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DATE: July 21, 2006

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
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Chris Kern, North Central Coast District Manager
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SUBJECT: CITY OF HALF MOON BAY LCP AMENDMENT NO. MAJ-1-02

EXECUTIVE SUMMARY

The proposed amendment to the City of Half Moon Bay's certified Local Coastal Program involves amendments to both the City's Land Use Plan and its Implementation Plan.

The proposed change to the Land Use Plan (LUP) entails the addition of a new land use category, "Mobile Home Park," and a change to the land use designations of the existing Cañada Cove Mobile Home Park (on Miramontes Point Road) and a portion of the existing Hilltop Mobile Home Park on the north side of Highway 92. The existing LUP designations for Cañada Cove and the affected portion of Hilltop are "Planned Development" and "Industrial," respectively and would change under this proposed amendment to the new Mobile Home Park category. .

The proposed change to the Implementation Plan (IP) involves the addition of a new Chapter 18.17 to the Zoning Code. This chapter establishes a new "Mobile Home Park" zoning district and adopts detailed regulations applicable to lands within the district. The regulations adopted by the City include provisions governing the ordinance's purpose and intent, definitions, permitted uses, use regulations, development standards, nonconforming uses and structures, and required permits and plan review. Finally, the proposed IP amendment would rezone both the Cañada Cove Mobile Home Park from Planned Unit Development (PUD) and the portion of Hilltop Mobile Home Park north of Highway 92 from Industrial (IND) to Mobile Home Park (MHP).

The Half Moon Bay LCP was certified in 1996, prior to the development of the State's Non-Point Source Pollution Prevention Program. Consequently, the LCP includes only general water quality protection policies, but lacks specific implementation measures addressing prevention and control of storm water pollution. The proposed Mobile Home Park zoning ordinance includes a development standard prohibiting any net increase in the flow of storm water off site. Although this general policy is consistent with the LUP water quality protection policies, more detailed and specific standards are required to adequately implement the LUP water quality policies in areas governed by the new mobile home park category. For example, if amended as proposed, the LCP provisions for the new Mobile Home Park category would not specifically address construction related water quality impacts and would not specify water quality protection best management practices (BMPs)

appropriate for mobile home park developments. Therefore, staff recommends suggested modifications to add specific construction and post-construction phase BMPs adequate to implement the water quality protection requirements of the certified LUP.

The State Department of Housing and Community Development (HCD) regulates mobile home parks under the State Mobile Home Parks Act and has adopted regulations governing construction and occupancy of privately owned mobile homes within California. Except for certain enumerated categories of local land use regulations, the Mobile Home Parks Act preempts local government police power authority to regulate land uses affecting mobile home parks. However, the Mobile Home Parks Act does not address or prevent application of the statewide policies of the Coastal Act. Consequently, the Mobile Home Parks Act does not preclude the application of state law by a local government when it adopts LCP provisions which implement the Coastal Act. This is because when a local government adopts and implements an LCP, rather than adopting and implementing local ordinances, a local government is adopting and implementing ordinances require by and reflective of state law. Accordingly, staff recommends suggested modifications to the proposed zoning ordinance to clarify the relationship between the State Mobile Home Parks Act and the certified LCP.

Finally, staff recommends minor suggested modifications to the Mobile Home Park zoning ordinance to clarify the proposed permitting requirements and setback standards, prohibit the use of invasive exotic plants in the landscaping of mobile home parks, and eliminate the proposed perimeter fencing requirement to ensure that the amendment conforms with and is adequate to carry out the coastal development permitting, sensitive habitat, and visual resources policies of the LCP.

Staff recommends that the Commission deny the amendment as proposed and certify the amendment with the suggested modifications.

1.0 STAFF RECOMMENDATION

PART I: STAFF RECOMMENDATION FOR LUP AMENDMENT

A. DENIAL OF LUP AMENDMENT NO. HMB-MAJ-1-02 AS SUBMITTED:

MOTION: *I move that the Commission certify Land Use Plan Amendment MAJ-1-02 as submitted by the City of Half Moon Bay.*

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the land use plan as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY CERTIFICATION OF THE LAND USE PLAN AS SUBMITTED:

The Commission hereby denies certification of Land Use Plan Amendment MAJ-1-02 and adopts the findings set forth below on grounds that the land use plan as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan as submitted.

B. CERTIFICATION OF LUP AMENDMENT NO. HMB-MAJ-1-02 WITH SUGGESTED MODIFICATIONS:

MOTION: *I move that the Commission certify the Land Use Plan Amendment MAJ-1-02 if modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:

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

RESOLUTION TO CERTIFY THE LAND USE PLAN WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Land Use Plan Amendment HMB-MAJ-1-02 if modified as suggested and adopts the findings set forth below on grounds that the land use plan with the suggested modifications 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 if modified as suggested 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 if modified.

Suggested Modifications to LUP Amendment

Suggested Modification #1:

APPENDIX B: LAND USE DESIGNATIONS

The following definitions describe the principle permitted uses for each land use designation indicated on the Land Use Plan Map (see also the discussion in Sections 2, 8, and 9). The maximum density indicated for each land use category are the maximum potential densities

allowable for each land use category where such densities may be achieved consistent with all other policies of the LCP and with the public access and public recreation policies of the Coastal Act where applicable.

PART II: STAFF RECOMMENDATION FOR IMPLEMENTATION PROGRAM AMENDMENT

A. DENIAL OF IP/ZONING CODE AMENDMENT NO. HMB-MAJ-1-02 AS SUBMITTED:

MOTION I: *I move that the Commission Reject IP/Zoning Code Amendment No. HMB-MAJ-1-02 as submitted by the City of Half Moon Bay.*

STAFF RECOMMENDATION TO DENY:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of IP/Zoning Code amendment 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 I TO DENY CERTIFICATION OF IP/ZONING CODE AMENDMENT NO. HMB-MAJ-1-02 AS SUBMITTED:

The Commission hereby denies IP/Zoning Code Amendment No. HMB-MAJ-1-02 as submitted by the City of Half Moon Bay and adopts the findings set forth below on the grounds that the amendment does not conform with, and is not adequate to carry out, the provisions of the certified Land Use Plan. Certification of the IP/Zoning Code amendment as resubmitted would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the IP/Zoning Code amendment as resubmitted.

B. CERTIFICATION OF IP/ZONING CODE AMENDMENT NO. HMB-MAJ-1-02 WITH SUGGESTED MODIFICATIONS:

MOTION II: *I move that the Commission certify IP/Zoning Code Amendment No. HMB-MAJ-1-02 for the City of Half Moon Bay if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

Staff recommends a **YES** vote. Passage of the motion will result in the certification of the IP/Zoning Code amendment with suggested modifications and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION II TO CERTIFY WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies IP/Zoning Code Amendment No. HMB-MAJ-1-02 for the City of Half Moon Bay if modified as suggested and adopts the findings set forth below on the grounds that the IP/Zoning Code amendment with suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the IP/Zoning Code amendment if modified as suggested 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 IP/Zoning Code amendment 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.

SUGGESTED MODIFICATIONS

Suggested Modification #2:

Section 18.17.010 Mobile Home Park (MHP) District Established.

The Mobile Home Park (MHP) district is hereby established to set standards for development, expansion and alteration of mobile home parks and procedures to enforce those standards so as to exercise the rights reserved to local jurisdictions by state law (California Health and Safety Code Division 13, part 2.1, commencing with Section 18200) and to implement them in a manner consistent with the California Coastal Act and the certified LCP. The regulations set forth in this Chapter are intended to regulate only those developments specifically planned for accommodation of more than one mobile home or manufactured home and operated under permit pursuant to Title 25, Chapter 5 2, of the California ~~Administrative~~ Code of Regulations. Regulations regarding the use of a single manufactured home as a permanent residence are found in Chapter 18.06.

Suggested Modification #3:

Section 18.17.011 Purpose and Intent.

A. Purpose. The purposes of these Mobile Home Park district regulations are to: protect and preserve mobile home parks existing as of the date of adoption of this chapter as affordable housing resources; provide appropriately located areas for future expansion or development of mobile home parks, consistent with standards of public health and safety; establish standards for density and common open space; and provide for an appropriate set of permitted uses and activities on lands within the district consistent with the coastal resource and public access and public recreation protection policies set forth in the Local Coastal Program.

B. Intent. The intent of these regulations is to assure that mobile home parks are established only at locations that have safe and adequate access to a public street or highway, and that are able to support such use in conformity with the Local Coastal Program, and that

they are developed and operated in a manner consistent with the Local Coastal Land Use Plan/General Plan and compatible with surrounding neighborhood areas.

Suggested Modification #4:

Section 18.17.020 Permit and Use Regulations.

A. Permit Requirements. A coastal development permit shall be required for all development as defined in Section 18.20.020 within a mobile home park.

~~A.~~ B Permitted Uses...

~~B.~~ C Conditionally Permitted Uses...

~~C.~~ D Accessory Uses and Structures...

~~D.~~ E Uses Not Listed...

~~E.~~ F Changes in Use and Conversions...

Suggested Modification #5:

Section 18.17.030 Development Standards.

This section establishes overall standards for the development, enlargement, addition to, and alterations of mobile home parks.

A. The following standards shall apply to Mobile Home Parks:

...

3. Minimum ~~Yard or~~ Setbacks Required from the Perimeter Property Line. The minimum setbacks for all development inside mobile home park including roads, community buildings, mobile home lots from the perimeter lot property lines of the Mobile Home Park shall be as follows:
 - a. Front Entrance Side: 20 feet
 - b. Interior Side: 10 feet
 - c. Street Side without Front Entrance: 20 feet
 - d. Rear Side Opposite Front Entrance: 20 feet

All setback areas shall be landscaped and continually maintained.

Suggested Modification #6:

7. Pedestrian Access. Walkways shall be provided throughout the mobile home park to provide safe and convenient pedestrian access to amenities, open space areas, and public roadways. Walkways shall comply with applicable

accessibility standards but in no case shall be less than three feet in width. Walkways shall be ~~paved and~~ separate from roadways and driveways for ~~automobiles traffic.~~

Suggested Modification #7:

8. ~~Fencing. The mobile home park property shall be enclosed by a solid fence or thick screen planting for control of view, light, sound, and security and to achieve compatibility with surrounding proposed and existing development. The height of the perimeter fencing shall not be less than six (6) feet.~~

Suggested Modification #8:

9. 8. Landscaping. A landscaping plan and landscape maintenance plan for the setback areas from the property perimeter of the Mobile Home Park shall be submitted for consideration with each permit application for development or expansion of a mobile home park. Landscaping shall be used as a buffer between the Mobile Home Park ~~mobile home spaces~~ and adjacent properties. Service areas and outdoor storage areas shall be screened from view from public streets.
9. Invasive Exotic Plants. The use of any invasive exotic plants for all landscaping in the Mobile Home Park shall be prohibited. Only native and/or non-invasive plants shall be used for landscaping.

Suggested Modification #9:

- ~~12.11. Water Quality.~~ The development, redevelopment, or modification of mobile home parks shall be undertaken pursuant to the water quality protection standards specified in Section 18.38.121 of this Title. ~~Drainage. A Drainage Plan shall be required for all applications for Mobile Home Parks. Said plan shall demonstrate that drainage facilities are adequate to prevent any net increase in the flow of stormwater off-site.~~

Suggested Modification #10:

~~C. Additional Standards.~~

~~In addition to the foregoing, the development and construction of mobile home parks, including additions, alterations, and enlargements thereof, shall comply with applicable standards set forth in California Health and Safety Code Division 13, part 2.1, commencing with Section 18200, and with the regulations set forth in Title 25, Chapter 5, of the California Administrative Code. All applications for a use permit and coastal development permit shall include detailed documentation of compliance with these standards.~~

Suggested Modification #11:

Section 18.17.040 Exceptions to Development Standards. The Planning Commission may authorize exceptions and conditional exceptions to the development standards established pursuant to this Chapter provided that the following findings are made:

EITHER

1. That there are special circumstances or conditions affecting the property;
2. That, by virtue of the special circumstance or condition, the strict application of the standard would impose a practical difficulty or hardship;
3. That the exception is necessary for the proper design or function of the Mobile Home Park;
4. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which the mobile home park is situated; and
5. That the granting of the exception is in accordance with the objectives and policies of the Local Coastal Land Use Plan / General Plan.

OR

6. ~~That the granting of the exception is necessary in order to comply with California Health and Safety Code Division 13, Part 2.1 commencing with Section 18,200 and the implementing state regulations; and~~
7. ~~The granting of the exception is in conformance with the requirements of the California Coastal Act and the City's certified Coastal Land Use Plan.~~

Suggested Modification #12:

18.38.121 Water Quality Protection. The applicability of this Section shall be limited to any development involving a mobile home park that requires a coastal development permit.

A. Onsite Retention and Infiltration. To the maximum extent feasible, development shall not result in an increase in the peak rate or average volume of offsite storm water discharge from the pre-development discharge. This requirement shall be achieved by maximizing onsite storm water retention and infiltration. However, onsite infiltration of storm water shall not be required where infiltration would contribute significantly to geologic instability in a geologically hazardous area.

B. Discharge to Sensitive Habitat Areas and Coastal Waters. No pollutants, including but not limited to sediments, heavy metals, pesticides, herbicides, fertilizers, nutrients, construction materials, chemicals, petroleum hydrocarbons, trash, etc. shall be directly discharged to any sensitive habitat area, wetland, stream, drainage ditch, or coastal waters.

C. Construction Phase Best Management Practices

Development shall be undertaken in accordance with the following *Construction Phase Best Management Practices*. Selection of the appropriate BMPs shall be conducted in consultation with the City Engineer. Other BMPs approved by the City Engineer as being equally or more effective in pollutant reduction than comparable BMPs identified below are acceptable. All BMPs must comply with local zoning and building codes and other applicable regulations. A site-specific erosion and sediment control plan prepared by a California Registered Civil Engineer shall be required for development resulting in the addition or replacement of more than 10,000 square feet of impervious surface coverage. The plan shall indicate the specific design, installation, location, and maintenance of BMPs necessary to meet the requirements of Sections 18.38.121.A and 18.38.121.B. Construction Phase BMPs may include but are not limited to:

Erosion Control

1. Stabilize disturbed areas with vegetation, mulch, geotextiles, or similar methods.
2. Re-vegetate disturbed areas as soon as possible following completion of grading or clearing. To the maximum extent feasible, native, drought tolerant vegetation shall be used.

Sediment Control

3. Prohibit clearing and grading in areas adjacent to sensitive habitat areas, streams, wetlands, drainage ditches and other coastal waters and on slopes greater than 4:1 during the rainy season (October 14 through April 15).
4. Identify all storm drains, drainage swales, drainage ditches, and streams located near the construction site and ensure all construction personnel are aware of their locations to prevent pollutants from entering them.
5. Use straw bale barriers, sand bags, brush or rock filters or other appropriate measures to trap sediment and minimize the quantity of sediment-laden runoff from the site.
6. Before it rains, sweep and remove materials from surfaces that drain to storm drains, creeks, or channels.
7. To the maximum extent feasible, prevent blowing dust from exposed soils through the use of mulch or other non-toxic, organic materials.

Tracking Control

8. Ensure that vehicles do not track mud to areas that could discharge to surface waters.

9. Monitor site entrances for mud tracked off-site.

Construction Equipment

10. Avoid cleaning, fueling, or maintaining vehicles onsite, except in an area designated to contain and treat runoff. Clean up leaks, drips, and other spills immediately so they do not contact storm water. Never wash down pavement or surfaces where materials have spilled. Use dry cleanup methods whenever possible.
11. Locate washout areas more than fifty feet from storm drains, open ditches or surface waters and ensure that runoff from washout does not enter coastal waters or other sensitive habitats.

Waste Management and Materials Pollution Control

12. Reduce waste by ordering only the amount of materials needed.
13. Avoid mixing excess amounts of fresh concrete or cement mortar. Whenever possible, return contents of mixer barrel to the supplier for recycling. Dispose of small amounts of excess concrete, grout, and mortar in the trash.
14. Avoid stockpiling of soils or materials when rain is forecast.
15. Cover all construction material and stockpiles with a waterproof tarp during periods of rainy weather to control runoff.
16. Prohibit cleaning of brushes or rinsing paint containers into streets, gutters, storm drains, streams, and drainage ditches. Recycle, return to supplier, or donate unwanted water-based (latex) paint. Dried latex paint may be disposed of in the garbage. Unwanted paint (that is not recycled), thinners, and sludges must be disposed of as hazardous waste.
17. Provide adequate disposal facilities for solid waste produced during construction and recycle where possible.
18. Control the storage, application and disposal of pesticides, petroleum products and other chemicals.
19. Provide sanitary facilities for construction workers.
20. Prohibit placement of portable toilets on or near storm drain outlets. Ensure that the units are adequately maintained, promptly repaired, and replaced as needed.

Monitoring and Maintenance

21. Monitor the site for erosion and sediment runoff every 24 hours during and after every storm event.
22. All Construction Phase Best Management Practices shall be inspected and maintained as necessary to ensure proper function.

D. Post Construction Phase Best Management Practices

Development shall be undertaken in accordance with the following *Post Construction Phase Best Management Practices*. Selection of the appropriate BMPs shall be conducted in consultation with the City Engineer. Other BMPs approved by the City Engineer as being equally or more effective in pollutant reduction than comparable BMPs identified below are acceptable. All BMPs must comply with local zoning and building codes and other applicable regulations. A site-specific storm water management plan that includes appropriate treatment BMPs prepared by a California Registered Civil Engineer shall be required for development resulting in the addition or replacement of more than 10,000 square feet of impervious surface coverage. The plan shall indicate the specific design, installation, location, and maintenance of BMPs necessary to meet the requirements of Sections 18.38.121.A and 18.38.121.B. Post-construction BMPs may include but are not limited to:

Site Design

1. Use permeable materials for driveways and walkways to the maximum extent feasible.
2. Minimize directly connected impervious surfaces.
3. Direct rooftop and driveway runoff to onsite pervious areas such as landscaped areas, and avoid routing rooftop runoff to the roadway, drainage ditches, or other storm water conveyance systems.
4. Minimize vegetation clearing and grading.
5. Maximize canopy interception and water conservation by preserving existing native trees and shrubs, and planting additional native, drought tolerant trees and large shrubs.
6. Use water cisterns to collect and store runoff where necessary and feasible.

Source Control

7. Landscape with native, drought tolerant species to the maximum extent feasible to minimize the need for fertilizers, pesticides, herbicides, and irrigation.
8. Stencil or affix signs on storm drains to prohibit dumping of improper materials into the urban runoff conveyance system.

9. Prohibit locating storm drains in immediate vicinity of the trash storage area.
10. Post signs on all dumpsters informing users that hazardous materials are not to be disposed of therein.

Treatment

11. Structural Best Management Practices including but not limited to biofilters, detention basins, infiltration basins, and drainage inserts shall be implemented for development creating or replacing more than 10,000 square feet of impervious surface coverage.
12. Structural Best Management Practices shall be designed to treat storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based Best Management Practices and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based Best Management Practices.
13. All Post Construction Phase Best Management Practices shall be inspected and maintained as necessary to ensure proper function.

2.0 AMENDMENT DESCRIPTION

2.1 LUP Amendment Description

The proposed LUP amendment involves the addition of “Mobile Home Park” as a sub-category of the Residential use designations following the High Density Residential category. Through resolution C-41-02, the City Council of the City of Half Moon Bay approved the following text to be added to Appendix B of the LUP:

“Mobile Home Park (12-21 Units Per Acre)

The intent of this designation is to protect and preserve the existing Cañada Cove and Hilltop Mobile Home Parks and to allow for possible designation of other appropriate sites for mobile home park development in the future. Mobile Home Parks are intended to provide affordable housing opportunities, and individual mobile home sites within a park shall not be sold separately. A comprehensive development plan for the entire property that incorporates common facilities and amenities is required prior to approval of development of a Mobile Home Park. The designation shall be implemented by the Mobile Home Park zoning district.

The proposed LUP amendment also includes the amendment of the LUP map to change the land use designation for the Cañada Cove Mobile Home Park from Planned Unit Development to the new Mobile Home Park designation, and the portion of the existing

Hilltop Mobile Home Park on the north side of Highway 92 from Industrial to the new Mobile Home Park designation. The land affected by the amendment is shown on the maps in Exhibit 1, pages 5 and 6.

2.2 IP Amendment Description

The IP/Zoning Code amendment as proposed would rezone the existing Cañada Cove and a portion of Hilltop mobile home parks from PUD and IND respectively to MHP (Mobile Home Park) and would carry out the proposed Mobile Home Park land use designation by establishing permitted uses and development standards for expansion of existing and development of new mobile home parks. Natural resource management, coastal access, and agricultural uses would be permitted uses in the MHP district. Mobile home parks and facilities and uses incidental to the operation of the mobile home parks would be conditional uses in the MHP district. The development standards would regulate the density, area, open space, internal access of mobile home parks and also establish standards concerning lighting, garbage, and fire protection for health and safety purposes. The proposed Mobile Home Park zoning ordinance would prohibit the subdivision of land within mobile home parks. The proposed ordinance also includes, by reference, additional development standards contained in the State Mobile Home Parks Act and regulations.

2.3 Description of Cañada Cove and Hilltop Mobile Home Parks and Adjacent Lands

Cañada Cove is a 55-acre mobile home park located in south Half Moon Bay, west of Highway 1, at the southwestern corner of the Highway 1 and Miramontes Point Road intersection. The City granted a use permit for the Cañada Cove Mobile Home Park in 1969. The Commission issued a coastal development permit for the construction of the final 70 lots within Cañada Cove in 1982. The mobile home park consists of 360 mobile home spaces, an office, swimming pool, and storage buildings. It is accessed from Highway 1 via Miramontes Point Road. Cañada Cove is bounded to the south by the perennial stream, Arroyo Cañada Verde, and the Ocean Colony golf course and to the west by the Pelican Point RV Park (Exhibit 3). The Ocean Colony residential development and golf course is also located to the north of Cañada Cove. Across Highway 1, the land east of Cañada Cove is zoned Open Space-Reserve, and consists mostly of farmland and open space.

The City granted a use permit for the Hilltop Mobile Home Park in 1964. Hilltop is comprised of a total of five parcels and is divided by Highway 92—three parcels are located on the north side of Highway 92 and two parcels are located on the south side— and is accessed directly from the highway (Exhibit 4). The southern portion of Hilltop is zoned PUD and consists of 21 mobile homes and a grocery store serving the mobile homes. The northern portion of Hilltop is zoned industrial (IND). The proposed LCP amendment would change the land use and zoning designations of the 3.5-acre northern portion of Hilltop consisting of 41 mobile home lots only, but would not change the land use or zoning designations of the portion of the Hilltop mobile home park located south of Highway 92. These two parcels in the southern portion would continue to be zoned PUD.

The northern portion of Hilltop is surrounded by other IND zoned lands to the east, north, and west. While zoned IND, the land to the east of the mobile home park is undeveloped

except for some fencing and is used for raising goats. The land to the north and northwest of Hilltop is currently used for industrial purposes consisting of construction material storage and soil screening operations. A cemetery is also located southwest of the mobile home park. Rows of Monterey pines have been planted at the north and northwest edge of Hilltop mobile home park to screen the residences from the industrial activities.

3.0 FINDINGS AND DECLARATIONS

3.1 LUP AMENDMENT

3.1.1 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 standard of review for the proposed LUP amendment is therefore Chapter 3 of the Coastal Act.

3.1.2 Relevant Coastal Act Policies

Coastal Act Section 30211 states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water

reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act Section 30240 states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Coastal Act Section 30251 states:

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

Coastal Act Section 30604 states in part:

...

(b) After certification of the local coastal program, a coastal development permit shall be issued if the issuing agency or the commission on appeal finds that the proposed development is in conformity with the certified local coastal program.

(c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section [30200](#)).

...

(g) The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

3.1.3 Coastal Act Consistency

The proposed amendment to the Land Use Plan would change the land use designation of all of one of the existing mobile home parks and a portion of a second existing mobile home

park in the City to the new Mobile Home Park land use category. The City does not propose to designate any other areas within the City as Mobile Home Park at this time. Such action in the future would require a separate LCP amendment. The proposed land use designation would bring the long-established use of identified portions of the two existing mobile home parks (the entirety of the 55-acre Cañada Cove Mobile Home Park and 3.5-acre northern portion of Hilltop Mobile Home Park) into conformity with the LUP. As stated above, the City granted a use permit for the Cañada Cove Mobile Home Park in 1969, and the Commission issued a coastal development permit for the construction of the final 70 lots within Cañada Cove in 1982. Currently, the Cañada Cove site is designated Planned Development in the Land Use Plan and zoned PUD. The only permitted uses within the PUD are those that have an approved development plan. Thus, because the Cañada Cove mobile home park was permitted before the LCP was certified, and not authorized as a part of a development plan, it is a legal non-conforming use. Similarly, the 3.5-acre Hilltop property north of Highway 92 was approved by the City in 1964 and is currently designated and zoned as Industrial. The IND zoning district does not include mobile home park as a permitted or conditional use. Thus, because Hilltop Mobile Home Park was permitted before the LCP was certified, the northern portion of Hilltop is also currently a legal non-conforming use.

Under the Coastal Act, an LCP land use plan must indicate the kinds, locations, and intensities of land uses that are allowable. Since the proposed LUP amendment would only designate identified portions of two existing mobile home parks as Mobile Home Parks, the proposed amendment would not result in changes in the location, use, or intensity of uses. Therefore, the proposed LUP amendment is only evaluated for whether designating the two identified portions of each of the existing mobile home parks as Mobile Home Parks would be consistent with the Coastal Act.

Coastal Act Section 30604

In accordance with Coastal Act Section 30604(b), after certification of an LCP, a coastal development permit may only be approved for development that conforms with the LCP. Coastal Act Section 30604(c) further specifies that every development located between the first public road and the sea must conform to the public access and public recreation policies of the Coastal Act. The Suggested Modification to the LUP amendment would clarify, consistent with these policies, that while the proposed definition of the Mobile Home Park Land Use Category indicates 12-21 units per acre density, that the 21 units per acre maximum is not an entitlement that overrides other applicable policies of the LCP and the Coastal Act. The suggested modification (Suggested Modification #1) would clarify that the density indicated is the maximum *potential* density that may be permitted in any particular case where such density may be achieved consistent with all other policies of the LCP and with the public access and public recreation policies of the Coastal Act where applicable.

Affordable Housing

Coastal Act Section 30604(g) encourages the protection of existing and the provision of new affordable housing opportunities in the Coastal Zone. While neither Cañada Cove nor Hilltop mobile home parks are designated as affordable housing developments, they provide less expensive housing than most other types of residences in the City. The proposed LUP

amendment to designate the existing Cañada Cove and portions of Hilltop mobile home parks as Mobile Home Park would protect the existing use of these mobile home parks and reduce the potential for these mobile home parks to be converted to other types of land uses such as residential subdivisions.

Public Access

Coastal Act Section 30211 prohibits development from interfering with public access to the sea. Neither of the two existing mobile home parks is located in areas that provide access to the beaches or shoreline in Half Moon Bay. Hilltop is approximately 1.25 miles away from the shoreline on Highway 92. Cañada Cove, while closer to the beach is located at the intersection of Miramontes Point Road and Highway 1 and is separated from the shoreline by the Pelican Point RV Park and the Ocean Colony residential development and golf course. As such, designating Cañada Cove and Hilltop as Mobile Home Park in the LUP meets the requirement of and is in conformity with the public access policies of the Coastal Act.

Visual Resources

Coastal Act Section 30251 requires development to 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.

The proposed LUP amendment would serve only to maintain the current use of two existing mobile home parks and would not provide for either the expansion of these existing mobile home parks or for the development of any new mobile home parks in the City. Any redevelopment of the existing mobile home parks or development of new mobile home parks would require an LCP amendment and/or coastal development permit and would need to meet the visual resources policies of the LCP and Coastal Act. The LCP contains broad visual resource protection policies as well as specific implementing standards to protect coastal views, minimize alteration of natural landforms, and ensure visual compatibility of development with the character of surrounding areas.

Neither the Hilltop nor the Cañada Cove mobile home parks are located in highly scenic areas and both parks are adjacent to existing development. Cañada Cove is located at the corner of Highway 1 and Miramontes Point Road. The proposed designation of Cañada Cove as a mobile home park would not adversely impact views from Highway 1 because the areas within the vicinity of Cañada Cove are already developed with residences and a hotel. Views from Highway 1 to the ocean in the area of Cañada Cove are completely obstructed by existing development and would remain obstructed even without the Cañada Cove Mobile Home Park.

The northern portion of Hilltop is located on Highway 92 east of the Main Street intersection, approximately 1.25 miles from the shoreline. As with Cañada Cove, the area near Hilltop does not provide significant views of the coast and is surrounded by existing development, specifically, a corporation yard and soil screening operation to the east and other mobile homes and a convenient store to the south, as well as mixed commercial development at the intersection of Highway 92 and Main Street. The view from this section of Highway 92

consists of a mix of development and some trees that screen the cemetery bordering Hilltop and is not highly scenic.

The proposed LUP amendment would serve only to preserve the status quo with respect to the two existing mobile home parks in Half Moon Bay and would not provide for either the expansion of these existing mobile home parks or for the development of any new mobile home parks in the City. Both Cañada Cove and Hilltop are sited in close proximity to existing development and neither of the parks is located in a highly scenic area. Therefore, the proposed LUP amendment meets the requirements of and is in conformity with Coastal Act Section 30251.

Wetlands, Environmentally Sensitive Habitat Areas (ESHA), and Water Quality

Sections 30230 and 30231 of the Coastal Act require the protection of quality and biological productivity of coastal waters.

Section 30233 of the Coastal Act prohibits the diking, filling, or dredging of wetlands for residential development.

Section 30240 of the Coastal Act requires the protection of ESHAs and that development adjacent to ESHAs be sited and designed to prevent impacts to ESHAs.

The proposed LUP amendment would serve only to maintain the current use of two existing mobile home parks and would not provide for either the expansion of these existing mobile home parks or for the development of any new mobile home parks in the City. Any redevelopment of the existing mobile home parks or development of new mobile home parks would require an LCP amendment and/or coastal development permit and would need to meet the wetland, sensitive habitat, and water quality protection policies of the LCP and Coastal Act. The City's LCP contains broad wetland, sensitive habitat, and water quality protection policies as well as specific implementing standards to protect wetlands, sensitive habitats such as riparian corridors, and coastal water quality.

There are no wetlands or ESHAs within the two mobile home parks. A seasonal wetland is located approximately 500 feet northeast of Hilltop (Exhibit 4). Cañada Cove is located adjacent to Arroyo Cañada Verde (Exhibit 3), which is a perennial stream. All streams and riparian corridor areas are defined as sensitive habitat in the City's LCP. A recent biological assessment shows that Arroyo Cañada Verde is potential habitat for the California red-legged frog, a federally threatened species and a California species of special concern.

The proposed LUP amendment would serve only to preserve the status quo with respect to the two existing mobile home parks in Half Moon Bay and would not provide for either the expansion of these existing mobile home parks or for the development of any new mobile home parks in the City. Thus, the amendment would not result in any change or intensification of use of the existing mobile home parks or additional impacts to coastal water quality, wetlands or the ESHAs within and along Arroyo Cañada Verde. Any development requiring a coastal development permit involving the expansion of the existing or any new mobile home parks would be required to conform to the biological resources and water quality protection policies of the certified LCP. Therefore, the proposed LUP amendment

meets the requirements of and is in conformity of Coastal Act Sections 30230, 30231, 30233, and 30240.

3.2 IP/Zoning Code Amendment.

3.2.1 Standard of Review for IP/Zoning Code 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 proposed amendment to the Implementation Plan (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.

3.2.2 Relevant LUP Policies:

Policy 1-1

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

Policy 1-3

Where there are conflicts between the policies set forth in the Coastal Land Use Element and other elements of the City’s General Plan or existing ordinances, on balance, the policies of this Coastal Land Use element shall take precedence.

Policy 1-4

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

Policy 3-3

a. Prohibit any land use and or development which would have significant adverse impacts on sensitive habitat areas.

b. Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the environmentally sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of such areas.

Policy 4-9

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

LUP/Coastal Act Policy 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance.

Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

LUP/Coastal Act Policy 30231

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

LUP/Coastal Act Policy 30251

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

3.2.3 Consistency with LUP Policies

LUP Policy 1-4

LUP Policy 1-4 requires all development within the City to meet the applicable Land Use Plan policies. Suggested Modification #2 and #3 would clarify, in the Introduction, Purpose and Intent Sections, that the standards set forth in the Mobile Home Park zoning district to establish permitted uses and provide for the location and expansion of mobile home parks are intended to be carried out a manner consistent with the coastal resource and public access protection policies of the LCP.

Permitting Requirements

Section 18.71.060 of the proposed Mobile Home Park zoning ordinance would require a coastal development permit for new mobile home parks. Specifically, the section states:

Mobile Home Parks may be authorized subject to approval by the Planning Commission of a Conditional Use Permit pursuant to the provisions of this Chapter and of Chapter 18.22. A Site and Design Permit shall be required pursuant to the provisions of Chapter 18.21. A

Coastal Development Permit shall be required pursuant to the provisions of Chapter 18.20.

Section 18.20.025.A of the certified LCP requires a coastal development permit for any development that meets the definition of “development” in Section 18.20.020 (this definition is same as that specified in Section 30106 of the Coastal Act). The proposed permitting requirement for mobile home parks above could be taken to mean that only the development of a new mobile home park would require a coastal development permit but not other development activities involving an existing mobile home park. Suggested Modification #4 would clarify that a coastal development permit is required for any development as defined in Section 18.20.020 of the Zoning Code within a mobile home park, consistent with the coastal development permitting requirements of both the Coastal Act and the certified LCP.

Setbacks

Section 18.17.030.A.3 of the proposed Zoning Code amendment establishes the setback requirements for internal developments within a mobile home park from the perimeter lot lines. However, as proposed, it is unclear exactly what development or structures within the mobile home park would be required to meet the proposed setback standards. In addition, the description of the different setbacks proposed in the ordinance is not clear. For instance, the proposed front side setback would be 20 feet. However, it is not obvious which side of a mobile home park lot would qualify as the front side. Since a mobile home park lot is not the same as a typical single-family residential lot with defined front and rear sides, the description of the different sides of a mobile home park needs to be more detailed in order to distinguish the different sides and ensure that the setback requirements are clearly defined. The Commission’s suggested modifications (Suggested Modification #5) would clarify the kinds of development, such as roads, mobile home lots and units, and community buildings, within a mobile home park that would be required to meet the setback standards. The suggested modifications would also more clearly define the sides of mobile home park lots from which to establish the setbacks.

Visual Resources

Coastal Act Section 30251, which serves as a guiding policy in the LUP, requires development to 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.

As proposed, the zoning ordinance would require mobile home parks to be enclosed by a solid fence or thick screen planting no less than six feet high. While fencing of mobile home parks may be appropriate in certain situations, requiring all mobile home parks to be enclosed with a fence or planting at least six feet high could result in development that would obstruct views of the coast and/or be visually incompatible with the character or surrounding areas. For example, if a mobile home park were to be constructed between other equally high density residential development not enclosed by fencing, the required fence would appear out

of place and visually incompatible with the character of surrounding development. The Commission therefore suggests modifications (Suggested Modification #7) to remove Section 18.17.030.A.8 of the of proposed Zoning Code amendment. The Commission finds that the proposed amendment, with the suggested modifications, conforms with and is adequate to carry out the certified LUP.

Sensitive Habitat

LUP Policy 3-3 prohibits land uses and developments that would result in significant adverse impacts to sensitive habitats and requires that development adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade the sensitive habitat.

As proposed, the Mobile Home Park zoning ordinance would not change any LCP policies concerning the protection of sensitive habitats and other biological resources. Development associated with mobile home parks requiring a coastal development permit would need to conform with the sensitive habitat protection policies and standards of the LCP. However, the proposed ordinance while requiring landscaping in mobile home parks would not restrict the use of invasive exotic plants. Invasive exotic plants disrupt the integrity of natural habitats, threaten native plant communities, and ultimately reduce biodiversity. Many of the non-native plants that have invaded California's native habitats, such as English ivy and pampas grass, were originally introduced to the state as landscaping ornamentals. Any landscaping with exotic invasive plants in mobile home parks could spread into adjacent sensitive habitats and displace native wetland, riparian, and dune vegetation among others, thereby degrading the value and function of the adjacent sensitive habitat, inconsistent with LUP Policy 3-3. Suggested Modification #8 would prohibit the use of invasive exotic plant species in landscaping for mobile home parks and would require the use of native and/or non-invasive plants to ensure that any sensitive habitat adjacent to mobile home parks would not be adversely affected by invasive exotic plant species used in landscaping. As such, the Commission finds that the proposed amendment, with the suggested modifications, conforms with and is adequate to carry out policies of the certified LUP.

Water Quality

Increased impervious surface coverage decreases the infiltrative function and capacity of land and leads to an increase in the volume and velocity of storm water runoff. Among the effects of increased impervious surface coverage are increased peak discharges to streams receiving runoff and the peaks occur much sooner after precipitation events. Changes in stream flow result in modifications to stream morphology. Runoff from impervious surfaces also intensifies erosion and the transport of sediments to receiving bodies of water. Various pollutants such as petroleum hydrocarbons and heavy metals are commonly found in runoff from developed areas.

The proposed LUP amendment would serve only to maintain the current use of two existing mobile home parks and would not provide for either the expansion of these existing mobile home parks or for the development of any new mobile home parks in the City. Any redevelopment of the existing mobile home parks or development of new mobile home parks

would require an LCP amendment and/or coastal development permit and would need to meet the water quality protection policies of the LCP and Coastal Act.

However, the Half Moon Bay LCP was certified in 1996, prior to the development of the State's Non-Point Source Pollution Prevention Program. Consequently, the LCP includes only general water quality protection policies, but lacks specific implementation measures addressing storm water pollution. The proposed Mobile Home Park Ordinance includes a development standard prohibiting any net increase in the flow of storm water offsite. Although this general policy is consistent with the LUP water quality protection policies, more detailed and specific standards are required to adequately implement the LUP water quality policies. For example, if amended as proposed the LCP would not specifically address construction related water quality impacts and would not specify water quality protection best management practices (BMPs) appropriate for mobile home park developments. The Commission therefore suggests modifications to Zoning Code Section 18.38.121 that would require BMPs for both the construction and post-construction phases of mobile home park development.

The suggested modifications would ensure that the water quality protection policies contained in the certified LUP are adequately implemented for development of mobile home parks by:

- Establishing performance standards for the water quality protection measures,
- Requiring all permitted development to implement construction and post-construction phase BMPs,
- Establishing construction phase and post-construction phase BMPs appropriate for mobile home parks,
- Requiring maintenance of BMPs to ensure proper function, and
- Requiring site-specific construction phase erosion and sediment control plans and the post-construction phase storm water management plans for mobile home park development resulting in addition or replacement of 10,000 square feet or more of impervious surface cover.

As modified, the water quality measures would require specific BMPs necessary to control erosion and sediment during construction and to maximize onsite retention and infiltration of storm water. The proposed BMPs for both the construction phase and post-construction phase of development have been developed specifically to address the individual and cumulative water quality impacts of mobile home parks.

The construction phase BMPs would prevent the sedimentation and pollution of coastal waters by minimizing the erosion and offsite transport of soil, construction materials, and pollutants from construction sites and by containing polluted storm water runoff onsite during construction. The post-construction BMPs, including BMPs that address site design, source control, and treatment would maximize onsite infiltration and retention of storm water, prevent increases in the peak rate and average volume of post-development storm water runoff, and minimize the amount of pollutants entering coastal waters.

In addition, suggested modifications to the water quality protection standards would specify that any mobile home park development that would create or replace 10,000 square feet or more of impervious surface coverage must be undertaken in accordance with a construction-phase erosion and sediment control plan and a post-construction storm water management plan that includes treatment BMPs. These requirements are reflective of the C.3, Group 2 requirements of the San Mateo County Stormwater Pollution Prevention Program (STOPPP) that covers the City of Half Moon Bay and has been approved by the California Regional Water Quality Control Board. Specifically, the C.3, Group 2 provisions require projects creating new or replacing 10,000 square feet of impervious area to implement appropriate source control, site design, and treatment BMPs. The C.3, Group 2 requirements will be effective beginning August 15, 2006. To ensure consistency with the requirements of the Regional Water Quality Control Board pursuant to Section 30412 of the Coastal Act, the Commission is specifically suggesting modifications that reflect the requirements of the C.3, Group 2 provision of the San Mateo County STOPPP.

Moreover, the proposed amendment would require that pedestrian walkways inside mobile home parks be paved. This requirement would result in increased impervious surface coverage and reduced onsite storm water infiltration and retention capacity, inconsistent with the water quality protection policies of the LCP as discussed above. The Commission suggests removing the paving requirement for pedestrian walkways (Suggested Modification #6) to protect coastal water quality, consistent with LUP water quality protection policies.

Implementation of the required BMPs, plans, and performance standards included in the proposed water quality protection measures, as modified, and removing the paving requirement for pedestrian walkways would prevent significant individual and cumulative impacts to coastal water quality resulting from development of mobile home parks. The Commission finds that with the suggested modifications, the proposed IP/Zoning Code amendment would conform with and is adequate to carry out the water quality protection policies of the Half Moon Bay LUP.

Mobile Home Parks Act

The Mobile Home Parks Act is a state law governing the construction, maintenance, occupancy, use, and design of mobile home parks. HCD is the state agency implementing the Mobile Home Parks Act and has adopted regulations to implement the state law. The proposed Mobile Home Park zoning ordinance incorporates, by reference, all of the development standards contained in the Mobile Home Parks Act and regulations (Section 18.17.030.C of the proposed amendment). Because all of the standards in the Mobile Home Parks Act and regulations can be amended at any time and have not been certified by the Commission as consistent with and adequate to carry out the policies of the Coastal Act, they may not be incorporated as specific development standards in the LCP. In addition, as stated above, the Mobile Home Parks Act cannot be interpreted to prevent application of either the statewide policies of the Coastal Act or the LCP provisions which are required by and reflect the Coastal Act. Therefore, the Commission suggests modifications to remove Section 18.17.030.C of the proposed Zoning Code amendment (Suggested Modification #10) to

eliminate potential inconsistencies between the proposed amendment and the coastal resource protection policies of the LCP.

Section 18.17.040 of the proposed Mobile Home Park zoning ordinance allows exceptions to be granted the proposed development standards for approving coastal development permits for mobile home parks in order to meet requirements in the Mobile Home Parks Act and regulations. As discussed above, since the Mobile Home Parks Act and regulations have not been approved by the Commission and can be amended at any time, unlimited exceptions from otherwise applicable coastal development permit standards granted for mobile home park development to meet requirements of the Mobile Home Parks Act and regulations may result in development that would be inconsistent with the coastal resource protection policies of the LCP. As stated above, the Mobile Home Parks Act does not preclude application of LCP provisions because LCP provisions are not simply local ordinances but are instead required by and reflective of state law. As such, the Commission is suggesting removal of a portion of Section 18.17.040 of the proposed Mobile Home Park zoning ordinance (Suggested Modification #11) that would eliminate any potential inconsistencies between the proposed amendment and the coastal resource protection policies of the LCP.

The Commission finds that the proposed amendment to the Zoning Code, with the suggested modifications, conforms with and is adequate to carry out the certified policies of the LUP.

4.0 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, the City of Half Moon Bay LCP amendment 1-MAJ-02 consists of a Land Use Plan (LUP) amendment, an Implementation Plan (IP) amendment and a change to the LUP and zoning maps. The Commission incorporates its findings on Coastal Act and land use plan conformity at this point as it is set forth in full above. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the proposed amendment that were received prior to preparation of the staff report.

The Commission finds that approval of the City of Half Moon Bay LCP amendment 1-MAJ-02 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 Half Moon Bay, or in the case of areas of original jurisdiction, by the Coastal Commission. Throughout the Coastal Zone, specific impacts associated with individual development projects are assessed through the CEQA

environmental review process. Thus, an individual project's compliance with CEQA would be assured. Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures within the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts.

EXHIBITS

1. City of Half Moon Bay Resolution C-41-02
2. City of Half Moon Bay Resolution C-04-02
3. Zoning and Surrounding Land Use of Cañada Cove Mobile Home Park
4. Zoning and Surrounding Land Use of Hilltop Mobile Home Park
5. April 25, 2006 Letter From San Mateo County Supervisor, Richard Gordon
6. May 8, 2006 Letter from Theresa and Gus Felmery
7. April 23, 2006 Letter from Donald Freese
8. May 10, 2006 Letter from James and Cathy Henderson
9. May 30, 2006 Letter from Sachiko Hull, Eden Karle, and Joan Kilinski
10. May 10, 2006 Letter from Don and Carol Peterson
11. May 16, 2006 Letter from Lisa Schilig-Wallen

RESOLUTION C-41-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF HALF MOON BAY APPROVING A GENERAL PLAN/LCP AMENDMENT
TO CREATE A MOBILE HOME PARK LAND USE PLAN DESIGNATION
AND ZONING DISTRICT, AND TO CHANGE THE MAP DESIGNATIONS
FOR THE CANADA COVE AND HILLTOP PROPERTIES**

WHEREAS, the City Council considered the question of whether a Mobile Home Park Zoning District should be created for the Canada Cove and Hilltop properties at its meeting on 1 May 2001;

WHEREAS, the Council directed staff to prepare a draft amendment for its consideration within two months;

WHEREAS, the Council considered a preliminary draft ordinance at its 17 July 2001 meeting;

WHEREAS, the Council, by unanimous vote, determined to initiate proceedings to consider the amendment and referred the matter to the Planning Commission for a public hearing and recommendation;

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed General Plan / LCP amendment, commencing on 25 October 2001 and concluding on 14 February 2002, at which times all interested persons were given an opportunity to be heard;

WHEREAS, the Planning Commission received and considered an Initial Study Report and Proposed Negative Declaration, prepared in accordance with the state's CEQA Guidelines;

WHEREAS, after considering all written and oral testimony and the entire record, the Planning Commission made revisions to the proposed amendment and recommended approval of the amendment as revised and approval of the Negative Declaration;

WHEREAS, the City Council has conducted a duly noticed public hearing on the proposed General Plan / LCP amendment, commencing on 2 April 2002 and concluding on 18 June 2002, at which times all interested persons were given an opportunity to be heard;

WHEREAS, by separate action on 4 June 2002, the City Council introduced an ordinance amending Title 18 to add Chapter 18.17 for the purpose of establishing a new Mobile Home Park zoning district and regulations for the new district;

WHEREAS, by separate action the Council will consider final adoption of the implementing ordinance at its meeting on 18 June 2002; and

WHEREAS, after considering all written and oral testimony and the entire record, the City Council has determined to approve the proposed amendment of the General Plan / Coastal Land Use Plan and the related Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

Section 1. CEQA Findings and Approval of Negative Declaration

Statutory Requirement: *The requirements pertaining to consideration and adoption of a Mitigated Negative Declaration are found at Section 15074 of the State CEQA Guidelines.*

Council Findings:

1. An Initial Study Report and Environmental Assessment was prepared on the Mobile Home Park LCP Amendment Project by Don Dakins, senior planner for the City of Half Moon Bay, in accordance with the requirements of CEQA.
2. The Initial Study/Environmental Assessment was noticed and circulated in the manner prescribed by the state CEQA Guidelines.
3. The State Clearinghouse [SCH#2001102082] assigned a 30-day review period, which closed on 15 November 2002; no comments were received from agencies.
4. The Initial Study Report was distributed to the Office of the Clerk of the County of San Mateo, and the 30-day review period ended on or about 28 November 2001.
5. A Notice of Intent to Adopt the Proposed Mitigated Negative Declaration was distributed to all responsible and trustee agencies in accordance with the requirements of the CEQA Guidelines.
6. The City Council and Planning Commission have conducted duly noticed public hearings to consider the proposed amendment and the Negative Declaration, the Commission's hearing commencing on 25 October 2001 and concluding on 24 January 2002 and the Council's hearing commencing on 2 April 2002 and concluding on 4 June 2002.
7. The Initial Study identified several potentially significant effects, but mitigation measures included within the Initial Study, and agreed to by the City, would avoid these effects or mitigate the effects to a point where no significant effects would occur.
8. On the basis of the whole record, there is no substantial evidence that the revised amendment, with the mitigation measures proposed and adopted, will have a significant effect on the environment.
9. The Negative Declaration reflects the independent judgment and analysis

- of the City of Half Moon Bay, the Lead Agency under CEQA for this project.
10. Documents comprising the record of proceedings upon which the decision is based are on file at the City of Half Moon Bay, Planning Department, 501 Main Street, Half Moon Bay, CA 94019.

Section 2. Approval of Local Coastal Land Use Plan / General Plan Amendment.

The City Council hereby approves a Local Coastal Land Use Plan / General Plan Amendment consisting of the following two components:

- A. An amendment of the text of Appendix B of the Land Use Plan, "Land Use Designations," to add "Mobile Home Park" as a sub-category of the Residential use designations following the High Density Residential category. The text is amended to read as follows:
- "Mobile Home Park (12 – 21 Units Per Acre)
The intent of this designation is to protect and preserve the existing Canada Cove and Hilltop Mobile Home Parks and to allow for possible designation of other appropriate sites for mobile home park development in the future. Mobile Home Parks are intended to provide affordable housing opportunities, and individual mobile home sites within a park shall not be sold separately. A comprehensive development plan for the entire property that incorporates common facilities and amenities is required prior to approval of development of a Mobile Home Park. The designation shall be implemented by the Mobile Home Park zoning district."
- B. An amendment of the Land Use Plan map to change the land-use designation for the Canada Cove Mobile Home Park from Planned Unit Development to the new Mobile Home Park designation, and the portion of the existing Hilltop Mobile Home Park on the north side of San Mateo Road (SR 92) from Industrial to the new Mobile Home Park designation. The land area affected by the amendment is shown on the maps in Exhibits A and B, attached hereto and incorporated herein by this reference.

Section 3. Approval of Title 18 (Zoning) Amendment

The City Council, by separate action, has approved Ordinance C-04-02, adopting implementing zoning regulations for the new land use plan use category.

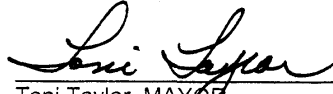
PASSED AND ADOPTED by the City Council of the City of Half Moon Bay at a meeting held on 18 June 2002, by the following vote:

AYES: Councilmembers Ruddock, Ferreira, Coleman, Grady, and Mayor Taylor

NOES: None

ABSENT: None

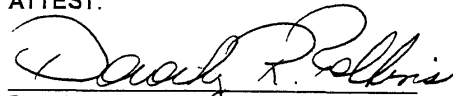
ABSTAIN: None



Toni Taylor, MAYOR

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 18th day of June 2002.

ATTEST:



Dorothy R. Robbins, CITY CLERK

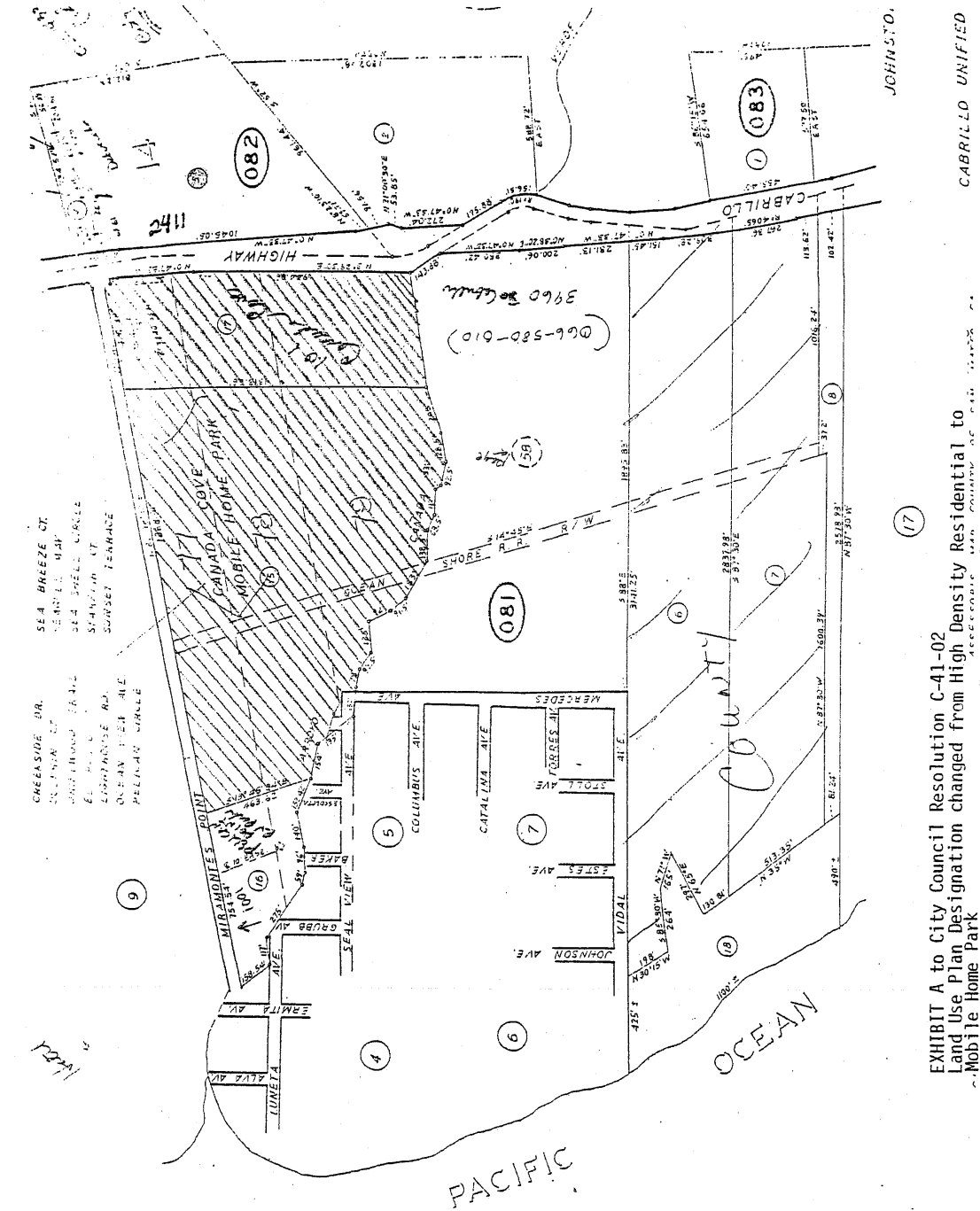
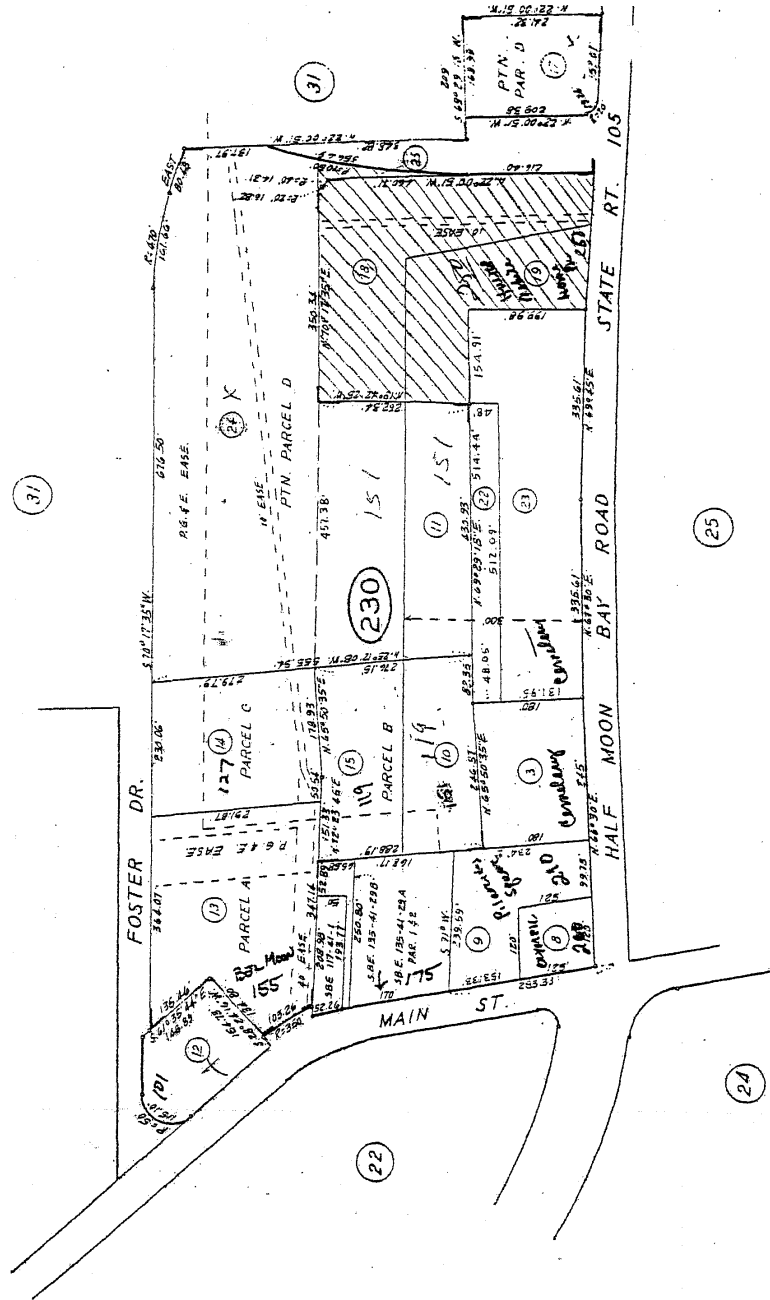


EXHIBIT A to City Council Resolution C-41-02
Land Use Plan Designation changed from High Density Residential to
Mobile Home Park

Exhibit 1
HMB-MAJ-1-02
City of Half Moon Bay Resolution
C-41-02
Page 5 of 6

EXHIBIT B TO CITY COUNCIL RESOLUTION C-41-02
Land Use Plan Designation changed from Industrial and Public Facilities to
Mobile Home Park



ADJACENT PARCELS SHOWN DO NOT
NECESSARILY CONSTITUTE LEGAL LOTS
OR RITE PARK CITY

Exhibit 1
HMB-MAJ-1-02
City of Half Moon Bay Resolution
C-41-02
Page 6 of 6

ORDINANCE NO. C-04-02

**An Ordinance of the City of Half Moon Bay adding Chapter 18.17,
"Mobile Home Park (MHP) District," to Title 18 and amending the Official
Zoning Map, referenced in Section 18.01.025, for the Canada Cove
and Hilltop Mobile Home Park Properties to the new MHP District**

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

SECTION 1. Addition of Chapter 18.17. Title 18 of the Half Moon Bay Municipal Code, "Zoning Code," is hereby amended to add a new Chapter 18.17, "Mobile Home Park District," creating regulations applicable to the new district, as follows:

"CHAPTER 18.17

MOBILE HOME PARK DISTRICT

Sections:

- 18.17.010 Mobile Home Park (MHP) District Established**
- 18.17.011 Purpose and Intent**
- 18.17.012 Definitions**
- 18.17.020 Use Regulations**
- 18.17.030 Development Standards**
- 18.17.040 Exceptions to Development Standards**
- 18.17.050 Nonconforming Uses and Structures**
- 18.17.060 Required Permits and Plan Review**

Section 18.17.010 Mobile Home Park (MHP) District Established. The Mobile Home Park (MHP) district is hereby established to set standards for development, expansion and alteration of mobile home parks and procedures to enforce those standards so as to exercise the rights reserved to local jurisdictions by state law (California Health and Safety Code Division 13, part 2.1, commencing with Section 18200). The regulations set forth in this Chapter are intended to regulate only those developments specifically planned for accommodation of more than one mobile home or manufactured home and operated under permit pursuant to Title 25, Chapter 5, of the California Administrative Code. Regulations regarding the use of a single manufactured home as a permanent residence are found in Chapter 18.06.

Section 18.17.011 Purpose and Intent.

A. Purpose. The purposes of these Mobile Home Park district regulations are to: protect and preserve mobile home parks existing as of the date of adoption of this chapter as affordable housing resources; provide appropriately located areas for future expansion or development of mobile home parks, consistent with standards of

public health and safety; establish standards for density and common open space; and provide for an appropriate set of permitted uses and activities on lands within the district.

B. Intent. The intent of these regulations is to assure that mobile home parks are established only at locations that have safe and adequate access to a public street or highway, and that they are developed and operated in a manner consistent with the Local Coastal Land Use Plan / General Plan and compatible with surrounding neighborhood areas.

Section 18.17.012 Definitions. For purposes of this Chapter, the definitions set forth in Chapter 18.02 and Section 18.30.015 shall apply.

Section 18.17.020 Use Regulations.

A. Permitted Uses. The following uses are permitted without a requirement for approval of a use permit:

1. Natural Resources Management. Restoration and management of natural resource areas
2. Coastal Access. Trails and scenic overlooks, and related coastal access parking spaces.
3. Agricultural Uses. Provided that no existing riparian vegetation is removed, and no soil or agricultural chemicals are allowed to enter stream channels.

B. Conditionally Permitted Uses. The following uses may be allowed subject to approval of a conditional use permit by the Planning Commission:

1. Mobile Home Parks
2. Mobile Home Displays and Sales, provided that such use is incidental and subordinate to an on-site mobile home park
3. Intensive Recreational Facilities. Including indoor recreational facilities such as club houses, swimming pools, and similar intensive recreational facilities, limited to use by residents of the mobile home park and their guests
4. Retail Sales. Limited to small-scale sales of convenience retail goods, where sales are oriented primarily to residents of an on-site mobile home park, not to exceed 1,000 sq. ft. of floor area
5. Assisted Living. Including congregate care facilities, in conjunction with an existing mobile home park on the same site
6. Convalescent Care Facilities in conjunction with an existing mobile home park on the same site.

C. Accessory Uses and Structures. The following uses incidental and

subordinate to a permitted or principal use located on the property:

1. Animals, Small, limited to not more than two at any individual mobile home residence, subject to the regulations set forth at Section 18.06.025B
2. Community Gardens
3. Day Care, limited residential, subject to the regulations set forth at Section 18.06.025C
4. Decks, Porches, and Similar Small Structures
5. Fences, Walls, Gates and Hedges, with those located around the perimeter of the mobile home park subject to the standards set forth at Section 18.06.040C
6. Garbage Container Enclosures
7. Home Occupations, subject to the regulations set forth at Section 18.06.025F
8. Landscaping
9. Management Office, limited to one building and not to exceed 1,000 sq. ft.
10. Maintenance Facilities, not to exceed two buildings with a cumulative total of 1,000 sq. ft.
11. Outdoor Recreation Facilities, limited to facilities intended for residents of the mobile home park and their guests
12. Parking Areas, limited to facilities intended for use of residents, employees of the mobile home park, and visitors to the mobile home park, subject to the standards set forth at Section 18.06.040 D
13. Patio Covers and Awnings
14. Storage Buildings, for storage of personal belongings of park residents only

D. Uses Not Listed. Uses not listed in this Chapter shall not be permitted in the Mobile Home Park district. Authorization of any use not listed above shall require the prior approval of an amendment to this Title.

E. Changes in Use and Conversions. Any change in use from a mobile home park to another use, including but not limited to, any conversion from rental of individual mobile home spaces to condominium, stock cooperative, planned unit development, or any form of ownership wherein individual spaces are to be sold, within all or any portion of a mobile home park, shall be subject to the regulations set forth in Chapter 18.30.

Section 18.17.030 Development Standards.

This section establishes overall standards for the development, enlargement, additions to, and alteration of Mobile Home Parks.

A. The following standards shall apply to Mobile Home Parks:

1. Density. The maximum permitted number of mobile home spaces shall be determined by dividing the net area of the site by 2,000 square feet of site area per mobile home dwelling.
2. Site Area. A minimum site area of five (5) acres shall be required for a Mobile Home Park. The maximum size of any mobile home park shall be 20 acres.
3. Minimum Yard or Setbacks Required. The minimum setbacks from perimeter lot lines of the Mobile Home Park shall be as follows:
 - a. Front: 20 feet
 - b. Interior Side: 10 feet
 - c. Street Side: 20 feet
 - d. Rear: 20 feetAll setback areas shall be landscaped and continually maintained.
4. Open Space. A minimum of 300 square feet for each mobile home shall be devoted to community open space conveniently located for all residents. A maximum of 25 square feet of the required 300 square feet may be used for a recreation or service building.
5. Parking. Two off-street parking spaces shall be provided for each mobile home consistent with the standards of Chapter 18.36. One off-street parking space shall be provided for each 200 square feet of floor area within buildings containing offices, services or recreation activities.
6. Roads and Vehicular Access. All mobile home spaces shall be served from internal private roadways and there shall be no direct vehicular access from a mobile home space to a public street or alley. Internal roads shall have a clear and unobstructed access to a public street or highway.
7. Pedestrian Access. Walkways shall be provided throughout the mobile home park to provide safe and convenient pedestrian access to amenities, open space areas, and public roadways. Walkways shall comply with applicable accessibility standards but in no case shall be less than three feet in width. Walkways shall be paved and separate from roadways and driveways for auto traffic.
8. Fencing. The mobile home park property shall be enclosed by a solid fence or thick screen planting for control of view, light, sound, and security and to achieve compatibility with surrounding proposed and existing development. The height of the perimeter fencing shall not be less than six (6) feet.
9. Landscaping. A landscaping plan and landscape maintenance plan for the perimeter of the Mobile Home Park shall be submitted for consideration with each permit application for development or expansion of a mobile home park. Landscaping shall be used as a buffer between mobile home spaces and adjacent property. Service areas and outdoor storage areas shall be screened from view from public streets.
10. Signs. One non-illuminated or indirectly illuminated detached monument sign, identifying the name of the mobile home park, shall be permitted.

- Such sign shall be constructed of natural material such as wood and shall not exceed a height of four feet or an area of 16 square feet. Any such sign shall be integrated into the landscape design.
11. Garbage and Refuse Disposal and Recycling. Mobile Home Parks shall be required to use garbage collection and recycling services. Central collection containers shall be provided at convenient locations within decorative fenced or walled enclosures.
 12. Drainage. A Drainage Plan shall be required for all applications for Mobile Home Parks. Said plan shall demonstrate that drainage facilities are adequate to prevent any net increase in the flow of stormwater off-site.
 13. Fire Protection. Prior to issuance of any coastal development permit or use permit, the applicant shall receive preliminary approval of plans by the Half Moon Bay Fire Protection District.
 14. Lighting. Lighting shall be the minimum necessary to illuminate the internal roads without adverse impact on adjacent properties. Light fixtures shall be the minimum height needed for public safety, but shall not exceed 15 feet in height, and shall be shielded to downcast light to prevent glare on adjacent properties.
 15. Underground Utilities. In development of new and expansion of existing mobile home parks, all new electrical, telephone, cable TV, and similar distribution lines providing direct service to the development, including individual spaces, shall be installed underground.
 16. Transient Occupancy Prohibited. Mobile home units within Mobile Home Parks shall be limited to use as permanent residences. No mobile home shall be rented to or occupied by any individual or group of individuals for a term less than 30 consecutive days.
- B. Subdivision of land within a mobile home park to create separate legal lots or airspace condominium units for individual mobile home sites is prohibited.
- C. Additional Standards.

In addition to the foregoing, the development and construction of mobile home parks, including additions, alterations, and enlargements thereof, shall comply with applicable standards set forth in California Health and Safety Code Division 13, part 2.1, commencing with Section 18200, and with the regulations set forth in Title 25, Chapter 5, of the California Administrative Code. All applications for a use permit and coastal development permit shall include detailed documentation of compliance with these standards.

Section 18.17.040 Exceptions to Development Standards. The Planning Commission may authorize exceptions and conditional exceptions to the development standards established pursuant to this Chapter provided that the following findings are made:

EITHER

1. That there are special circumstances or conditions affecting the property;
2. That, by virtue of the special circumstance or condition, the strict application of the standard would impose a practical difficulty or hardship;
3. That the exception is necessary for the proper design or function of the Mobile Home Park;
4. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which the mobile home park is situated; and
5. That the granting of the exception is in accordance with the objectives and policies of the Local Coastal Land Use Plan / General Plan.

OR

6. That the granting of the exception is necessary in order to comply with California Health and Safety Code Division 13, Part 2.1 commencing with Section 18,200 and the implementing state regulations; and
7. The granting of the exception is in conformance with the requirements of the California Coastal Act and the City's certified Coastal Land Use Plan.

Section 18.17.050 Nonconforming Uses and Structures. Any Mobile Home Park lawfully existing as of the effective date of this Chapter may be continued, although such existing use does not conform to the regulations set forth in this Chapter; provided, however, that such nonconforming use shall not be extended to increase the number of mobile home spaces or to occupy a greater or different area of land, building or structure than that occupied by such use as of the effective date of this Chapter except in conformance with the regulations set forth in this Chapter. Nonconforming uses shall be subject to the provisions of Chapter 18.25.

Section 18.17.060 Required Permits and Plan Review. Mobile Home Parks may be authorized subject to approval by the Planning Commission of a Conditional Use Permit pursuant to the provisions of this Chapter and of Chapter 18.22. A Site and Design Permit shall be required pursuant to the provisions of Chapter 18.21. A Coastal Development Permit shall be required pursuant to the provisions of Chapter 18.20."

SECTION 2. Amendment of Section 18.01.015, "Designation of Districts." The table in Section 18.01.015 is hereby amended to add the following as the last item in the table:

District	Use
MHP	Mobile Home Park

SECTION 3. Amendment of Section 18.01.025, Zoning District Map. The Zoning District Map referenced in Section 18.01.025 is hereby amended to change the district

for the following parcels:

APN	Name	Existing District	New District
066-081-150 and -170	Canada Cove	PUD	MHP
056-230-180, -190 and -250	Hilltop (north side of San Mateo Rd)	Industrial	MHP

The designations, locations and boundaries of the land areas affected by the rezoning are shown on the maps attached as Exhibits A and B and incorporated herein by this reference.

SECTION 4. Environmental Determination. The City Council has received and considered an Initial Study report and proposed Negative Declaration prepared and circulated in accordance with the requirements of the California Environmental Quality Act and by separate resolution has made findings and approved said Negative Declaration for the amendment set forth herein.

SECTION 5. Submission to California Coastal Commission for Certification. The foregoing amendment to Title 18 constitutes an amendment of the City of Half Moon Bay's Local Coastal Program. By separate Resolution, the City Council has approved a correlated amendment of the Coastal Land Use Plan to create a Mobile Home Park land use category. The City Clerk is hereby directed to transmit a copy of this ordinance together with the Land Use Plan amendment to the California Coastal Commission for certification. The City Council of the City of Half Moon Bay hereby certifies that the Local Coastal Program, as amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act.

SECTION 6. Effective Date. This ordinance shall take effect 30 days after the date of its final passage, except that the Local Coastal Program amendment set forth in Sections 1, 2 and 3 of this ordinance shall not take effect until it has been certified by the California Coastal Commission. In the event that the Coastal Commission certifies the amendment subject to certain modifications, the amendment shall not be effective until the modified ordinance has been approved by this Council and confirmed by the executive director of the California Coastal Commission.

SECTION 7. Severability. If any words, phrases, provisions, or sections of this Chapter are either determined by a Court of competent jurisdiction to be void, invalid, unenforceable, or preempted by state or federal law then such words, phrases, provisions, or sections shall be severed from this Chapter, and all the remaining words, phrases, provisions, and sections of this Chapter shall remain in full force and effect; provided however, that the severing of such words, phrases, provisions, and sections does not frustrate the purposes of any of the remaining sections of this Chapter.

[end]

7

INTRODUCED on the 4th day of June 2002.

PASSED AND ADOPTED this 18th day of June 2002 by the following vote:

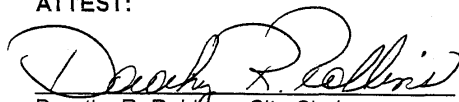
AYES, and in favor thereof, Coleman, Grady, Ferreira, Ruddock, and
Councilmembers: Mayor Taylor

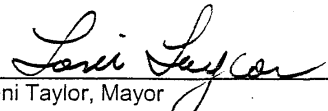
NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None

ATTEST:


Dorothy R. Robbins, City Clerk


Toni Taylor, Mayor

PASSED AND ADOPTED AT THE
COUNCIL MEETING OF
6-18-02
DR
CITY CLERK

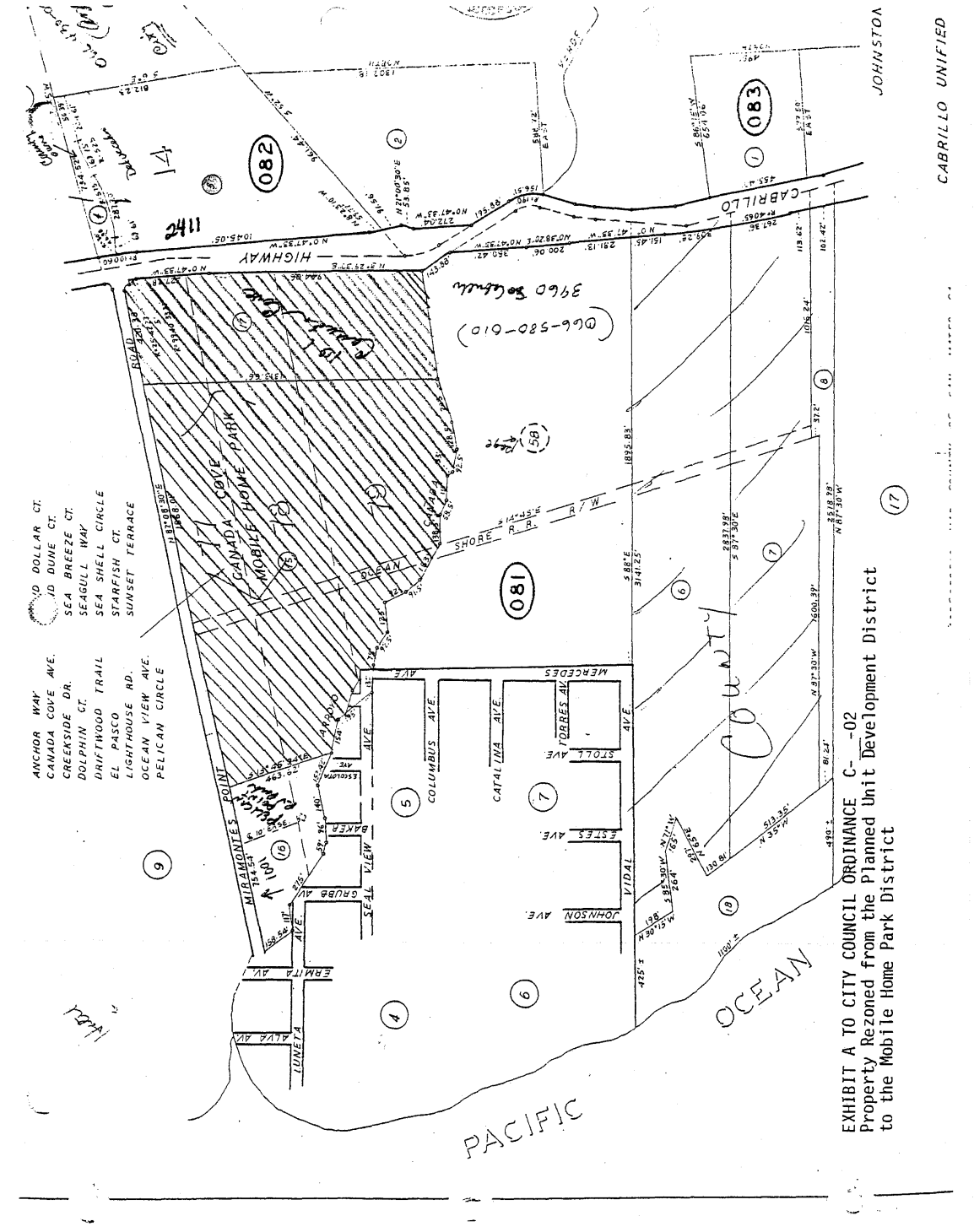
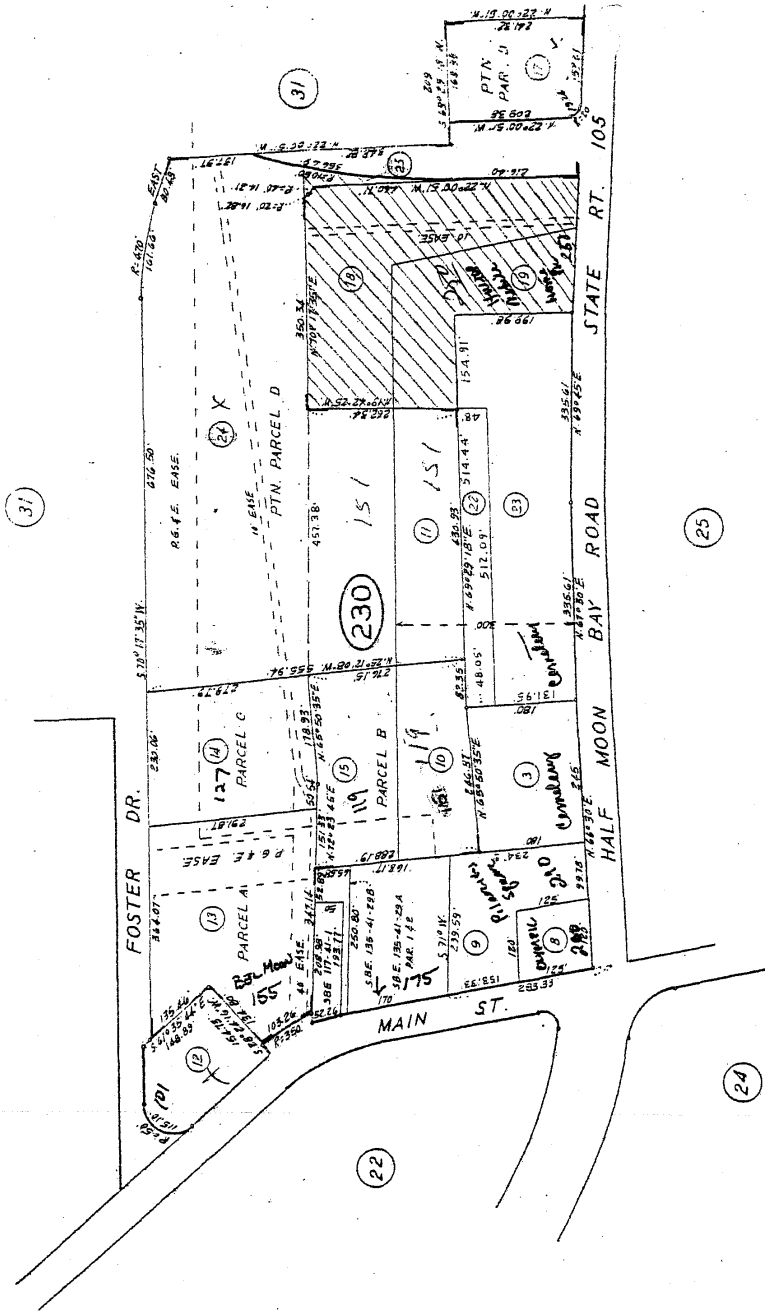


EXHIBIT B TO CITY COUNCIL ORDINANCE C-04-02
Property Rezoned from the Industrial District to the Mobile Home Park District



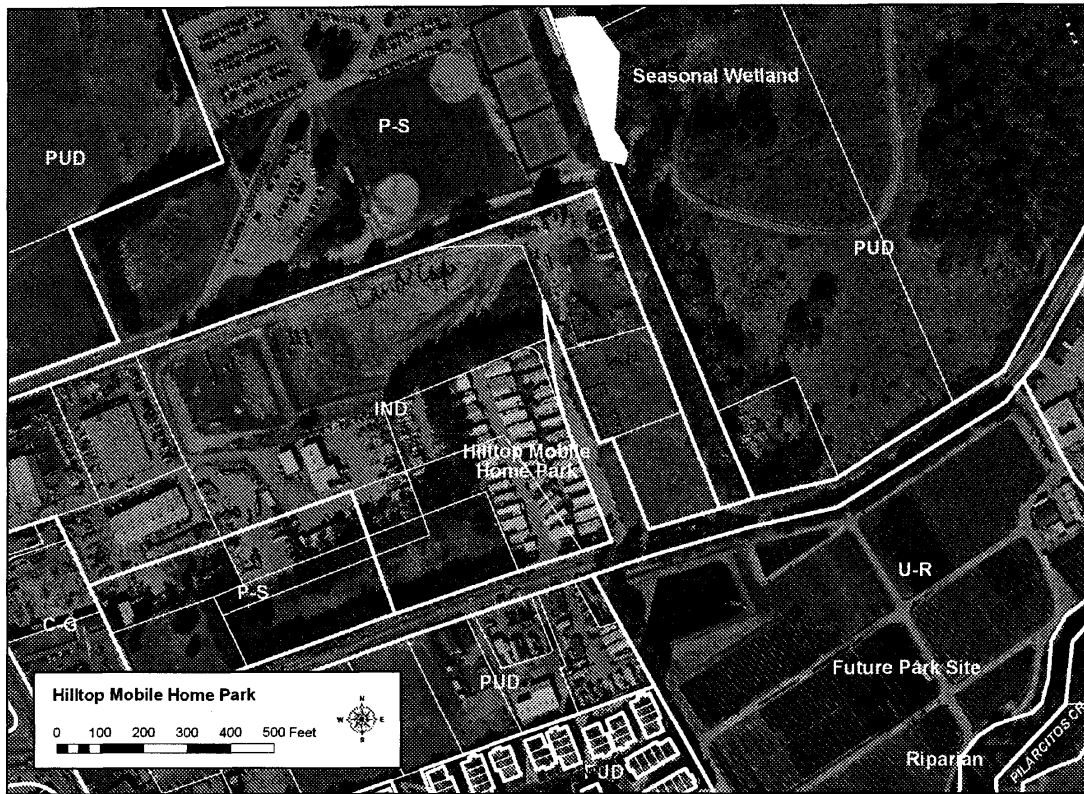
ASSESSORS PARCELS SHOWN DO NOT
NECESSARILY CONSTITUTE LEGAL LOTS
(SEE BLUE MAPS FOR DETAILS)

Exhibit 2
HMB-MAJ-1-02
City of Half Moon Bay Resolution
C-04-02
Page 10 of 10



This map depicts parcel information from the San Mateo County Assessor's Office. Assessor's parcels are mapped for tax purposes only; therefore, this map should not be used to determine if a parcel is a legal lot for land development purposes. Legal lots are those that are validly created or recognized under the State Subdivision Map Act and local ordinances. Due to limitations inherent to the mapping process, the precise location of features depicted on this map may not be as shown. Any questions that may arise should be referred to the City of Half Moon Bay Planning Department. Actual locations of features shall govern for regulatory purposes.

Exhibit 3
HMB-MAJ-1-02
Zoning and Surrounding Land Use
Of Canada Cove Mobile Home
Park



This map depicts parcel information from the San Mateo County Assessor's Office. Assessor's parcels are mapped for tax purposes only; therefore, this map should not be used to determine if a parcel is a legal lot for land development purposes. Legal lots are those that are validly created or recognized under the State Subdivision Map Act and local ordinances. Due to limitations inherent to the mapping process, the precise location of features depicted on this map may not be as shown. Any questions that may arise should be referred to the City of Half Moon Bay Planning Department. Actual locations of features shall govern for regulatory purposes.

Exhibit 4
HMB-MAJ-1-02
Zoning and Surrounding Land Use
of Hilltop Mobile Home Park

RICHARD GORDON

Board of Supervisors
County of San Mateo

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COASTAL COMMISSION

April 25, 2006

Chris Kern, District Manager
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Kern:

I am writing in support of the City of Half Moon Bay Local Coastal Program Amendment 1-02. This zoning change is important to maintaining affordable housing on the coast.

The amendment would provide for a Mobile Home Park Zoning Ordinance (Half Moon Bay Ordinance No. C-04-02). This ordinance would designate the use Canada Cove as a mobile home park and thus protect one of the largest sources of affordable housing on the coast. The County has taken steps to assume affordability in mobile home parks in the unincorporated coastside and I support Half Moon Bay's efforts in this regard. It is important that our coastside remain affordable to its residents and the guarantee of a mobile home park is one step toward that goal.

Please convey my support of this LCP amendment from Half Moon Bay to the Commission.

Sincerely,


Richard Gordon

cc: Debra Auker, City Manager, Half Moon Bay

cc: Jim Henderson

County Government Center
401 Marshall Street
Redwood City, CA 94063



Direct (650) 363-4569
Coastside (650) 573-2222
Fax (650) 599-1027

Exhibit 5
HMB-MAJ-1-02
April 25, 2006 Letter From San
Mateo County Supervisor,
Richard Gordon

Theresa & Gus Felmery, 181 Creekside Drive, Half moon Bay, CA 94019-2373. 650-560-9596

May 8, 2006

Chris Kern, District Manager
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

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MAY 12 2006
CALIFORNIA
COASTAL COMMISSION

Dear Mr. Kern:

As residents of Canada Cove Senior Mobile Home Park
Gus, my husband and I request support for the City of
Half Moon Bay Major Local Coastal Program Amendment.
1-02, HMB Ordinance No. C-04-02/submitted 10-16-2002.
CACC & HMB submitted again 2-2005.

We are senior homeowners in Canada Cove since 1999.
Our lease is for 20 years. We are Social Security recipients.
We are presently zoned as PUD. We are vulnerable to a
large Developer wanting to buy this choice location.
We are vulnerable to the Owner of this land who are after
profit.

Please Mr. Kern; and We ask this with due respect, support
Zoning CCMPH as a MOBILE HOME PARK. LOT'S OF
LIVES ARE AT STAKE.

Truly Yours and Sincerely

Theresa & Gus Felmery

Exhibit 6
HMB-MAJ-1-02
May 8, 2006 Letter From
Theresa and Gus Felmery

Donald L. Freese
1 Creekside Drive
Half Moon Bay
CA 94019-2373
(650) 726-6893

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APR 25 2006

CALIFORNIA
COASTAL COMMISSION

April 23, 2006

YinLan Zhang, Program Analyst,
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Dear Ms. Zhang:

As residents of Cañada Cove Senior Mobile Home Park (CCMHP) my wife Donna and I request support for the City of Half Moon Bay Major Local Coastal Program Amendment 1-02 (MOBILE HOME PARK).

The City of Half Moon Bay (HMB) has entertained a Mobile Home Park Zoning Ordinance for us since 1975:


- * An original draft Mobile Home Park Zoning Ordinance was submitted in 2001.
- * The HMB Ordinance No. C-04-02 was submitted to the California Coastal Commission (CACC) on October 16, 2002.
- * After much deliberation and hard work by both CACC and HMB staff, the Amendment 1-02 that is before you was submitted in February 2005.

CCMHP was established in 1972. It has 360 mobilehome sites. When we purchased our home in 1998 we were told CCMHP was rated as a 5 Star Mobile Home Park and it is still one of the prettiest in California. As a Senior Park, homeowners are over 55 years and many (like us) are Social Security recipients. And like us, have their entire life savings invested in their homes and leases.

We need the protection a Mobile Home Park Zoning would afford us (and our investments) because CCMHP is located in what has become a very prime property. We are presently zoned PUD, and therefore are potentially vulnerable to the sale of CCMHP to a large developer. The fact is that many, many California cities in Local Coastal Zones already have had Mobile home park Zoning Ordinances for years. **Why not Half Moon Bay?**

The sale of Mobile Home Parks is currently a national affordable housing problem. On May 15, 2001 the HMB Council unanimously declared CCMHP as "a major affordable housing element in the City's housing inventory." Please let's keep it that way. **Support zoning CCMHP as what it is ... A MOBILE HOME PARK.**

Respectfully,


DONALD L. FREESE

DLF/nd

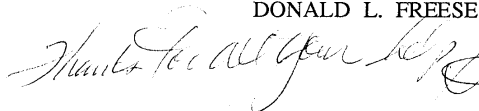


Exhibit 7
HMB-MAJ-1-02
April 23, 2006 Letter From
Donald Freese



May 10, 2006

Chris Kern, District Manager
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Kern:

My wife and I are residents of Canada Cove Mobilehome Park in Half Moon Bay. We have lived here since 1981. It is a mobilehome park and it should be zoned as a mobilehome park.

We support the City of Half Moon Bay Local Coastal Program Amendment 1-02. There is intense pressure for more development in this area and this zoning change is important to maintaining affordable housing on the coast.

It should be pointed out that our park is a senior park. You have to be 55 years of age to live here. The majority of owners are on fixed incomes and if this land were sold and used for something else there would be no place for them to go. We own our homes, but not the land the homes are on.

As the President of Chapter 78 of the Golden State Mobilehome Owners Association, I have also been instructed to speak for our membership.

It is long overdue. Please convey our support of this LCP amendment from Half Moon Bay to the Commission.

Sincerely,

James Henderson
President
GSMOL Chapter 78

Exhibit 8
HMB-MAJ-1-02
May 10, 2006 Letter From
James and Cathy Henderson

RECEIVED

JUN 07 2006

CALIFORNIA
COASTAL COMMISSION

May 30th

~~April 23, 2006~~

Chris Kern, District Manager
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Kern:

As residents of Cañada Cove Senior Mobile Home Park (CCMHP),
~~we and I~~ request support for the City of Half Moon Bay Major Local Coastal
Program Amendment 1-02 (MOBILE HOME PARK).

*JOAN KILINSKI
SHARON HULL
JOYCE KARLEN*

The City of Half Moon Bay (HMB) has entertained a Mobile Home Park
Zoning Ordinance for us since 1975:

- * An original draft Mobile Home Park Zoning Ordinance was submitted in 2001.
- * The HMB Ordinance No. C-04-02 was submitted to the California Coastal Commission (CACC) on October 16, 2002.
- * After much deliberation and hard work by both CACC and HMB staff, the Amendment 1-02 that is before you was submitted in February 2005.

CCMHP was established in 1972. It has 360 mobilehome sites. When we purchased our homes in 1998, ~~we~~ ^{we + 99} were told CCMHP was rated as a 5 Star Mobile Home Park and it is still one of the prettiest in California. As a Senior Park, homeowners are over 55 years and many (like us) are Social Security recipients. And like us, have their entire life savings invested in their homes and leases.

We need the protection a Mobile Home Park Zoning would afford us (and our investments) because CCMHP is located in what has become a very prime property. We are presently zoned PUD, and therefore are potentially vulnerable to the sale of CCMHP to a large developer. The fact is that many, many California cities in Local Coastal Zones already have had Mobile home park Zoning Ordinances for years. **Why not Half Moon Bay?**

The sale of Mobile Home Parks is currently a national affordable housing problem. On May 15, 2001 the HMB Council unanimously declared CCMHP as "a major affordable housing element in the City's housing inventory." Please let's keep it that way. **Support zoning CCMHP as what it is ... A MOBILE HOME PARK.**

Sincerely,

Sachiko Sharon Hull

Eden Joyce Karle

DLF/nd

*Joan Kilinski
151 Cañada Cove
Half Moon Bay
CA. 94019
650/726-3466*

Exhibit 9
HMB-MAJ-1-02
May 30, 2006 Letter From
Sachiko Hull, Eden Karle and
Joan Kilinski

Don & Carol Peterson
84 Creekside Drive
Half Moon Bay, CA 94019

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MAY 15 2006
CALIFORNIA
COASTAL COMMISSION

May 10, 2006

Chris Kern, District Manager
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Kern:

As residents of Canada Cove Mobilehome Park, my wife and I wish to live here during our remaining years. We are worried that the park may be converted to another use and we will have no place to go.

We support the City of Half Moon Bay Local Coastal Program Amendment 1-02 as this zoning change is important to maintaining affordable housing on the coast.

For the hundreds of senior citizens that live here, please do the right thing and implement this important zoning change.

Sincerely,


Don Peterson

Exhibit 10
HMB-MAJ-1-02
May 10, 2006 Letter From
Don and Carol Peterson

Lisa E. Schillig-Wallen
1 Sunset Terrace, Half Moon Bay, CA 94019
Phone: (650) 560-0133 / Fax: (650) 475-3LAW

May 16, 2006

Chris Kern, District Manager
North Central Coast District
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

RECEIVED
MAY 19 2006
CALIFORNIA
COASTAL COMMISSION

Dear Mr. Kern:

As residents of Canada Cove Senior Mobile Home Park (CCMHP) in Half Moon Bay, my husband and I request support for the City of Half Moon Bay Major Local Coastal Program Amendment 1-02 (MOBILE HOME PARK).

The City of Half Moon Bay (HMB) has entertained a Mobile Home Park Zoning Ordinance for us since 1975:

- An original draft Mobile Home Park Zoning Ordinance was submitted in 2001.
- The HMB Ordinance No. C-04-02 was submitted to the California Coastal Commission (CACC) on October 16, 2002.
- After much deliberation and hard work by both CACC and HMB staff, the Amendment 1-02 that is before you was submitted on February 2005.

CCMHP was established in 1972. It has 360 mobile home sites. When we purchased our home in 2004 we were told CCMHP was rated as a 5 Star Mobile Home Park and it is still one of the most beautiful in California. As a Senior Park, homeowners are over 55 years old. Many are Social Security recipients and have their entire life savings invested in their homes and leases.

We need the protection a Mobile Home Park Zoning would afford us (and our investments) because CCMHP is located in what has become a very prime property. We are presently zoned PUD, and therefore are potentially vulnerable to the sale of CCMHP to a large developer. The fact is that many, many California cities in Local Coastal Zones already have had Mobile Home Park Zoning Ordinances for years. Why not those of us in Half Moon Bay?

The sale of Mobile Home Parks is currently a national affordable housing problem. On May 15, 2001 the HMB City Council unanimously declared CCMHP as "a major affordable housing element in the City's housing inventory." Please let's keep it that way. **SUPPORT ZONING CCMHP AS WHAT IT IS... A MOBILE HOME PARK.**

Sincerely,

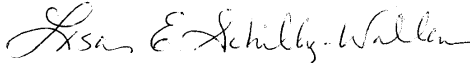

Lisa E. Schillig-Wallen

Exhibit 11
HMB-MAJ-1-02
May 16, 2006 Letter From
Lisa Schillig-Wallen