

## CALIFORNIA COASTAL COMMISSION

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**Th 21.5a**

August 17, 2006

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director

SUBJECT: **City of Half Moon Bay Local Coastal Program Amendment No. HMB-MAJ-1-02 (Mobile Home Park)**, Extension of time for City of Half Moon Bay to accept and agree to the Commission's certification of Half Moon Bay LCP Amendment No. HMB-MAJ-1-02 with suggested modifications.

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On March 14, 2007, the Coastal Commission denied the City of the Half Moon Bay's LCP Amendment No. HMB-MAJ-1-02 (Mobile Home Park) as submitted and certified the amendment if modified as suggested to incorporate various revisions. Staff is recommending that the Commission extend the time for the City to accept and agree to the Commission's certification of the amendment with suggested modifications.

**PROPOSED LCP AMENDMENT**

The amendment would change both the City's Land Use Plan (LUP) and Zoning Code to 1) add "Mobile Home Park" as a new land use category, 2) add a new Chapter 18.17 to the Zoning Code to establish a new "Mobile Home Park District" and detailed regulations applicable to lands within the district and 3) to change the LUP and zoning maps to change the designations of the existing Canada Cove Mobile Home Park to the new Mobile Home Park category and district.

The various suggested modifications imposed by the Commission would address the impacts to water quality, clarify the relationship between the State Mobile Home Parks Act and the certified LCP, clarify the proposed permitting requirements and setback standards, prohibit the use of invasive exotic plants in the landscaping of mobile home parks, eliminate the proposed perimeter fencing requirement, and eliminate the proposed exceptions from density standards for assisted living, convalescent care, and senior housing facilities.

**EFFECTIVE CERTIFICATION PROCESS**

Pursuant to Section 13544 of the Commission's regulations, the certification of an LCP amendment shall not be deemed final and effective until: (a) the local government acknowledges receipt of the Commission's resolution, accepts and agrees to the modifications, takes whatever formal action is required to satisfy the modifications, and agrees to issue coastal development permits for the total area included in the certified local coastal program; (b) the Executive Director determines in writing that the local government's actions take to satisfy the above requirements are legally adequate, (c) the Executive Director reports the determination to the Commission and the Commission does not object to the determination, and (d) notice of the certification of the LCP amendment is filed with the Secretary of the Resources Agency. Pursuant to Section 13542(b), the Commission's certification of an LCP amendment with

suggested modifications shall expire six months from the date of the Commission's action. Therefore, the local government must accept and agree to the Commission's certification of an LCP amendment with suggested modifications within six months unless the Commission extends the six-month deadline. Section 13535(c) of the Commission's Regulations provide that the Commission may extend for good cause any time limit within the subchapter of regulations on LCPs for a period not to exceed one year.

**REASONS FOR PROPOSED TIME EXTENSION**

The City adopted the suggested modifications as recommended in the Commission's staff report, but not the suggested modifications contained in the Adopted Findings which includes changes that the Commission made to staff's recommended suggested modifications at the March 14, 2007 hearing. As a result, the City did not adopt the suggested modifications as approved by the Commission and will need more time to take the required actions to accept the correct set of the Commission's suggested modifications and take final action to implement the amendment as modified. If the Commission extends the deadline for City action, the staff will work closely with the City to facilitate the effective certification process.

**STAFF RECOMMENDATION**

Staff recommends that the Commission vote to extend the deadline for effective certification for a year.

**MOTION:**

I move that the Commission extend the six-month time limit for the City of Half Moon Bay to accept and agree to the Commission's certification of Half Moon Bay LCP Amendment No. HMB-MAJ-1-02 (Mobile Home Park) with suggested modifications for a year.

Staff recommends a YES vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion. Passage of this motion will result in the an extension of the period in which the City must accept and agree to the suggested modifications and take further action to implement the amendment as modified to September 14, 2008.