permit is required only where a proposed ambulance service would be located within 1,000 feet of an R-District or 50 feet of a site occupied by a public or private school or a park or recreation facility.

A-3 Animal Sales or Service. No additional regulations specified.

A-3 a. Boarding. All kennels shall be maintained in accordance with the San Mateo County Humane Society regulations, and shall comply with all conditions of the Use Permit. If the facility is not in compliance with the Humane Society regulations or Use Permit conditions at any time, the Use Permit may be revoked. The boarding of horses shall be subject to the Use Regulations contained in this Section under "Equestrian Centers".

A-3 b. Grooming. No additional regulations specified.

City of Half Moon Bay

A-3 c. Medical Care. No additional regulations specified.

A-3 d. Retail Sales. The sale of domestic animals is allowed as an incidental use to any permitted use.

A-4 Art Gallery. No additional regulations specified.

A-5 Artist's Studio. A studio where the artist works, displays, and sells artwork is permitted. In those cases where the artist lives on the premises and maintains an active studio or sales operation, a Use Permit is required.

A-6 Banking No additional regulations specified.

A-6 a. Full Service. No additional regulations specified.

A-6 b. ATM Only. In the C-VS District, an ATM (automatic teller machine) is permitted only as an incidental use to a permitted use.

A-6 c. Drive-Up Teller. No additional regulations specified.

A-7 Building Materials Sales or Service. Activities shall be conducted and materials shall be stored within a building or shall be enclosed by a fence, wall or permanent planting at least six feet in height. Milling or planing of lumber or other wood products is prohibited unless incidental to a retail use or contractor's yard.

A-8 Catering. Catering businesses may be permitted in conjunction with a residential use subject to approval by the San Mateo County Environmental Health Department.

A-9 Circus, Carnival or Exhibition. Such uses, including street fairs and markets on city streets are permitted upon approval of Special Events Permit. The event may be in one location no longer than two weekend days over two consecutive weekends, unless otherwise permitted by the City Council in conjunction with the Special Events Permit. Signs advertising the event shall be approved by the City Council in conjunction with the approval of the Special Events Permit.

A-10 Commercial Filming. Commercial filming is permitted upon securing all necessary permits and licenses required by the Municipal Code.

A-11 Commercial Recreation or Entertainment. No additional regulations specified.

City of Half Moon Bay

A-11 a. Indoor. In the C-G District, electronic game centers shall not be located within 300 feet of a school site or the boundary of a residential district, or within 500 feet of a liquor store, cocktail lounge or bar. At least one adult manager shall be on the premises during the time a game center is open to the public. No game center owner, manager or employee shall allow a minor under 18 years of age to play game machines during the hours the public schools are open, or after 9 p.m. on nights preceding school days. The Planning Commission may impose restrictions on the design, location, and operation of a game center in order to minimize the effects of noise, congregation, parking, and other nuisance factors that may be detrimental to the community.

A-11 b. Outdoor. In the C-G District, the establishment of a golf course requires approval of a Use Permit.

A-12 Communication Facility. No additional regulations specified.

A-13 Eating or Drinking Establishment. No additional regulations specified.

A-13 a. Cafe, Diner or Restaurant. In C-VS Districts, sidewalk cafes and outdoor food service requires approval of a Site and Design Permit. A Use Permit is required for cabarets with live entertainment within the C-VS Districts.

A-13 b. Fast Food or Takeout. Identifiable containers and napkins shall be used for all carry-out food, and all litter resulting shall be promptly removed.

A-13 c. Drive-Through Fast Food. No additional regulations specified.

A-13 d. Bar or Tavern. No additional regulations specified.

A-14 Equestrian Center. Grooming and incidental sales of horses and equestrian supplies are permitted. Animal shows are permitted by Use Permit. New equestrian facilities shall be located near proposed County trail systems in upland areas east of Highway One or on sites where the coastal terrace is broad enough to accommodate such use without conflicts with public recreation. All stables shall be maintained in accordance with the San Mateo County Humane Society regulations, and shall comply with all conditions of the Use Permit. If the facility is not in compliance with the Humane Society regulations or Use Permit conditions at any time, the Use Permit may be revoked.

A-15 Food or Beverage Sales. In C-VS Districts, food and beverage sales must be ancillary to approved recreational uses.

City of Half Moon Bay

A-16 Funeral or Internment Service. No additional regulations specified.

A-17 Gardening Service. No additional regulations specified.

A-18 Laboratory. In C-VS Districts, laboratories shall be limited to research related to oceanographic, fisheries, and/or coastal resource management.

A-19 Maintenance or Repair Service. No additional regulations specified.

A-20 Nursery, Plant. Outdoor storage and display is limited to plants and garden features such as statues, fountains and benches. All merchandise must be kept in an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

A-21 Office. In C-VS Districts, only those office uses which are auxiliary functions of visitor-serving establishments are permitted.

A-21 a. Business or Professional. In the C-G District, professional and other business offices providing the following services are permitted: accountancy, architectural, construction and/or contracting, design, engineering, and legal services, insurance and travel agencies, investment services other than banks, savings and loans, such as mortgage, stocks and commodities brokerages, and similar consulting or business services.

A-21 b. Health Service. In the C-G District, health service offices or clinics offering medical or dental services, including laboratories incidental to these uses, and therapeutic services such as massage, chiropractic and psychiatric therapy are permitted.

A-21 c. Travel Agency. In the C-VS District, travel services are permitted only where incidental to a permitted use

A-22 Personal Improvement Service. No additional regulations specified.

A-23 Personal Service. In the C-VS District, personal services may be permitted only where they are an auxiliary function of a visitor serving establishment.

A-24 Printing or Publication Facility. No additional regulations specified.

A-25 Real Estate Sales Office. No additional regulations specified.

City of Half Moon Bay

A-26 Research and Development. In the C-VS District, only research related to oceanographics, fisheries, and/or coastal resource management is permitted.

A-27 Retail Sales. No additional regulations specified.

A-27 a. Indoor Retail. Display of products usually sold inside a building on a commercial site may be permitted outside the building on a temporary or occasional basis, subject to approval by the Planning Director. In the C-VS District, indoor sales shall be limited to visitor-oriented sales.

A-27 b. Outdoor Retail. Outdoor display of merchandise on a temporary basis shall be subject to approval by the Planning Director. Permanent outdoor sales operations, such as flower and produce stands, hot dog carts, coffee/pastry stands, T-shirts, outdoor furniture gardens, are permitted on an ongoing basis only if located on private property and not on City or State right-of-way, and only after (1) receiving a determination by the Planning Commission that the proposed use and operational characteristics are consistent with the underlying zoning designation and development standards, and (2) securing approval of a business license in accordance with the provisions of the Municipal Code. In the C-VS District, outdoor sales shall be limited to visitor oriented sales.

A-27 c. Visitor-Serving Retail. In a C-VS District, this category is limited to retail sales directly related to visitors attracted to the City's coastal recreational opportunities such as boating and fishing supplies, equestrian supply stores, surf shops, the incidental sale of merchandise at recreational vehicle campsites and golf courses, and related uses.

A-28 Seasonal Agricultural Sales. Fruit, vegetable and Christmas tree sales are permitted for a period of 45 days, and shall be subject to the requirements of Municipal Code Chapter 3.73. The Planning Director shall impose reasonable conditions upon the establishment to ensure adequate parking, safe and convenient traffic circulation, and that minimum health and safety standards are met.

A-29 Second Hand Sales, Pawn Shop. No additional regulations specified.

A-30 Vehicle or Equipment Sales and Service. No additional regulations specified.

A-30 a. Automobile Rental. No additional regulations specified.

A-30 b. Automobile Washing. New self-service operations may be established in a C-G District by securing a Site and Design Permit. A Use Permit is also required in order to establish full-service operations.

A-30 c. Service Station. All auto, truck, and equipment repair and service facilities shall be appropriately landscaped and maintained. Inop-

City of Half Moon Bay

erative vehicle storage on the premises is prohibited. Operative vehicles and/or equipment stored on the premises shall be screened from public view. Display racks for automobile products no more than four feet wide may be maintained at each pump island of a service station, or within three feet of the main building, and shall be limited to one per street frontage. These uses are not permitted in a C-VS District.

A-30 d. Vehicle or Equipment Repair. Repair shops such as auto body and painting, fender work, upholstery and detailing, and major auto repairs shall be appropriately landscaped and maintained. Conditions of approval of a Use Permit may require buffering, screening, planting areas or limits on the hours of operation to avoid adverse impacts on properties in the surrounding area. Inoperative vehicle storage on the premises is prohibited, and operative vehicles and/or equipment stored on the premises shall be screened from public view.

A-30 e. Vehicle or Equipment Sales or Rental. In the C-VS District, sales shall be limited to marine equipment and parts used for recreational vehicles other than motor homes such as boats, jet skis, and vehicles used to transport horses or which are designed to be transported by horses. Marine vehicles may be rented in the C-VS District. Outdoor storage and display shall be limited to vehicles, boats, or equipment offered for sale or rent only.

A-30 f. Vehicle Storage. In the C-VS District, vehicular storage shall be limited to the storage of recreational vehicles and water-oriented vehicles. All vehicle storage facilities shall be enclosed by a six foot high fence and all vehicles shall be screened from view.

A-31 Visitor Accommodation. No additional regulations specified.

A-31 a. Bed and Breakfast Inn. No additional regulations specified.

A-31 b. Campground or RV Park. Landscaping at recreational vehicle parks shall be fully matured within five years of development to assure full screening from public roads, vista points, public recreation areas, and residential areas.

A-31 c. Hotel, Motel, or Time Share. Within the C-VS District, hotel, motel, and time shares are permitted only if the number of bedrooms does not exceed 36 per net acre of the building site area. Living rooms in suites shall be considered bedrooms for purposes of this calculation.

A-32 Warehouse or Storage. Only warehousing/storage area having 2,500 square feet or less, that is incidental to commercial use is permitted within an enclosed building. Mini-storage or self-storage facilities may be permitted in the C-G District only by approval of a Use Permit and Site and Design Permit.

City of Half Moon Bay

(Industrial Uses)

B-1 Custom Industry. Small scale custom industries such as ceramic studios, candle-making shops and custom jewelry manufacturing which may also sell goods produced on-site directly to customers are permitted in the C-G District.

B-2 General Industry. No additional regulations specified.

B-3 Limited Industry. No additional regulations specified.

B-4 Wholesaling, Distribution or Storage. No additional regulations specified.

(Public and Quasi-Public)

C-1 Club or Lodge. In the C-VS District, only yacht clubs or clubs catering to visitor-serving commercial uses shall be permitted.

C-2 Convalescent Facility. City, county, and state permits or licenses must be obtained prior to establishing the use. The Half Moon Bay Fire Protection District shall review and approve all aspects of the use prior to the issuance of Building Permits.

C-3 Cultural Institution. No additional regulations specified.

C-4 Day Care, General. All required city, county, and state permits or licenses must be obtained prior to establishing the use. The Half Moon Bay Fire Protection District shall review and approve all aspects of the use prior to the issuance of Building Permits.

C-5 Government Office. In a C-VS District, these uses shall be limited to those that, as determined by the Planning Director, involve the regulation or study of natural or oceanographic processes, private or recreational fishing, aquaculture, or shoreline recreation.

C-6 Health Care. No additional regulations specified.

C-6 a. Hospital or Clinic. No additional regulations specified.

C-6 b. Emergency Health Care. No additional regulations specified.

C-7 Park, or Recreation Facility. In the C-VS District, this use includes public parking for shoreline access and recreation, public rest rooms, parks, and

City of Half Moon Bay

visitor information centers. Development unrelated to on-site recreational activities shall not be permitted in publicly owned recreational areas, with the exception of the State Park administrative and maintenance operations located at Half Moon Bay State Beach. Parking facilities and recreational structures, including campers, located in public regional recreational areas, private recreational areas, visitor-serving commercial areas and other developments shall be designed to minimize visibility from the beach.

C-8 Public Safety Facility. No additional regulations specified.

C-9 Religious Assembly. No additional regulations specified.

C-10 Residential Care, General. No additional regulations specified.

C-11 School, Public or Private. No additional regulations specified.

C-12 Utility. No additional regulations specified.

C-12a. Major. All public utility substations shall be enclosed by a solid fence or wall a minimum of six feet in height. The Planning Commission may approve alternative screening such as a hedge or other plant materials, where appropriate to the design and location in relationship to other properties.

C-12 b. Minor. No additional regulations specified.

(Residential Uses)

D-1 Group Residential. No additional regulations specified.

D-2 Large Family Day Care. No additional regulations specified.

D-3 Limited Day Care. No additional regulations specified.

D-4 Limited Residential Care. No additional regulations specified.

D-5 Multi-Family Residential. No additional regulations specified.

D-6 Single-Family Residential. No residential uses are permitted in the C-VS District unless ancillary to a permitted use and upon the approval of a Use Permit in each case.

CHAPTER 18.09

PUBLIC AND QUASI-PUBLIC LAND USE

P-S	Public Service Zoning District
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Sections:

- 18.09.010 Applicability
- 18.09.020 Permitted uses.
- 18.09.030 Building height limits.
- 18.09.040 Minimum area of lot or building site.
- 18.09.050 Front yard.
- 18.09.060 Side yard
- 18.09.070 Rear yard.

18.09.010 Applicability. The following regulations, as designated in this chapter, shall apply in all P-S districts.

18.09.020 Permitted Uses. Uses permitted in a P-S district include the following:

Permitted Uses	
Fire station	Airport
School	Hospital
Library	Cemetery
Church	Park
Civic center	

18.09.030 Building Height Limit. The building height limit in a P-S district shall be four stories but not exceeding fifty feet.

18.09.040 Minimum Area of Lot or Building Site. The required minimum area of a lot or building site in a P-S district shall be an area having an average width of not less than five thousand square feet.

18.09.050 Front Yard. The required front yard in a P-S district shall be not less than twenty feet.

18.09.060 Side Yard. There is no required side yard in a P-S district, except that there shall be a side yard five feet wide along the side of every lot in a P-S district which side is bordering on property in any R district.

City of Half Moon Bay

Zoning Code

Title 18

18.09.070 Rear Yard. There is no required rear yard in a P-S district, except that there shall be a rear yard five feet deep on the rear of every lot in a P-S district which rear is bordering on property in any R district.

18-09 • DEC 10, 1993

CHAPTER 18.11

OPEN SPACE RESERVE AND URBAN RESERVE LAND USE

OS-R	Open Space Reserve Zoning District
U-R	Urban Reserve Zoning District

Sections:

- 18.11.010 Purpose and Intent
- 18.11.015 Permitted Uses in OSR and UR Districts
- 18.11.020 OSR and UR District Use Regulations
- 18.11.025 OSR and UR District Development Standards
- 18.11.030 Conversion of a UR District to a PUD District
- 18.11.035 Conversion of a OSR District to a PUD District
- 18.11.040 Non-Conforming Structures and Uses

18.11.010 Purpose and Intent.

A. **Purpose.** The purpose of the Open Space Reserve and Urban Reserve District regulations are to:

1. Reserve land within the City to meet the future needs for urban development, consistent with the Local Coastal Program Land Use Plan and the General Plan and its Elements.
2. Allow for the continued use of lands designated Urban Reserve and Open Space Reserve for agriculture, horticulture and floriculture as well as very low density residential uses until those areas are needed for urban development. For purposes of this Chapter, "open field agriculture", "agriculture", and "horticulture" are synonymous, and includes the growing of row crops, farm produce, vegetables, fruits, flowers, trees, ornamental flowers, and shrubs.
3. Protect continuing agriculture, horticulture, and floriculture uses from intrusion of incompatible uses and activities.
4. Prevent premature development of areas designated for future urban development before necessary public services would be available to those areas.
5. Encourage the orderly conversion of parcels within the Open Space Reserve and Urban Reserve Districts to urban development through the use of Planned Unit Development Plans and similar planning tools. When consistent with the Local Coastal Program Land Use Plan and the General Plan and its Elements, and when adequate public facilities are or can be made available, land in the Open Space Reserve and Urban Reserve Districts may be rezoned to the Planned Development District, subject to the established procedures for amending the Land Use Plan Map and Zoning

City of Half Moon Bay

District Map, and subject to the development limitations set forth in the Land Use Plan and General Plan and its Elements.

B. Intent. The intent of this Chapter is to establish the following Reserve Districts, and to provide for the orderly development of land within each district:

1. UR – Urban Reserve District. To reserve areas of open land for continuing agricultural, floricultural, and horticultural uses until such uses are no longer economically feasible; to provide for the reservation of these lands until other areas in Half Moon Bay designated in the Local Coastal Program Land Use Plan and Map and General Plan for the expansion of urban uses have been substantially developed; and to reserve these lands until adequate public facilities are available to serve the ultimate use of the property.

2. OSR – Open Space Reserve District. To reserve areas of open space along the inland edge of the City for agricultural, horticultural, floricultural, timber, or open space use until needed to meet demands for urban use. Lands in this district are intended only for low-density urban development or recreational use and only after all other areas designated for urban development in the Local Coastal Program and General Plan have been substantially developed.

18.11.015 Permitted Uses in OSR and UR Districts. Table A of this Chapter establishes the uses permitted within each Reserve District with any Additional Regulations identified. Additional Regulations are specified in Section 18.11.020. Any uses that are not specifically listed in Table A or described in Section 18.11.020 are prohibited within the Reserve Districts.

TABLE A: SCHEDULE OF USES IN OSR AND UR DISTRICTS

Key	Land Use	Allowed by Zoning	Use Permit Required	Additional Regulations
1	Agricultural:			
a	• Open Field Agriculture	UR, OSR		
b	• Retail Sales	UR, OSR		A.1
c	• Livestock	OSR		A.2
2	Residential:			
a	• Single-Family		UR	B.1
b	• Single-Family		OSR	B.2
c	• Employee Housing		UR	B.3
3	Public or Quasi -Public:			
a	• Park or Recreation	UR		C.1
b	• Campground		UR	C.2
c	• Utility, Minor	UR, OSR		C.3
d	• Equestrian Center		UR	C.4
4	Temporary:			
a	• Animal Show or Rodeo		UR	D.1

18.11.020 OSR and UR District Use Regulations. Additional regulations for permitted uses in each Reserve District shall be met for the following uses:

1. Agricultural.

1 a. Open Field Agriculture. No additional regulations specified.

1 b. Retail Sales. Retail sales on sites within the Urban Reserve and Open Space Reserve Districts shall be limited to products produced on the premises. The installation of a temporary or permanent stand for display or sale of products is permitted only if located adjacent to or on the farm producing the products to be sold, and no stand shall be installed where the farm is less than five acres in size. Any agricultural sales stand shall provide sufficient off-street parking facilities to accommodate its peak period of customer service, and shall be inspected by the San Mateo County health officer.

1 c. Livestock. Livestock is not permitted in the Urban Reserve District. In the Open Space District, no livestock shall be grazed, housed or concentrated in an enclosure located closer than one hundred feet from any adjoining dwelling. No livestock shall be housed or concentrated in an enclosure located within 1,000 feet of any R District or within 150 feet of any adjoining dwelling, except under the following conditions:

- On parcels having less than three acres, not more than five such animals per acre shall be kept or maintained,
- On parcels having more than five but less than ten acres not more than ten animals per acre shall be kept or maintained.
- On parcels having ten acres or more, not more than twenty such animals per acre shall be kept or maintained

2 Residential.

2 a. Single-Family. In the (UR) Urban Reserve District, one dwelling unit is permitted for the owner, manager, or operator of the premises, subject to the approval of a Use Permit in each case.

2 b. Single-Family. In the (OSR) Open Space Reserve District, one dwelling is permitted on each 50 acres of land, subject to the approval of a Use Permit in each case.

2 c. Employee Housing. In the (UR) Urban Reserve District residential structures are permitted as housing for those persons employed on the premises, subject to the approval of a Use Permit in each case.

3 Public and Quasi-Public.

3 a. Park or Recreation. Open recreation activities such as public parks, pedestrian and bicycle trails, and horseback riding are permitted. Public parking for public recreation activities, amenities such as public rest rooms, and visitor information centers are also permitted.

3 b. Campgrounds. Campgrounds are permitted in the (UR) Urban Reserve District, subject to the approval of a Use Permit in each case.

3 c. Utilities, Minor. Minor utility structures such as electrical distribution lines, underground water and sewer lines are permitted.

3 d. Equestrian Centers. Equestrian Centers are permitted in the (UR) Urban Reserve District on sites with a minimum of 50 acres, subject to the approval of a Use Permit in each case.

4 Temporary.

4 a. Animal Show or Rodeo. Subject to the approval of a Use Permit, rodeos or other exhibitions of domestic or large animal are limited to a maximum of seven consecutive days or two consecutive weekends including nights and days.

18.11.025 OSR and UR District Development Standards. Table B of this Chapter provides a schedule of Development Standards for both Reserve Districts. These standards are to be observed in conjunction with all development within Reserve Districts.

TABLE B: UR AND OSR DISTRICT DEVELOPMENT STANDARDS

Characteristic	UR District	OSR District
Minimum new subdivision lot area	50 acres	50 acres
Minimum lot area per dwelling	15 acres	50 acres
Minimum structure setback:		
• front yard	25 feet	25 feet
• side yard	25 feet	25 feet
• rear yard	25 feet	25 feet
• from a residential district	50 feet	50 feet
Maximum building height		
• single story	16 feet	16 feet
• two story	28 feet	28 feet
Minimum parking requirements:		
• single-family dwelling, garage	2	
• employee dwelling, covered		2
• commercial or recreational parking determined during use permit review.		

18.11.030 Conversion of a UR District to a PUD District. Lands designated Urban Reserve on the Land Use Plan Map and Zoning District Map shall not be eligible for conversion to the Planned Unit Development District or any other development approval and shall not receive a permit for any development, other than for uses permitted under the designation Urban Reserve, without benefit of certified amendments to the Local Coastal Program (LCP) Land Use Plan Map and Zoning District Map and except when it can be demonstrated that the requirements of (A) or (B) below are met and that also the requirements of (C) below are met:

A. In the case of land which is within an agricultural preserve and subject to a Williamson Act contract as of July 1, 1980, expiration of the Williamson Act contract.

B. In the case of land which is not subject to a Williamson Act contract, the expiration of 10 years from the effective date of the Land Use Plan (Certified by the California Coastal Commission in September, 1985).

C. Regardless of the expiration of a Williamson Act contract or the passage of the ten year period, lands designated Urban Reserve will not be permitted to convert to urban uses until substantial development has occurred in areas designated for development on the Land Use Plan Map.

18.11.035 Conversion of OSR District to a PUD District. Lands designated Open Space Reserve on the Land Use Plan Map and Zoning District Map shall not be eligible for conversion to the Planned Unit Development District or for any other development approval and shall not receive a permit for development, other than for uses permitted under the Open Space Reserve designation until all other land in the City designated for development on the Land Use Plan Map has been developed or is authorized for development, through a current, unexpired permit issued pursuant to Title 18 (Zoning Code) provisions, and until amendments to the Local Coastal Program (LCP) Land Use Plan Map and Zoning District Map have been effectively certified. No division of such lands shall be permitted until development approval is obtained pursuant to this provision.

18.11.040 Non-Conforming Structures and Uses. Existing Non-Conforming residential structures and uses within lands designated Open Space Reserve and Urban Reserve may be maintained, repaired, and/or remodeled in accordance with all applicable Development Standards such as minimum lot size and width, set backs, building height, lot coverage, and floor area ratio set forth in this Title for the R-1 District. The procedures specified therein for Use Permits, Exceptions, and Variances shall be followed as appropriate.

18-11 • MAR 11, 1996