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DATE: **Prepared 2/27/09 for Meeting of 3/12/09**

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
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SUBJECT: **County of San Mateo LCP Amendment No. SMC-MAJ-1-07 (Midcoast LCP Update)**

SUMMARY OF AMENDMENT REQUEST

The proposed LCP Amendment is an update of LUP policies and implementing zoning regulations (IP) primarily pertaining to the San Mateo County Midcoast, including:

- An update of the estimated Midcoast residential buildout (Exhibit 1, County Exhibit A).
- An update of the estimated Midcoast water and sewer demand (Exhibit 1, County Exhibit B).
- Reservation of increased water supply for failed wells and affordable housing (Exhibit 1, County Exhibit C).
- A reduction in the residential growth rate limit from 125 to 75 units per year (Exhibit 1, County Exhibit F).
- New traffic mitigation for development generating 50 trips (Exhibit 1, County Exhibit H).
- A provision for future park/trail at the Devil's Slide bypass property (Exhibit 1, County Exhibit I).
- An update of the LUP trails policies (Exhibit 1, County Exhibit J).
- An update of LUP policies for pedestrian improvements for Highway 1 projects (Exhibit 1, County Exhibit K).
- New incentives for new Midcoast affordable housing units and incentives for voluntary substandard lot merger (Exhibit 1, County Exhibit L).

- Incorporation of the Stormwater Pollution Prevention Program into the LCP (Exhibit 1, County Exhibit M).
- New LUP Policy on resolving LCP policy conflicts (Exhibit 1, County Exhibit Q).
- An update of LUP Policies on the role of trail providing agencies (Exhibit 1, County Exhibit P)
- Amendments correcting and clarifying ambiguous and inconsistent LCP provisions (Exhibit 1, County Exhibit R).
- New limit on the amount of ground level impervious surfaces in the CCR, M-1, S-17, S-94, S-105, C-1, W, EG, RM, PAD districts (Exhibit 2).
- Improve winter grading controls in the CCR, M-1, S-17, S-94, S-105, C-1, W, EG, RM, PAD districts (Exhibit 2).
- Limit residential uses to above the first floor in the C-1 District (Exhibit 2).
- Revise controls on caretaker's quarters in the W District (Exhibit 2).
- Re-zone El Granada's Burnham Strip from COSC to El Granada Gateway District, including a prohibition of new residences there (Exhibit 2)
- Limit house floor area and height in the RM-CZ and PAD Districts (Exhibit 2).

SUMMARY OF STAFF RECOMMENDATION

San Mateo County is proposing to update primarily portions of its certified LCP that apply to the urban Midcoast, which is located just north of the City of Half Moon Bay and includes the unincorporated communities of Montara, Moss Beach, El Granada, Princeton-by-the-Sea, and Miramar. The update includes revised estimates of residential buildout, water, and sewer demand figures, a reduction in the residential growth rate to address infrastructure constraints; reallocation of water supplies currently reserved for priority floriculture uses to failed private residential wells and affordable housing; a new traffic mitigation policy to address road congestion; updated water quality policies; updates to various public access policies (trails, highway 1 pedestrian improvements, Devil's Slide bypass property); a re-zone of the Burnham strip to the "El Granada Gateway District" to protect open space and provide for low-intensity community-oriented uses; and incorporation of merger incentives into the LCP's Implementation Plan.

Staff recommends that the Commission approve the Midcoast LCP Update with suggested modifications. The LCP amendment provides an important framework for updating portions of the LCP. However, additional changes are needed to assure consistency with Coastal Act requirements that new development be concentrated in urban areas with adequate public services, including water supply, wastewater disposal, and transportation capacity, and that new development not have significant adverse effects on coastal resources, such as public access, water quality, and visual quality. The County LCP update provides new estimates of residential buildout and infrastructure supply and demand figures, and recognizes the need to address infrastructure constraints through a limitation on new residential development. However, the County's proposal does not sufficiently address the significant public services issues

that have arisen since original certification of the LCP in 1981, including physical changes to the environment resulting in significant adverse effects on public health and safety, coastal resources, and coastal access. These changes include significant cumulative development over the last 20 years, new water supplies, issues and constraints, including failed private wells in the urban area; systemic sewage overflows and water quality problems; and severe congestion on the major coastal access routes that is adversely impacting public access to and along the shoreline.

Wastewater

The wastewater treatment system currently faces capacity challenges with the Intertie Pipeline System (IPS) that collects and delivers wastewater from the various Mid-coast communities to the SAM treatment plant. Numerous discharge overflows have forced untreated sewage into the environment, drainages, streams and coastal waters thereby adversely impacting the biological productivity and quality of coastal waters. Although the County is updating the sewage capacity estimates in the LCP, no specific LCP amendments have been proposed to address the inadequate capacity of the current public wastewater system. Staff is recommending modifications to both remove outdated wastewater capacity policies from the LCP, and to assure that future capacity will be adequate to serve new development in the Midcoast.

Transportation

Current peak hour traffic levels on Midcoast segments of Highways 1 and 92 are severely constrained, including peak recreation hours on the weekends when public access to and along the shoreline is a particularly significant concern. According to the County Congestion Management Program (CMP), the level of service (LOS) on key segments are mostly at "E" (on a scale of A – F). According to the Countywide Transportation Plan (CTP), most of these key travel and routes will be at LOS "F" by 2010. LOS F indicates traffic exceeds the physical operational capacity of the roadway, with unacceptable delays and congestion. The certified LCP considers LOS "D" to be acceptable, and the traffic has already worsened beyond this level. Public transportation on the Midcoast is limited to two bus lines with infrequent service. Without major improvements to roads, public transit, and other transportation management measures, at LCP buildout the Highways will be still be at "F" albeit a much worse "F," with significant traffic delays. Therefore, the existing regional transportation capacity is insufficient to serve current population, future population and development in the urban area, and significantly impacts the public's ability to access the coast.

The County has proposed to limit growth on the Midcoast to approximately 2% to assure that public services are not overburdened by rapid residential growth. This rate, though, would not significantly slow growth relative to historical trends or otherwise adequately avoid potential increases in development that could not be easily absorbed by the constrained existing capacities, particularly roads and wastewater treatment. Therefore, staff is recommending a suggested modification to lower the proposed growth rate from 2% to 1%, similar to the City of Half Moon Bay, until such time that the

County develops a comprehensive traffic management plan and adequate facilities to contain stormwater infiltration and inflow. Once these critical infrastructure needs are addressed, the County will be in a position to reevaluate whether public service capacities are adequate and thus whether growth limitations should be adjusted.

Staff also recommends that the Commission strengthen the County's proposed traffic mitigation policy to assure that significant new developments, such as residential subdivisions, provide adequate mitigation for transportation impacts. Staff is recommending that the cumulative transportation system impacts of individual residential developments be addressed through the transportation management planning process. Further, staff recommends other suggested modifications updating the existing public transit policies of Chapter 2.

Municipal Water Supply

According to the County's revised buildout estimates, population in the Midcoast at buildout would be approximately double existing levels, which translates into a doubling of demand for water assuming no significant changes in use patterns. There are two public water providers in the Midcoast, Montara Water and Sanitary District (MWSD) and Coastside County Water District (CCWD). Montara Water and Sanitary District serves the communities of Montara, Moss Beach, and adjacent areas. Currently, MWSD has a moratorium on new connections due to a lack of supply. MWSD is also constrained by the recent Commission-certified Public Works Plan, which limits current supply to existing customers and emergency needs. Development of additional supplies in the MWSD service area to serve new customers will require an amendment to the PWP, and evidence that capacity on Highways 1 and 92 meet the standards required by the LCP and Coastal Act section 30250. To meet the County's newly calculated Midcoast buildout, MWSD will need to provide significantly more water than it currently has available.

CCWD serves the Midcoast communities of Miramar, Princeton, El Granada and the City of Half Moon Bay. Today, CCWD obtains approximately 75% of its supply from the San Francisco Public Utilities Commission (SFPUC) and the remainder from local sources. The San Francisco Public Utilities Commission just approved the Water System Improvement Project, which stipulates that through 2018 it will not provide increases in water deliveries from its sources, and wholesale customers like CCWD will have to generate their own local sources and/or implement conservation and recycled water schemes to meet their demands. In addition, CCWD's website currently has a water shortage advisory for all its customers, stating that due to three years of below-average precipitation, local and imported water sources are affected, the District is monitoring conditions closely, and asks its customers to conserve water usage.

CCWD's ability to supply water to new development is also limited by the Commission's CDP for the El Granada Pipeline, which prohibits CCWD from increasing water supplies beyond existing Phase I of the Crystal Springs Project's service capacity unless regional traffic conditions improves to a level that will be able to accommodate the additional

growth that would be supported by any additional water supply. Currently, 1,093 non-priority (residential, commercial, industrial) connections remain for the CCWD service area, and these must be allocated to both Half Moon Bay and the Midcoast.

The LCP currently provides that new development be directed to the urban areas consistent with the availability of public services evaluated at the time of LCP certification. Given the significant growth and development and other changed circumstances since certification, and the documented public service limitations that the Midcoast now faces, Staff recommends suggested modifications to both update the LCP with respect to current public service conditions, and to clearly state the Coastal Act 30250 requirement that prior to CDP approval, the County must substantiate how new development in the urban area will be adequately served by public services, including water, sewer, and transportation services. These modifications also specifically limit new development in the CCWD and MWSD service area to the amounts permitted by the Commission approved CDP and PWP respectively.

Private Wells

With limited access to municipal water connections, many residential property owners and developers have opted to construct homes relying on private wells. At the time of LCP certification the Commission acknowledged that County policy, as embodied in the LCP's Montara-Moss Beach-El Granada Community Plan, was to "confine future development to areas... served by utilities," consistent with the Coastal Act. Thus, no modification of the LCP to clearly require that new urban development be served by public services was proposed. The Commission had also adopted a categorical exclusion for new residential development in the urban area of the LCP in 1981, i.e. for development being served by public utilities. Overtime, however, the County has taken the position that residential development in the urban area that relies on private wells is also excluded, in part due to an adverse trial court decision interpreting the categorical exclusion in this way. Thus, private wells in the urban area generally have not been subject to coastal development permit review.

After many years of private well development, it is now clear that there may be significant groundwater issues in numerous areas of the urban Midcoast. There are approximately 946 wells in the Midcoast,¹ serving approximately 24% of existing homes. There have been several instances of failed wells over the years, and the County is proposing to reallocate water reserved for floriculture to failed wells indicating that the County is anticipating more failed wells in the future. According to MWSD staff, most of the wells drilled in the Midcoast tap into shallow aquifers. The County contracted with Kleinfelder to conduct a groundwater study in the watershed. This study is complete, but has not yet been released to the Commission or the public. County staff has indicated to Commission staff that the data could support a conservative approach to managing groundwater, and that until a comprehensive groundwater management plan is developed, it may be prudent to prohibit private wells in the Midcoast. If development of

¹ The County states that there are more than 550 wells in the Midcoast. However, according to documents from Kleinfelder, the number 946 is a "reasonable, full accounting (i.e. potential demand) of wells in the study area.

private wells continues, there could be cumulative impacts on groundwater resources and sensitive aquatic habitats including streams, wetlands and riparian zones.

In addition, development of private wells within an urban area with designated public water providers is clearly inconsistent with Section 30250 of the Coastal Act and the Commission's original intent that new development in the urban area be served with public services. Therefore, staff recommends suggested modifications adding a prohibition of private wells in the urban area, until such time that the County develops a comprehensive groundwater management plan as an LCP amendment for Commission certification.

Public Access, Water Quality, Conflict Resolution, and the Burnham Strip

In addition to the major infrastructural modifications described above, staff recommends modifications to the proposed public access, water quality, conflict resolution policies and minor modifications to the new El Granada Gateway zoning district for the Burnham Strip. These modifications would bring the LCP up to date in terms of the California Coastal Trail and the current Regional Board water quality permit requirements, and would ensure that the proposed LCP is consistent with the public access and water quality policies of the Coastal Act. Modifications to the EG district would ensure that the proposed zoning district conforms with the Open Space/Park designation of the LUP, including the certified Montara-El Granada-Moss Beach Community Plan. In terms of the Devil's Slide bypass area, in light of the construction of the new Highway One tunnel, the Caltrans bypass alignment area is no longer needed for Highway development. However, the alignment is a potentially significant addition to the California Coastal Trail. Therefore, consistent with the broad intent of the County's update, Commission staff recommends that this public land be rezoned for public park and trail purposes, and that a planning process be initiated to both plan for public trail uses, and other potential coastal resource benefits such as restoration and watershed management.

STAFF NOTE: FILING STATUS

Since the initial submittal of this LCP amendment on February 20, 2007, Commission staff requested through numerous filing letters informational items needed to file the amendment for Commission review pursuant to the Coastal Act (see exhibit 15 for recent filing letters). While the County has provided a great deal of useful information in response to Commission requests, key informational gaps have not been addressed by the County. These include, but are not limited to: (1) Studies and data that support predicted improvements in traffic flow from the various future funded roadway projects and proposed mitigation policy; (2) the Kleinfelder Midcoast Groundwater Study; (3) studies and data that support how future MWSD and CCWD water projects will serve buildout and how much additional water supply/capacity will be provided; (4) specifics on future tank, pump station and other improvements, how they are expected to address wet weather collection capacity shortfalls and overflows, and how these improvements will be financed; (5) how future growth will affect the priority use

reservation system for water connections and an explanation of the exact system and mechanism that is/will be used by the districts to reserve water connections; (6) studies/data that explain how or whether the proposed growth rate will ensure that development occurs in phase with available infrastructure, including roadway capacity, water supply, and wastewater disposal; and (7) alternatives and cumulative impact analysis as required by CEQA.

The County's lack of response to the information requests is due in part to a disagreement about the nature of the Midcoast Update, and whether certain types of information are necessary to evaluate the proposed changes. That said, County staff have attempted to address staff inquiries through the analytic process, including meeting on several instances to address various questions, and convening a meeting of transportation agencies to discuss certain questions raised by Commission staff. In addition, Commission staff has spent considerable time independently researching various topics in attempt to fill the informational gaps and evaluate the relevant Coastal Act questions raised by the LCP amendment submittal. Based on this research, communications with County staff (including recent discussions of groundwater concerns), and in recognition of the need to move the Update forward, staff has determined that the LCP amendment can be filed in conjunction with the writing of this staff report, and that any remaining information concerns can be effectively addressed through suggested modifications.

EXHIBIT LIST

1. Proposed LUP Amendments
2. Proposed IP Amendments
3. Midcoast land use and zoning map
4. Existing certified buildout estimation
5. 1998 Board of Supervisors merger policy
6. 2006 Board of Supervisors merger policy
7. LOS on roadway segments
8. Coastside County Water District Correspondence
9. Montara Water and Sanitary District Correspondence
10. Letter from BAWSCA to member agencies
11. Map of Intertie Pipeline System (IPS)
13. SMCO Harbor District Correspondence
14. Commission staff correspondence to the County on conflict resolution
15. Recent filing correspondence with County staff
16. Buildout analysis detail

Table of Contents

1. STAFF RECOMMENDATION.....	8
2. LAND USE PLAN SUGGESTED MODIFICATIONS	11
3. IMPLEMENTATION PLAN SUGGESTED MODIFICATIONS	78
4. SUMMARY OF PUBLIC PARTICIPATION	84
5. STANDARD OF REVIEW	85
6.1. NEW DEVELOPMENT AND PUBLIC SERVICES.....	85
6.1.1. Proposed Buildout.....	88
6.1.2. Regional Transportation Systems.....	95
6.1.3. Water Supply and Transmission	107
6.1.4. SEWER CAPACITY	128
6.1.5. Growth Rate.....	139
6.2. Public Works.....	141
6.3. PUBLIC ACCESS AND RECREATION	144
6.4. WATER QUALITY.....	149
6.5. RESOLVING POLICY CONFLICTS.....	150
7. IMPLEMENTATION PLAN FINDINGS AND DECLARATIONS.....	153
7.1. BURNHAM STRIP	153

1. STAFF RECOMMENDATION

COMMISSION RESOLUTION ON SAN MATEO COUNT LAND USE PLAN AMENDMENT 1-07

Following a public hearing, staff recommends the Commission adopt the following resolution and findings.

Motion #1

I move that the Commission **CERTIFY** County of San Mateo Land Use Plan Amendment SMC-MAJ-1-07 as submitted.

Staff Recommendation for Denial

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

Resolution for Denial

The Commission hereby **DENIES** certification of County of San Mateo Land Use Plan Amendment 1-07 as submitted and adopts the findings stated below on the grounds that the amendment will not meet the requirements of and is not in conformity with the

policies of Chapter 3 of the California Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act as there are feasible mitigation measures and alternatives that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan amendment as submitted.

Motion #2

I move that the Commission **CERTIFY** County of San Mateo Land Use Plan Amendment 1-07 if modified as suggested in this staff report.

Staff Recommendation for Certification

Staff recommends a **YES** vote. Passage of this motion will result in the certification of the land use plan with suggested modification 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 for Certification with Suggested Modifications

The Commission hereby certifies the Land Use Plan Amendment SMC-MAJ-1-07 for the County of San Mateo if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment with 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 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 plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

COMMISSION RESOLUTION ON COUNTY OF SAN MATEO IMPLEMENTATION PLAN AMENDMENT 1-07

Following a public hearing, staff recommends the Commission adopt the following resolution and findings.

Motion #3

I move that the Commission reject Implementation Program Amendment No. SMC-MAJ-1-07 for the County of San Mateo as submitted.

Staff Recommendation of Rejection:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the implementation plan 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 for denial:

The Commission hereby denies certification of the Implementation Program Amendment No. SMC-MAJ-1-07 as submitted for the County of San Mateo and adopts the findings set forth below on grounds that the implementation plan amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified land use plan as amended. Certification of the implementation plan amendment 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 implementation program amendment as submitted.

Motion #4

I move that the Commission certify Implementation Plan Amendment No. SMC-MAJ-1-07 for the County of San Mateo if it is modified as suggested in this staff report.

Staff Recommendation for Certification

Staff recommends a **YES** vote. Passage of this motion will result in certification of the implementation program amendment with suggested modifications 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 for Certification with Suggested Modifications

The Commission hereby certifies the Implementation Plan Amendment for the County of San Mateo if modified as suggested and adopts the findings set forth below on grounds that the implementation plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified land use plan as amended. Certification of the implementation plan 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 implementation plan amendment 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.

2. LAND USE PLAN SUGGESTED MODIFICATIONS

Staff recommends the following suggested modifications to the proposed LUP amendment be adopted. The County's proposed amendments are shown in underline for language to be added, and ~~striketrough~~ for language proposed to be deleted. The language shown in double underline represent language that the Commission suggests be added and the language shown in ~~double strike through~~ represents language that the Commission suggests be deleted from the language as originally submitted. Suggested modifications that do not involve direct text changes are shown in ***bold italics***.

The County proposed amendments to the LUP in County Exhibits A-R (see Exhibit 1). As presented below, the order of the suggested modifications to the County proposal follows the order of the existing certified LCP (i.e. Chapters 1 – 12).

2.1. Suggested Modifications to LUP Chapter 1: Locating and Planning New Development

2.1.1. Suggested Modifications to County Exhibit A: Buildout

Suggested Modification No. 1 – Buildout Table:

Replace the 1980 original buildout estimate Table 1 with the correct Commission certified Table 1, as shown in exhibit 4 and insert the tables and accompanying text into LUP Chapter 1 before Table 1.2.

Updated Buildout Estimate (2006)

<u>R-1 Zoning District</u>	<u>4,804</u> <u>units</u>
<u>R-3 Zoning District</u>	<u>443</u> <u>units</u>
<u>R-3-A Zoning District</u>	<u>513</u> <u>units</u>
<u>RM-CZ and PAD Zoning Districts</u>	<u>160</u> <u>units</u>
<u>C-1 and CCR Zoning Districts</u>	<u>99-495</u> <u>units</u>
<u>Second Units</u>	<u>466</u> <u>units</u>
<u>Caretaker's Quarters</u>	<u>45</u> <u>units</u>
<u>El Granada Mobile Home Park</u>	<u>227</u> <u>units</u>
<u>TOTAL</u>	<u>6,757-7,153</u> <u>units</u>

The following table represents an updated estimate of residential buildout for the Midcoast LCP Update Project Area, as shown on Map 1.3. Buildout is the planned endpoint in a community's growth when that would occur if all land that has been designated for development has been developed to its maximum density, i.e. the sum of

all units potentially allowed under existing certified LCP policy density limitations. The buildout estimate assumes that public service constraints can be resolved, and that there are no resource constraints or other LCP requirements that would limit buildout density on individual sites. The methodology involved counting individual parcels and determining development potential according to the Land Use Plan. The buildout estimate and the LCP policies on which it is based are not entitlements and do not guarantee that any proposed development will be approved. The buildout methodology also assumes that all contiguously owned substandard lots will be merged according to County merger policies (i.e., contiguously owned substandard lots are combined into one conforming parcel for purposes of counting units, and only one unit per “merged” lot is included in the buildout figure). Solitary, non-contiguous substandard lots are counted as one unit each in the buildout figure. The actual buildout number could be closer to 9,553 units if lots are not merged as assumed by this methodology.

2.1.2. Suggested Modifications to County Exhibit F: Annual Growth Rate

Suggested Modification No. 2 – Timing of New Housing Development:

1.22 Timing of New Housing Development in the Midcoast

- a. In order to ensure that roads, utilities, schools and other public works facilities and community infrastructure public works are not overburdened by rapid residential growth, require that the following limitations on building permits granted in the Midcoast for the construction of residences, other than affordable housing, be applied beginning in the first calendar year after LCP certification. limit the maximum number of new dwelling units built in the urban Midcoast to 75 that which would result in a growth of one percent (1%) in Midcoast population units each per calendar year until:
 - i. A comprehensive transportation management plan, as described in Policy 2.59, is incorporated into the LCP; and
 - ii. Facilities to adequately contain stormwater infiltration and inflow that exceed the existing IPS system capacity during storm events and peak flows have been constructed and sufficient evidence has been presented that IPS capacity is adequate to avoid sewage overflows and water quality violations; and
 - iii. The growth rate is changed by an LCP Amendment.
- b. New dwelling units include each new single-family residential unit, each new unit in a multiple-family residential development, each new unit in a mixed-use development, and each new caretaker quarter, and each new second dwelling unit.

- c. New dwelling units do not include affordable housing units as defined by Section 6102.48.6 of the certified zoning regulations, i.e. subject to income and cost/rent restrictions., and second dwelling units.
- d. The number of new dwelling units built each year means that number of units for which building permits have been issued authorizing construction to commence. The date of building permit issuance does not relate to the date of building permit application.
- e. This annual limit on residential units is not an entitlement, i.e. it does not guarantee that any proposed development will be approved. A coastal development permit for residential development may only be approved if the proposed development can be found consistent with all applicable policies of the certified LCP.
- f. In determining the number of permissible dwelling units per calendar year, the County shall use the most recent U.S. Census figures for the Midcoast to calculate the average number of persons per household.
- a. ~~125 per year until Phase I sewer and significant new water facilities have both been provided, unless the County Board of Supervisors makes the finding that water or other public works have insufficient capacity, consistent with the protection of sensitive habitats, to accommodate additional growth (see Policy 7.20).~~
- b. ~~125 in the years following the provision of Phase I sewer and significant new water facilities, unless the County Board of Supervisors makes the finding that water, schools and other public works have sufficient capacity to accommodate additional growth. In any year that the Board makes this finding, up to 200 building permits may be granted. The exact number of building permits shall be determined by the Board at the time the finding is made.~~

2.1.3. Suggested Modifications to County Exhibit M Stormwater Pollution Prevention Best Management Practices

Suggested Modification No. 3 – Deletion of Proposed Policy 1.35:

- ~~1.35 All new land use development and activities shall comply with the requirements of the existing Countywide Stormwater Pollution Prevention Program (STOPPP), including best management practices and performance standards. The minimum STOPPP requirements are shown in the Appendix that is a part of this component.~~

APPENDIX

MINIMUM STORMWATER POLLUTION PREVENTION PROGRAM REQUIREMENTS

1. All New Development

~~All new development, including remodeling of existing buildings, shall comply with the following minimum requirements:~~

- ~~a. Avoid or minimize and mitigate the potential adverse impacts to water quality from new development by using pre-construction, during construction, and post-construction best management practices.~~
- ~~b. Prevent the flow of liquid building materials and wastes onto impervious surfaces and into storm drains and waterways.~~
- ~~c. Prevent construction equipment, building materials and piles of soil from contact with rain using plastic sheeting or other temporary cover, and contact with stormwater using berms, ditches, and other methods.~~
- ~~d. Contain vehicle and equipment cleaning, storage, maintenance, and refuse and recycling areas to prevent runoff from discharging into the storm drain system.~~
- ~~e. Clean up leaks and spills immediately to prevent soil and groundwater contamination, contact with paved surfaces, and discharge into the storm drain system.~~
- ~~f. Use silt ponds, berms and other techniques to trap sediment, spilled liquids and other pollutants.~~
- ~~g. Employ site planning and construction methods to reduce the need for pesticides and contaminants, and prevent contact with stormwater.~~

2. New Development that Alters the Land

~~In addition to the requirements listed in 1. above, new development, construction or other activities that disturb or otherwise alter the land shall comply with the following minimum requirements:~~

- ~~a. Where the potential for significant erosion from construction activities exists, prepare and implement an erosion and sediment control plan that includes effective erosion and sediment control measures.~~
- ~~b. Protect sensitive areas, minimize changes to the natural topography, and avoid removing existing vegetation unless absolutely necessary.~~
- ~~c. Protect undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers, filters, dikes, mulching and other measures as appropriate.~~
- ~~d. Reduce the amount of impervious surface areas, and use permeable pavement where feasible.~~
- ~~e. Reduce the amount of runoff crossing construction sites by constructing berms, swales and dikes and diverting drainage ditches. Use berms or temporary check dams to reduce the velocity of stormwater runoff.~~
- ~~f. Use landscaping to collect, detain and filter surface runoff, and design landscaping to minimize the use of irrigation, fertilizers and pesticides.~~
- ~~g. Prevent erosion and trap sedimentation onsite using sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, and storm drain inlet protection.~~
- ~~h. Control erosion on slopes by seeding and planting vegetation, and using hay bales, temporary drainage swales, silt fences and berms.~~
- ~~i. Restrict land clearing, earth moving, and excavation and grading activities to during dry weather, i.e., between April 15th and October 15th of each year.~~
- ~~j. Separate construction sites from storm drains with berms and filters, stabilize denuded areas, and maintain erosion and sedimentation controls during wet weather, i.e., between October 15th and April 15th of each year.~~
- ~~k. Provide for ongoing operation and maintenance of installed stormwater treatment measures.~~
- ~~l. As applicable based on project size, secure a Construction Activity Stormwater General Permit from the San Francisco Bay Area Regional Water Quality Control Board.~~

~~3. Specific New Development, Uses or Activities~~

~~In addition to the requirements listed in 1. and 2. above, new development, uses or activities in the following categories shall comply with specific STOPPP stormwater pollution prevention requirements.~~

- ~~a. Heavy Equipment Operation~~
- ~~b. Earth Moving Activities~~
- ~~c. Roadwork and Paving~~
- ~~d. Applying Concrete/Mortar~~
- ~~e. Applying Paint, Solvents and Adhesives~~
- ~~f. Swimming Pools, Spa and Fountains~~
- ~~g. Landscaping/Gardens~~
- ~~h. Parking Garages~~
- ~~i. Outdoor Equipment/Materials Storage~~
- ~~j. Refuse Areas~~
- ~~k. Vehicle/Equipment Cleaning, Repair and Maintenance~~
- ~~l. Fuel Dispensing Areas~~
- ~~m. Loading Decks~~
- ~~n. Food Service Equipment Cleaning~~
- ~~o. Pesticide/Fertilizer Application~~

Suggested Modification No. 4 – Suggested Water Quality Policies:

1.35 Estimating and Mitigating Pollutant Loads and Flows

Estimate increases in pollutant loads and flows resulting from proposed development. Incorporate structural and non-structural treatment measures to mitigate the projected increases in pollutant loads and flows to the maximum extent feasible.

1.36 Development Standards to Preserve Water Quality

Require new development to:

- a. Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible maximize on-site infiltration of runoff.
- b. Implement pollution prevention methods supplemented by pollutant source controls and treatment. Use small collection strategies located at, or as close as possible to, the source (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite or into a municipal separate storm sewer system.

- c. Preserve, and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones. Land acquisition and/or conservation easement acquisition of such areas is encouraged.
- d. Limit disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges.
- e. Avoid development of areas that are particularly susceptible to erosion and sediment loss:
- f. Reduce pollutants associated with vehicles and increased traffic resulting from development.
- g. Control stormwater quality impacts by using appropriate best management practices (BMPs). All projects, regardless of size, will be required to implement appropriate pre-construction, construction, and post-construction best management practices.
- h. Implement Hydromodification Management controls such as on-site and regional controls and in-stream measures as required by the Regional Board, to control stormwater discharges from applicable new development and redevelopment projects, in which the combined amounts of impervious surface created and replaced totals one acre or more, so that these discharges do not increase the erosion potential of the receiving creek over the pre-project (existing) condition. A project that does not increase the impervious area over the pre-project condition is excluded from this requirement.
- i. Reduce the need for pesticides and contaminants and prevent contact of these pollutants with stormwater by employing site planning, source control, and construction methods.

1.37 Best Management Practices (BMPs)

Implement Best Management Practices (BMPs) before and during construction and grading operations in order to minimize erosion, sedimentation, and water pollution:

- a. All development, including remodeling of existing buildings, shall comply with the following minimum requirements:
 - (1) Prevent the flow of liquid building materials and wastes onto impervious surfaces and into storm drains and waterways.

(2) Prevent construction equipment, building materials and piles of soil from contact with rain using plastic sheeting or other temporary cover, and contact with stormwater using berms, ditches, and other methods.

(3) Contain vehicle and equipment cleaning, storage, maintenance, and refuse and recycling areas to prevent runoff from discharging into the storm drain system.

(4) Clean up leaks and spills immediately to prevent soil and groundwater contamination, contact with paved surfaces, and discharge into the storm drain system.

(5) Use silt ponds, berms and other techniques to trap sediment, spilled liquids and other pollutants.

b. Development and Other Activities that Alter the Land

In addition to the requirements listed in 1.37a. above, development, construction or other activities that disturb or otherwise alter the land shall comply with the following minimum requirements:

(1) Where the potential for significant erosion from construction activities exists, prepare and implement an erosion and sediment control plan that includes effective erosion and sediment control measures.

(2) Protect sensitive areas, minimize changes to the natural topography, and avoid removing existing vegetation unless absolutely necessary.

(3) Protect undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers, filters, dikes, mulching and other measures as appropriate.

(4) Reduce the amount of runoff crossing construction sites by constructing berms, swales and dikes and diverting drainage ditches. Use berms or temporary check dams to reduce the velocity of stormwater runoff.

(5) Use landscaping to collect, detain and filter surface runoff, and design landscaping to minimize the use of irrigation, fertilizers and pesticides.

(6) Prevent erosion and trap sedimentation onsite using sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, and storm drain inlet protection.

(7) Control erosion on slopes by seeding and planting vegetation, and using hay bales, temporary drainage swales, silt fences and berms.

(8) Development related land disturbance, e.g., site preparation, shall not occur between October 15 and April 15 unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

(9) Separate construction sites from storm drains with berms and filters, stabilize denuded areas, and maintain erosion and sedimentation controls during wet weather, i.e., between October 15th and April 15th of each year.

(10) Provide for ongoing operation and maintenance of installed stormwater treatment measures.

(11) As applicable based on project size, secure a Construction Activity Stormwater General Permit from the San Francisco Bay Area Regional Water Quality Control Board.

c. Site Design Measures

(1) Require for all projects, regardless of size, adequate site design measures such as minimizing land disturbance and impervious surfaces (especially parking lots); clustering of structures and pavement; disconnecting roof downspouts; use of micro-detention, including distributed landscape detention; preservation of high quality open space; maintenance and /or restoration of riparian areas and wetlands as project amenities

(2) Reduce the amount of impervious surface areas. Use permeable materials where appropriate (i.e., light vehicle loading and lightly trafficked areas, such as automobile parking areas).

d. Source Control Measures

(1) Require for all projects, regardless of size, adequate source control measures to limit pollutant generation, discharge and runoff, to the maximum extent practicable. Examples of source control measures include indoor mat/equipment/hood filter wash racks or covered outdoor wash racks plumbed to the sanitary sewer for restaurants; covered trash and food compactor enclosures with a sanitary sewer connection for dumpster drips; sanitary sewer drains for swimming pools; sanitary drained outdoor covered wash areas for vehicles, equipment, and accessories; sanitary sewer drain connections to take fire sprinkler test water; storm drain system stenciling; landscaping that minimizes irrigation

and runoff, promotes surface infiltration where possible, and minimizes the use of pesticides and fertilizers; and appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.

1.38 Developments of Special Concern

Require developments with land use activities that have a high potential for generating pollutants to incorporate BMPs to address the particular pollutants of concern. This shall include, but not be limited to:

- a. Require parking lots to incorporate BMPs to minimize runoff of oil, grease, car battery acid, coolant, gasoline, sediments, trash, and other pollutants to receiving waters.
- b. Require commercial developments to incorporate BMPs to minimize polluted runoff from structures, landscaping, parking areas, repair and maintenance areas, loading /unloading areas, and vehicle/equipment wash areas.
- c. Require automotive service stations, gasoline outlets, car washes, and vehicle repair facilities to incorporate BMPs to minimize runoff of oil, grease, solvents, car battery acid, coolant, gasoline, and other pollutants to the stormwater conveyance system from areas including fueling areas, repair and maintenance areas, loading/unloading areas, and vehicle/equipment wash areas.
- d. Require restaurants to incorporate BMPs to minimize runoff of oil, grease, solvents, phosphates, suspended solids, and other pollutants.
- e. Require outdoor material storage areas to be designed (e.g., with a roof or awning cover) to minimize runoff of toxic compounds, oil and grease, heavy metals, nutrients, suspended solids, and other pollutants.
- f. Require roof or awning covers over trash storage areas to minimize off-site transport of trash and other pollutants.
- g. Require beachfront and waterfront development to incorporate BMPs to minimize polluted runoff to beach and coastal waters.
- h. Require confined animal facilities, stables and similar animal keeping operations to be sited and designed to manage, contain, and dispose of animal waste using BMPs to insure that waste is not introduced to surface runoff or ground water. In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation or polluted runoff on any public road, adjoining property, or in any creek or drainage channel.

- i. Require onsite sewage treatment systems (septic systems) to be sited, designed, installed, operated, and maintained to avoid contributing nutrients and pathogens to groundwater and/or surface waters.
- j. Require onsite sewage treatment systems (septic systems) to be sited away from areas that have poorly or excessively drained soils, shallow water tables or high seasonal water tables that are within floodplains or where effluent cannot be adequately treated before it reaches streams or the ocean.

Require new development to include protective setbacks from surface waters, wetlands and floodplains for conventional or alternative onsite sewage treatment systems, as well as separation distances between onsite sewage treatment system components, building components, property lines, and groundwater. Under no conditions shall the bottom of the effluent dispersal system be within five feet of groundwater.

1.39 Stormwater Treatment

a. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the LCP, or when required by Regional Board per municipal permit provisions, structural treatment BMPs will be implemented along with site design and source control measures. Use multi-benefit, natural-feature, stormwater treatment systems, such as landscape-based bioretention systems, bioswales and green roofs, in place of proprietary systems where feasible.

b. Design and install stormwater treatment systems that will reduce the discharge of pollutants in the stormwater runoff to the maximum extent practicable, for at least the following projects, and as required by the San Francisco Bay Area Regional Water Quality Control Board:

(1.) New development or redevelopment projects that create and/or replace 10,000 square feet or more of impervious surface including commercial, industrial, residential housing subdivisions (i.e., detached single-family home subdivisions, multi-family attached subdivisions (town homes), condominiums, and apartments), mixed-use, and public projects. Interior remodels, routine maintenance or repair (such as roof or exterior wall surface replacement and pavement resurfacing within the existing footprint), and single-family homes that are not part of a larger plan of development, are excluded from this category.

If a redevelopment project increases or replaces more than 50 percent of the impervious surface of a previously existing development, the entire project must be included in the treatment system design (e.g., stormwater treatment systems must be designed and sized to treat

stormwater runoff from the entire redevelopment project). For redevelopment projects that increase or replace less than 50 percent of the impervious surface, stormwater treatment systems must be designed and sized to treat stormwater runoff from the new and/or replaced impervious surface of the project.

(2) Any newly constructed street, road, or highway; contiguous paved surfaces installed as part of a street, road or highway project (including contiguous sidewalks and bicycle lanes); or impervious trails that are greater than 10 feet wide or are creekside (within 50 feet of the top of bank), that create 10,000 square feet or more of contiguous impervious surface.

(3) Replaced arterial streets or roads that are rehabilitated down to the gravel base (i.e., roads or pavement that are demolished and re-built from the gravel base up) and that create and/or replace 10,000 square feet or more of contiguous impervious surface. Replacement of local and connector non-arterial roads and paved trails, routine surface repaving, pothole repair of all other streets, roads, highways are excluded.

c.. Design and install post-construction structural BMPs (or suites of BMPs) to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs or the flow of runoff from a rain event equal to at least 0.2 inches per hour intensity to the maximum extent feasible.

1.40 Drainage

Require post-development peak flow (runoff) and velocity to be less than or equal to pre-development peak flow and velocity in areas where there are no existing down stream storm drain systems. No additional runoff, caused by development, shall cross property lines. In areas where there are existing storm drain systems, those systems shall be of adequate size to accept the increased runoff, or mitigation procedures shall be taken. Mitigation procedures may include on-site storm drain detention or off-site storm drain detention.

1.41 Hydromodification Management (HM) Standard

Stormwater discharges from applicable new development and redevelopment projects, in which the combined amounts of impervious surface created and replaced totals one acre or more, shall not cause an increase in the erosion potential of the receiving stream over the pre-project (existing) condition. Increase in runoff flow and volume shall be managed so that post-project runoff shall not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased

potential for erosion of creek beds and banks, silt pollutant generated, or other adverse impacts to beneficial uses due to increased erosive force. Projects shall implement the hydromodification requirements by use of on-site control measures, regional control measures, or in-stream measures, as required by the Regional Board.

2.1.4. Suggested Modifications to County Exhibit Q Resolving Policy Conflicts:

Suggested Modification No. 5:

~~1.3 Resolving Policy Conflicts~~

~~Where conflicts occur between one or more LCP policies, resolve them in a manner which on balance is the most protective of significant coastal resources. This provision does not affect nor limit the Coastal Commission's authority under Public Resources Code Section 30007.5.~~

2.1.5. Suggested Modifications to County Exhibit R Correcting and Clarifying LCP Provisions

Suggested Modification No. 6 – Rural Areas

***1.7 Designation of Rural Areas**

Designate as rural those lands shown outside the urban/rural boundary on the Local Coastal Program LCP Land Use Plan Maps ~~1.3 e, in effect on March 25, 1986,~~ that ~~were~~ are designated Agriculture, General Open Space, Timber Preserve, or Public Recreation ~~on that date.~~

2.1.6. Additional Suggested Modifications to LUP Chapter 1

Suggested Modification No. 6 – New adequacy of public services policy:

1.18.1 Ensure Adequate Public Services and Infrastructure for New Development in Urban Areas.

a. No permit for development in the urban area shall be approved unless it can be demonstrated prior to project approval, that the development will be served upon completion with adequate public services, including but not limited to public water, wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development.

b. Demonstration of adequate water and sewer facilities shall include evidence that adequate capacity (including transmission collection, treatment and disposal) exists within the system to serve the development and all other existing and foreseeable

development the system is committed to serving, and evidence that the entity providing the service will provide such service for the development.

c. Limit new dwelling units within the Coastside County Water District service area to the number of available non-priority connections in the Midcoast permitted by the El Granada Pipeline Project (Coastal Commission CDP A-2-SMC-99-063; A-1-HMB-99-020).

d. Allow new water connections in the Montara Water and Sanitary District water service area only if consistent with the MWSD Public Works Plan (Coastal Commission PWP No. 2-06-006), Chapter 2 of the LCP, and all other applicable policies of the LCP.

e. Private wells shall be prohibited within the urban services line of the Midcoast unless authorized pursuant to a groundwater management plan incorporated into the LCP.

f. Private septic systems shall be prohibited within the urban services line of the Midcoast unless authorized pursuant to a groundwater management plan incorporated into the LCP.

g. Demonstration of adequate transportation services shall include compliance with Policies 2.58 and 2.59.

h. Lack of adequate services to serve the proposed development shall be grounds for denial of the project.

2.2. Suggested Modifications to LUP Chapter 2 (Public Works)

2.2.1. Suggested Modifications to County Exhibit R

Suggested Modification No. 7 – Service area boundaries:

2.22 Establishing Service Area Boundaries

a. Require, as a condition of granting a permit for expansion of sewage treatment facilities, that sanitary sewer connections be limited to the urban areas and rural residential areas as shown on the ~~LCP Land Use Map~~ Land Use Plan Map 1.3 and the zoning map. Exclude property located outside the urban boundary and rural residential areas from assessment for sewage treatment facilities by SAM or its member agencies.

~~b. Allow SAM to supply reclaimed wastewater to areas outside service areas consistent with LUP Policy 2.18(c).~~

~~c. Begin transferring responsibility for septic tank monitoring in the rural areas of the Montara and Granada Sanitary Districts to the County Environmental Health Division or some other public agency within a year of LCP certification. When another agency agrees to assume this responsibility, r~~Redraw the boundaries of the sewer districts to correspond to the urban boundary and the boundary of rural residential areas.

~~d. If it is impossible for the County Environmental Health Division or another agency to assume responsibility for monitoring septic tanks, maintain existing sewer district boundaries and divide districts into rural and urban zones. Accordingly,~~

~~(1) Make the boundaries of the urban zone, where sanitary sewer connections are provided, correspond to the urban areas and rural residential areas, as shown on the LCP Land Use Plan Map.~~

~~(2) Restrict the activities in the rural zone to monitoring and inspecting septic tanks. Prohibit sanitary sewer connections in this rural zone.~~

~~(3) Adjust the sewer district fees in the rural zone to reflect the lower level of service and minimize growth inducement.~~

Suggested Modification No. 7 – Montara Treatment Plant:

2.23 Locating Sites for Sewage Treatment Plants Montara Treatment Plant

~~a. Designate the existing site of the Montara Treatment Plant as Institutional on the LCP Land Use Plan Map. Allow a sewage treatment plant or pumping station to be constructed there. If SAM or its member utility, the Montara Sanitary District, does not use this site for expanded or additional sewage treatment facilities, change the site's designation to general open space on the LCP Land Use Plan Map.~~ a. Allow Montara Water and Sanitary District to use the old Montara Treatment Plant for wet weather storage and a pump station

b. Reserve public pedestrian access on the seaward side of this Montara site and connect it to proposed trails at both ends consistent with the policies of the Shoreline Access Component.

~~c. Designate a site, approximately 2 to 3 acres in size, north of California Avenue near Yale Avenue on the property of the Half Moon Bay Airport, as Institutional on the LCP Land Use Plan Map. Allow a sewage treatment plant or pumping station to be constructed there subject to FAA approval. If Granada Sanitary District does not use this site for expanded or additional sewage treatment, change the site's designation to Transportation on the LCP Land Use Plan Map.~~

Suggested Modification No. 8 – Phasing public works development:

2.7 Phased Development of Public Works Facilities

Require the phased development of public works facilities in order to insure that permitted public works capacities are limited to serving needs generated by development which is consistent with the Local Coastal Program policies. Allow expansion of public works facilities, including but not limited to water supply and transmission, sewage treatment and transmission, and the San Mateo County Midcoast and City of Half Moon Bay regional transportation system only after considering the availability of other public works facilities, and establishing whether capacity increases would overburden the existing and probable future capacity of other public works facilities. Consideration of highway capacity shall include review of the adequacy of the level of service (LOS) on Highways 1 and 92. Adequate level of service for Highways 1 and 92 shall be defined, at minimum, as Level of Service (LOS) C except during the

peak commuter period when LOS D is acceptable and the recreation peak periods when LOS E is acceptable.

Suggested Modification No. 9 – Priority uses:

2.8 Reservation of Capacity for Priority Land Uses

a. Reserve public works capacity for land uses given priority by the Local Coastal Program as shown on Table 2.7 and Table 2.17. Public works shall include water supply and transmission, sewage treatment and transmission, and the San Mateo County Midcoast and City of Half Moon Bay regional transportation system, including the level of service (LOS) on Highways 1 and 92. All priority land uses shall exclusively rely on public sewer and water services.

b. For each public works development ~~phase~~, reserve capacity adequate to allow priority land uses to develop to the buildout allowed by ~~that phase~~ the LCP.

c. ~~Under the following circumstances, Allow public agencies and utilities to reallocate capacity to non-priority land uses only through an LCP Amendment. (1) when landowners refuse to pay the assessment fees for public services to serve priority land uses because they desire to keep their land vacant or develop a non-priority land use allowed on the site by the Local Coastal Program, and (2) when a landowner, in response to a written inquiry by a public agency or utility, indicates in writing that he/she does not plan to develop his/her land as a priority land use and will not be using any reserved capacity during a certain phase. The public agency or utility shall calculate the capacity needed to serve the remaining priority land uses. Reserved capacity that is not required for the remaining priority land uses may be reallocated to non-priority land uses after the public agency has gained the approval of the Planning Commission. Applications for a LCP Amendment to reallocate priority capacity must be accompanied by substantial evidence and studies documenting excess capacity. Before approving the reallocation and before submitting the reallocation to the Coastal Commission for an LCP Amendment, the Planning Commission shall substantiate make the finding, in writing, that the remaining reserved capacity will be adequate to serve the remaining priority land uses. The reservation of capacity for priority land uses shall be increased during the next phase to compensate priority land uses for this reallocation. At least 50% of the priority land uses planned in each phase must be provided capacity for; that capacity may not be allocated to the next phase.~~

d. Allow Coastside County Water District and Montara Water and Sanitary District to allocate priority capacity in accordance with Table 2.17 equivalent to ten standard size (5/8 inch diameter) service connections (approximately 2,710 gallons per day total) in order to provide municipal water service to residential dwellings which are connected to the public sanitary sewer system, when such a connection is necessary to avert a substantial hardship caused by the failure of a private well serving the dwelling

in production quantity or quality as certified by the Director of the Environmental Health Division. For purposes of this policy, “substantial hardship” shall not include any failure which can be remedied by repair or replacement of well equipment or facilities, or relocation of a well on a parcel. Whether substantial hardship exists shall be determined by the Community Development Director ~~Planning Director~~, following consultation with the Director of Environmental Health and the General Manager of the ~~Coastside County Water District~~ serving water district.

In order to minimize the reduction in water reserved for Coastal Act priority and uses, applications for reallocated water shall include a Water Fixture Retrofit Plan to replace existing water fixtures of the residence applying for the connection with water conserving fixtures. This plan must be reviewed and approved by the ~~Coastside Community Water District~~ General Manager of the serving water district prior to the establishment of the connection, and contain the following:

- (1) A list of all existing fixtures to be retrofitted and their present associated water flow (e.g., gallons/second);
- (2) A list of all proposed fixtures to be installed and their associated water flow;
- (3) The estimated annual water savings resulting from the proposed retrofit, showing all calculations and assumptions; and
- (4) A leak detection test; all leaks shall be repaired, but such repairs shall not be calculated in the estimates of savings. The inspection personnel of the serving water district shall inspect the water fixtures prior to and following the retrofit to confirm compliance with the approved plan and proper installation.

The ~~Coastside Community Water District~~ inspection personnel of the serving water district shall inspect the water fixtures prior to and following the retrofit to confirm compliance with the approved plan and proper installation.

The serving water district shall provide notices to the County Planning Department and the Coastal Commission of all failed wells applications.

Suggested Modification No. 10 – Deletion of outdated public works policies:

~~2.9 Phase I Capacity Limits~~

~~Based the first phase capacity of public works facilities on documentable and short term need (approximately 20 years or less) consistent with the Local Coastal Program. Monitor the needs of existing land uses and use those results and the existing and probable future capacity of related public works and services to document the need.~~

~~2.10 Growth Management~~

~~After Phase I sewer and substantial water supply facilities have both been provided, limit building permits for the construction of non priority residential land uses in the Mid Coast in accordance with the policies of the Locating and Planning New Development Component.~~

~~2.11 Monitoring of Phase I~~

- ~~a. Require that public agencies, utilities or special districts monitor the needs of land uses for public works capacity during Phase I.~~
- ~~b. Notify affected public agencies, utilities and special districts of the requirements for monitoring included in this plan.~~

Suggested Modification No. 11 – Public works expansion policies:

~~2.12 Timing and Capacity of Later Phases for Expansion of Public Works Facilities~~

- ~~a. Use the results of Phase I monitoring to determine the timing and capacity of later phase(s).~~
- ~~b. Guide timing by allowing later phase(s) to begin when Phase I capacity has been or will be consumed within the time period required to construct additional capacity.~~
- ~~c. Amount of expansion capacity shall be determined. Establish the capacity by: (1) estimating the capacity needed to serve the land use plan at buildout, (2) considering the availability of related public works to establish whether capacity increases would overburden the existing and probable future capacity of other public works, (3) after a thorough traffic study, determining the existing and future level of service (LOS) on Highway 92 and Highway 1 as a result of the facility expansion. No expansion of other public works facilities shall be permitted unless existing or probable future capacity of other related infrastructure, including but not limited to water supply and transmission, sewage treatment and transmission, and the San Mateo County Midcoast and City of Half Moon Bay regional transportation system, including the level of service (LOS) on Highways 1 and 92, is sufficient to adequately serve the level of development that would be supported by the proposed public works facility expansion. Adequate level of service for Highways 1 and 92 shall be defined, at a minimum, as Level of Service (LOS) C except during the peak commuter period when LOS D is acceptable and the recreation peak periods when LOS E is acceptable; and (34) considering the availability of funds.~~
- d. Require every ~~phase~~ expansion of capacity to go through the coastal development review process.

2.13 Coordination with the City of Half Moon Bay

Coordinate with the City of Half Moon Bay's certified Local Coastal Program to take into consideration the policies of the City's LCP when determining: ~~(1) Phase I sewer capacity and (2) when and how much to increase the capacity of all public works facilities after Phase I.~~

Suggested Modification No. 12 – Expansion of special district policy:

2.15.1

Allow the formation or expansion of special districts only when existing or probable future capacity of other related infrastructure, including but not limited to water supply and transmission, sewage treatment and transmission, and the San Mateo County

Midcoast and City of Half Moon Bay regional transportation system, including the level of service (LOS) on Highways 1 and 92, is sufficient to adequately serve the level of development that would be supported by the proposed special district formation or expansion. Adequate level of service for Highways 1 and 92 shall be defined, at minimum, as Level of Service (LOS) C except during the peak commuter period when LOS D is acceptable and the recreation peak periods when LOS E is acceptable.

Suggested Modification No. 13 – Deletion of outdated sewer policies:

~~2.16 Phase I Capacity Limits~~

~~For Phase I, limit the aerator, clarifier and outfall capacity of Sewer Authority Mid-Coast (SAM) joint treatment plant facilities and pump stations to average dry weather flows (adwf) of 2.0 million gallons per day (mgd).~~

~~2.17 Monitoring of Phase I~~

~~Require that the Sewer Authority Mid-Coastside (SAM or its member agencies) monitor: (1) the actual amount of sewage generation by land use, particularly non-residential, and (2) the rate of growth of new development. Require them to submit an annual data report to the County summarizing the results of this monitoring.~~

Suggested Modification No. 14 – Expanding sewer capacity:

2.18 Timing and Capacity of Later Phases Sewage Treatment and Distribution Capacity Expansion

~~a. Use the results of Phase I monitoring to determine the timing and capacity of later phase(s).~~

a. ~~b.~~ Allow expansion of sewage treatment and distribution capacity only under the following circumstances: (1) only when existing capacity ~~Guide timing by allowing later phase(s) to begin when Phase I capacity has been consumed or will be consumed~~ within the time period required to construct additional sewage treatment capacity; (2) only after considering the availability of other public works facilities, and establishing whether capacity increases would overburden the existing and probable future capacity of other public works facilities; and (3) only when the level of service (LOS) on Highways 1 and 92 is found to be at a minimum of LOS C except during the peak two-hour commuting period when LOS D is acceptable, and except during peak recreational hour when LOS E is acceptable, and only when substantial evidence and traffic studies substantiate that the LOS would be maintained at that level or better.

b. Projects to increase sewage collection, transmission, and storage capacity to prevent wet weather overflows only, are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the projects do not induce growth or increase the treatment capacity of the SAM plant or the total number of sewer connections made available by the SAM treatment plant expansion permitted by Coastal Commission CDP No. 1-94-111 as of the time of certification

c. Projects to upgrade the SAM treatment plant from secondary to tertiary treatment to provide recycled water to the existing Ocean Colony Golf Course (that currently utilizes wells), agricultural uses, and other Coastal Act priority uses are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the recycled water project does not induce growth, nor provide additional water connections to other commercial, residential, or industrial water users; or increase the treatment capacity of the SAM plant or the total number of sewer connections made available by the SAM treatment plant expansion permitted by Coastal Commission CDP No. 1-94-111 as of the time of certification.

~~ec. Establish the capacity by: (1) estimating the sewage treatment capacity needed to serve the land use plan at buildout, (2) considering the availability of related public works and whether expansion of the sewage treatment capacity would overburden the existing and probable future capacity of other public works, and (3) considering the availability of funds.~~ Sewage treatment, collection, storage, and transmission projects shall be consistent with the following standards:

1. Maximum Capacity. The maximum service capacity of the project shall not induce growth inconsistent with the protection of coastal resources and public access and recreation opportunities and will assure that untreated wastewater will not be discharged into any coastal waters including streams, wetlands, and the marine environment.

2. Priority Uses. The project shall demonstrate that sewage treatment capacity is available and allocations are reserved for Coastal Act priority uses.

3. Other Public Service Capacities. The maximum level of development supported by the project shall not exceed that supported by other existing and probable future public services, including water supply and road capacity. The project shall not induce growth beyond that level necessary to maintain acceptable road Levels of Service and circulation to protect coastal access and recreation opportunities, and provide for public safety (e.g., fire evacuation).

4. Siting. The project shall be sited and designed to minimize impacts to visual resources, prevent degradation of sensitive habitats, and shall be consistent with all applicable policies of the LCP.

Suggested Modification No. 15:

2.10 Phase I Capacity Allocations

~~a. Require, as a condition of permit approval, that the Phase I capacity be allocated as follows: (1) .6 mgd adwf to the Granada Sanitary District and (2) .4 mgd adwf to the Montara Sanitary District until the City of Half Moon~~

~~Bay's Local Coastal Program is certified. b. After certification of the City of Half Moon Bay's Local Coastal Program, and receipt from the City the information requested in 2.19(f), the allocations in 2.19(a) shall be amended so that capacity is allocated among the member agencies in proportion to the member agencies' respective service needs as identified in both the County and City certified Local Coastal Programs. c. Service need shall be defined as the ultimate need for sewage treatment capacity required to implement the buildout of the entire Land Use Plan portion of the City and County Local Coastal Programs. d. Need for the Granada and Montara Sanitary Districts shall be as shown on Tables 2.3 and 2.4 as amended to reflect changes in the Land Use Plan since they were prepared. e. Amend Tables 2.3 and 2.4 whenever all amendments to the certified Land Use Plan which affect these tables are approved by the Coastal Commission. f. Request the City of Half Moon Bay to submit information to the County on the: (1) population, dwelling units and acreages of non-residential land uses permitted at buildout of their land use plan and (2) sewage generation factors used to estimate need for sewage treatment capacity at buildout. g. Allow consideration of amendments to the sewage treatment allocations whenever an amendment to the certified City or County Local Coastal Programs is approved by the Coastal Commission.~~

Suggested Modification No. 16 – Reserving sewer capacity for priority use:

2.21 Reservation of Capacity for Priority Land Uses

a. Reserve sewage treatment capacity for each land use given priority by the Coastal Act or the Local Coastal Program. These priority uses are shown on Table 2.7. Amend this table to reflect all changes in the Land Use Plan which affect these priority land uses.

b. Where existing or planned sewage treatment facilities can accommodate only a limited amount of new development, services to Coastal Act priority uses listed on Table 2.7 shall have priority over Local Coastal Program priority uses listed on Table 2.7.

~~b. For each phase of sewage treatment facility development reserve capacity adequate to allow each priority land use to develop to the percent of buildout allowed by the phase.~~

c. Allow capacity to be reallocated to non-priority land uses in accordance with Policy 2.8.

Suggested Modification No. 17 – Private septic systems:

2.24.1 Private septic systems shall be prohibited within the urban services line of the Midcoast unless authorized pursuant to a groundwater management plan incorporated into the LCP.

Suggested Modification No. 18 – Delete outdated water supply policy:

~~2.25 Phase I Capacity Limits~~

~~Require that Phase I capacity not exceed the water supply which: (1) serves the development which can be sewered by the Phase I 2.0 mgd adwf sewer capacity allocated for Mid-Coast areas within the urban boundary and (2) meets the documented needs of floriculturalists within the existing Coastside County Water District Service Area. Use recent data on the amount of water consumed by land use to determine the actual water supply capacity allowed.~~

Suggested Modification No. 19 – Monitoring water consumption:

~~2.26 Monitoring of Phase I~~ Require that the water service providers, presently Coastside County Water

District (CCWD) and the ~~Citizens Utilities Company (CUC)~~ Montara Water and Sanitary District (MWSD), monitor: (1) the actual amount of water consumption by land use, and (2) the rate of growth of new development. Require them to submit an annual data report to the County summarizing the results of this monitoring.

Suggested Modification No. 20 – Expansion of water supply:

~~2.27 Timing and Capacity of Later Phases~~ Expansion of Water Supply and Distribution Capacity

~~a. Use the results of Phase I monitoring to determine the timing and capacity of later phase(s).~~

~~b. Guide timing by allowing later phase(s) to begin when Phase I capacity~~

a. Allow expansion of water supply, service connections, and water treatment and distribution capacity to serve new development only under the following circumstances: (1) when existing capacity has been consumed or will be consumed within the time required to construct additional water supply capacity; (2) after considering the availability of other public works facilities, and establishing whether capacity increases would overburden the existing and probable future capacity of other public works facilities; and (3) only when the level of service (LOS) on Highways 1 and 92 is found to be at a minimum of LOS C except during the peak two-hour commuting period when LOS D is acceptable, and except during peak recreational hours when LOS E is acceptable, and only when substantial evidence and traffic studies substantiate that the LOS would be maintained at that level or better.

b. Supplemental water supply projects to serve urban development served by private wells that exist as of the date of this amendment certification shall be permitted notwithstanding traffic conditions on Highways 1 and 92, but only when existing capacity has been consumed.

c. Supplemental water supply projects shall be consistent with the following standards: (1) The maximum service capacity of the project will not induce growth inconsistent with the protection of coastal resources and public access and recreation opportunities.

- (2) The project shall assure that water withdrawals from surface streams and groundwater will be sufficiently limited to protect: (i) adequate instream flows necessary to support sensitive species and other riparian/wetland habitats; (ii) underlying groundwater aquifers; and (iii) agricultural resources.
- (3) The project shall demonstrate that water capacity is available and allocations are reserved for Coastal Act priority uses.
- (4) The project shall demonstrate that water storage and delivery systems will be adequate to meet the fire safety and other public health and safety needs of new development supported by the project, consistent with the protection of other coastal resources.
- (5) The maximum level of development supported by the project shall not exceed that supported by the existing and probable future capacity of other public services, including wastewater treatment capacity and road capacity. The project shall not induce growth beyond that level necessary to maintain acceptable road Levels of Service and circulation to protect coastal access and recreation opportunities, and provide for public safety (e.g., fire evacuation).
- (6) The project shall demonstrate that it is an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes other supply alternatives, including conservation and water recycling to the maximum extent practicable.
- (7) The project shall minimize the use of energy.
- (8) The project shall be sited and designed to minimize impacts to visual resources and shall be consistent with all applicable policies of the LCP.

~~c. Establish the capacity by: (1) estimating the water supply capacity needed to serve the land use plan at buildout, (2) considering the availability of related public works and whether expansion of the water supply would overburden the existing and probable future capacity of other public works and (3) considering the availability of funds.~~

Suggested Modification No. 21 – Desalination:

2.28 Desalination

Any proposed desalination plants shall require a coastal development permit and an amendment to this LCP.

Desalination facilities must:

- a. Provide public services;
- b. Avoid or fully mitigate any adverse environmental impacts to coastal resources;

c. Be consistent with all LCP and Coastal Act policies, including those for concentrating development, supporting priority coastal uses, and protecting significant scenic and habitat resources;

d. Be designed and sized based upon adopted community planning documents, which may include General Plans, Urban Water Management Plans, Regional Water Supply Plans, Local Coastal Programs, and other approved plans that integrate local or regional planning, growth, and water supply/demand projections;

e. Use technologies that are energy-efficient. Estimates of the projected annual energy use and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, shall be submitted with permit applications;

f. Use, where feasible, sub-surface feedwater intakes (e.g., beach wells) instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies;

g. Use technologies and processes that eliminate or minimize the discharges of hazardous constituents into the ocean and ensure that the least environmentally damaging options for feedwater treatment and cleaning of plant components are selected. Opportunities for combining brine discharges with other discharges (e.g., from a sewage treatment facility or power plant) should be considered and the least environmentally damaging alternative pursued. Applicants should provide information necessary to determine the potential impacts to marine resources from the proposed intake and discharge. Obtaining this information may require new or updated engineering, modeling and biological studies, or in some cases may be obtained from pre-operational monitoring, monitoring results from other desalination facilities, and pilot studies conducted before building a full-scale facility;

h. Be designed and limited to assure that any water supplies made available as a direct or indirect result of the project will accommodate needs generated by development or uses consistent with the kinds, location and densities specified in the LCP and Coastal Act, including priority uses as required by Coastal Act Section 30254, and;

i. Be an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes conservation and water recycling to the maximum extent practicable.

Suggested Modification No. 22 – Delete outdated:

~~2.28 Phase I Capacity Allocations~~

~~Require, as a condition of permit approval, that the Phase I capacity to a particular area does not exceed the proportion of buildout that Phase I sewage treatment allocations permit.~~

Suggested Modification No. 23 – Reserving priority water capacity:

2.29 Reservation of Capacity for Priority Land Uses

a. Reserve water supplies for each land use given priority by the Coastal Act or the Local Coastal Program. These priority uses are shown on Table

2.17. Amend this table to reflect all changes in the Land Use Plan which affect these land uses.

~~b. For each phase of each water supply and distribution expansion that is permitted, development, adequate capacity adequate to allow each for priority land uses shall be reserved consistent with LCP Table 2.17 to develop to the percent of buildout allowed by the phase, before offering additional capacity to non-priority land uses in accordance with Policy 2.8.~~

~~c. Allow capacity to be reallocated to non-priority land uses in accordance with Policy 2.8.~~

c. Where existing or planned public water facilities can accommodate only a limited amount of new development, services to the Coastal Act priority uses identified in Table 2.17 shall have priority over the Local Coastal Program priority uses identified in Table 2.17.

Suggested Modification No. 24 – water conservation:

2.31 Conservation

~~Encourage~~ Require water service providers to establish water conservation programs to reduce existing and future water consumption.

Suggested Modification No. 25 – Standards for groundwater production:

2.32 Groundwater Proposal

Require, if new or increased well production is proposed to increase supply consistent with LCP Policy 2.27, that:

a. Water quality be adequate, using blending if required, to meet the water standards of Policy 2.30.

b. Wells are installed under inspection according to the requirements of the State and County Department of Public Health.

~~c. The amount pumped be limited to a safe yield factor which such that it does will not impact water dependent sensitive species and habitats including streams, riparian habitats and wetlands marshes.~~

~~d. Base the safe yield and pumping restriction on studies conducted by a person agreed upon by the County and the applicant which shall: (1) prior to the granting of the permit, examine the geologic and hydrologic conditions of the site to determine a preliminary safe yield the amount that may be pumped without which will not adversely affecting a water dependent sensitive habitat or result in depletion of the aquifer; and (2) during the first [three] years, monitor the impact of the well on groundwater and surface water levels and water quality and plant species and animals of water dependent sensitive habitats to determine if the preliminary pumping restriction safe yield adequately protects the sensitive habitats and what measures should be taken if and when adverse effects occur.~~

e. If monitoring shows impacts to water-dependent sensitive habitats, the pumping rate shall be reduced until it is clear that such impacts will not occur.

Suggested Modification No. 26 – Private wells:

2.33 Private wells shall be prohibited within the urban services line of the Midcoast until authorized pursuant to a groundwater management plan incorporated into the LCP.

Suggested Modification No. 27 – Delete outdated:

~~2.35 Pipeline Project Proposal~~

- ~~a. Require, if a pipeline to Crystal Springs or San Andreas Lake is proposed to increase water supplies, assurance from CCWD and the San Francisco Water Department of the long range availability of the water supply.~~
- ~~b. Require the phased development of pump stations and treatment facilities in accordance with Policy 2.25.~~
- ~~c. Require that the pipeline size not exceed the closest nominal size to what is required to carry peak daily demand at buildout.~~
- ~~d. Require that storage facilities be located consistent with LCP policies, particularly the Agricultural, Sensitive Habitats and Hazards Components.~~

Suggested Modification No. 28 – Required findings for water supply development:

2.36 Findings

Require, as a condition of permit approval for any facilities to increase water supply, that the following findings are made: (1) the addition of this water supply facility is consistent with ~~the Capacity Limits and Allocations of this Component~~ LUP Policies 2.27, 2.28, and 2.29, (2) storage is adequate to insure that sufficient emergency supply is available and any additional development allowed because of this increase in water supply will be served during dry summer months, (3) the development of this facility minimizes energy consumption and (4) the siting of this facility is consistent with LCP policies.

Suggested Modification No. 29 – Roadway capacity expansion:

2.48 Capacity Limits

- a. Limit expansion of roadways to capacity which does not exceed that needed to accommodate commuter peak period traffic when buildout of the Land Use Plan occurs and which does not exceed existing and probable future capacity of water and sewage treatment and transmission capacity or other wise conflict with other policies of the LCP.
- b. Use the requirements of commuter peak period traffic as the basis for determining appropriate increases in capacity.
- c. Ensure that any additional development that would be served/facilitated by the road expansion project does not exceed the development levels that the existing water supply and sewage treatment capability can serve.

d. Maintain Highway 1 as scenic two-lane road outside the Urban Midcoast area depicted on LUP Map 1.3.

Suggested Modification No. 30 – Level of service:

2.49 Desired Level of Service

In assessing the need for road expansion and when assessing the traffic impacts of proposed developments, consider Service Level D acceptable during commuter peak periods and Service Level E acceptable during recreation peak periods.

2.2.2. Suggested Modification to County Proposed Exhibit I: Future of Devil's Slide Bypass Property

Suggested Modification No. 31 – Route 1 and 92 capacity/devil's slide bypass:

2.50 Route 1 and Route 92 ~~Phase I~~ Capacity Limits

a. On Route 92, limit ~~Phase I~~ improvements to: (1) slow vehicle lanes on uphill grades, and (2) the following operational and safety improvements within the existing alignment or lands immediately adjacent: elimination of sharp curves, lane widening, turn pockets, wider shoulders to improve ~~allow~~ passage for bicycles and emergency vehicles and signals at major intersections.

b. On Route 1, limit ~~Phase I~~ improvements to: (1) slow vehicle lanes on uphill grades and the following operational and safety improvements within the existing alignment or lands immediately adjacent: elimination of sharp curves, lane widening, lane reconfiguration, acceleration/deceleration lanes, wider shoulders to allow passage for bicycles emergency vehicles and signals at major intersections; (2) Additional traffic lanes in the Midcoast project area as depicted on Map 1.3, provided the additional lanes are found to be in compliance with all other applicable policies of the LCP, including, but not limited to, sensitive habitat and wetland protection policies; and (23) construction of a tunnel for motorized vehicles only behind Devil's Slide through San Pedro Mountain. The tunnel design shall be consistent with (a) Coastal Act limits restricting Route 1 to a two-lane scenic highway, and (b) minimum State and federal tunnel standards. A separate trail for pedestrians and bicycles shall be provided outside the tunnel as specified in Policy 2.56a and 2.56b.

~~c. When CalTrans determines that the original Devil's Slide Bypass Alignment, also known as the "Adopted Alignment," between Sunshine Valley Road and McNee Ranch State Park, is no longer needed for highway purposes, i.e. as a right of way, the County will:~~

~~(1) Designate the former right of way as a Linear Park and Trail.~~

~~(2) Revise the zoning of the former right of way to implement the Linear Park and Trail designation.~~

~~(3) Permit existing roads which cross the former right of way to remain.~~

- ~~(4) Permit water supply source and distribution facilities within the former right-of-way.~~

Suggested Modification No. 32 – Traffic monitoring:

2.52 ~~Phase I~~ Monitoring

- a. Require ~~during Phase I~~ that CalTrans monitor peak commuter period traffic and submit data reports to the County on the results of this monitoring, as a basis for documenting the need for increased roadway capacity, when a permit application is submitted.
- b. The County shall monitor the number and rate of new residential construction particularly in the rural Mid-Coast and its relation to levels of peak commuter period and recreation peak period traffic levels.
- c. Submit annual traffic monitoring reports to the Coastal Commission

Suggested Modification No. 33 – Capacity of roadway expansion:

2.53 ~~Timing and~~ Road Expansion Capacity of Later Phases

- a. ~~Use the results of Phase I monitoring to determine the timing and capacity of later phase(s).~~
- b. ~~Guide timing by allowing later phase(s) to begin when Phase I road capacity has been consumed or when actual traffic development shows that road capacities should be expanded.~~
- c. ~~Establish the capacity by~~ of future road expansion projects by: (1) estimating the road capacity needed to serve the land use plan at buildout, (2) considering the availability of related public works and whether expansion of the road capability would overburden the existing and probable future capacity of other public works. The additional development that would be served/facilitated by the road expansion project may not exceed the development levels that the existing and probable future water supply and sewage treatment capability can serve. (3) considering the availability of funds and (4) demonstrating that basic levels of public transit service have been met and the proposed improvement will not result in reduced public transit patronage; (5) ensuring that State Highway One in rural areas north of the Midcoast project boundary and south of the City of Half Moon Bay, shall remain a scenic two lane road.

Suggested Modification No. 34 – Roadway alignments:

2.54 Roadway Alignments

- a. For Routes 92 and 84, use the existing alignment when increasing roadway capacity, unless it can be proven physically and economically infeasible, or if use of the existing alignment would be environmentally more damaging than an alternative route.
- b. ~~For Route 1, allow construction of a tunnel behind Devil's Slide through San Pedro Mountain. The tunnel should be given high priority for federal and State highway funds. Until a tunnel is completed, the State should maintain and repair the road on the existing alignment. No part of Route 1 used by motor vehicles shall be built on any alignment that bisects Montara~~

~~State Beach, including the “McNee Ranch Acquisition” except along the current Route 1 alignment. Any alternative to the tunnel, except the repair and reconstruction of the existing road, shall require approval by a majority of the voters of San Mateo.~~

c. Require that the roadway improvements be consistent with all applicable policies of the Local Coastal Program, particularly including, by not limited to, the Sensitive Habitats and Agriculture Components.

Suggested Modification No. 35 – Preferential treatment for buses/shuttles:

2.55 Preferential Treatment for Buses

Require that CalTrans provide preferential treatment for buses and shuttles at congested locations, such as the intersection of Routes 1 and 92, in accordance with the Transit Policies of this Component.

2.2.3. Suggested Modification to County Proposed Exhibit K: Highway 1 Pedestrian Access

Suggested Modification No. 36 – Bicycle and Pedestrian Trails:

2.56 Improvements for Bicycle and Pedestrian Trails

a. Require, if funds are available, that CalTrans provide adjacent or separate facilities for bicycle and pedestrian trails in accordance with the policies of the Recreation and Visitor-Serving Facilities and Shoreline Access Components and the San Mateo County Comprehensive Bike-Routeways Plan (CCAG). ~~If a tunnel is constructed behind Devil’s Slide, require as part of the project that CalTrans construct a bicycle and pedestrian trail outside the tunnel. When the tunnel is completed behind Devil’s Slide, assure that CalTrans provides for a multi-use bicycle and pedestrian trail and connections as part of the California Coastal Trail (CCT), consistent with the coastal development permit for the tunnel project.~~

b. ~~Require, as a minimum, that CalTrans provide adequate right of way on new or expanded roadways to allow the future development of bicycle and pedestrian trails in accordance with the policies of the Recreation and Visitor Servicing Facilities Component and the County Bikeways Plan. Upon the completion of all access improvements associated with the tunnel behind Devil’s Slide, if there is no plan for an alternative transition of responsibility for managing the relinquished portion of Highway 1 that is slated to become part of the CCT, the County will accept Caltrans’ relinquishment of the abandoned portion as a non-motorized trail and shall open and operate the trail and facilities 365 days a year. This CCT facility shall be incorporated into the San Mateo County Parks System and remain within that system until such time as responsibility for operation and maintenance of the access is transferred to an alternative permanent custodian.~~

~~c. Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path parallel to Highway 1 within the right-of-way. The County will work with Caltrans, the State Coastal Conservancy, the Coastal Commission, State Parks, Golden Gate National Recreation Area, and other public agencies to ensure that a CCT trail alignment is developed and will continue from the southern terminus of the Devil's Slide Highway 1 relinquishment and link to other trail systems.~~

~~d. Through coordination with Caltrans, promote the development of above and below ground pedestrian crossings at the Midcoast locations along Highway 1 shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment – Map 3.~~ Require, at a minimum, that CalTrans provide adequate right-of-way on new or improved roadways to allow the future development of bicycle and pedestrian trails in accordance with the policies of the Recreation and Visitor-Servicing Facilities and Shoreline Access Components and the San Mateo County Comprehensive Bike Route Plan (CCAG).

~~e. When warranted by the size of Highway 1 projects in the Midcoast, require that CalTrans:~~

- ~~(1) Develop a pedestrian/bicycle/multi-purpose path parallel to the portion of Highway 1 where the project is located, and/or~~
~~(1) At locations shown as proposed Safe Crossing" in the Midcoast Recreational Needs Assessment, develop an above or below ground pedestrian crossing.~~ Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path (or a system of single mode paths) parallel to Highway 1 consistent with the California Coastal Trail (CCT) Plan (Policy 10.37.A) and within the right-of-way when no other preferable CCT alignment is available.

~~f. Through coordination with CalTrans, promote the most appropriate, safe, feasible crossings, either at-grade, above- or below-ground pedestrian crossings at Midcoast locations along Highway 1, including those shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment – Map 3.~~

~~g. Unless a suitable off-highway alternative already exists or is being provided, require that CalTrans incorporate the following as part of any new or improved roadway project:~~

~~(1) A continuous Midcoast pedestrian/bicycle/multi-purpose path (or a system of single mode paths) parallel to Highway 1 consistent with the California Coastal Trail (CCT) Plan (Policy 10.37.A) and within the right-of-way when no other preferable CCT alignment is available., and/or~~

~~(2) The most appropriate, safe, feasible crossings, either at-grade, above- or below-ground pedestrian crossings at Midcoast locations along Highway 1,~~

including those shown as “Proposed Safe Crossing” in the Midcoast Recreational Needs Assessment – Map 3.

Suggested Modification No. 37 – Protecting roads for visitors:

2.57 Protecting Road Capacity for Visitors through Transportation System Management Techniques

- a. Use the following transportation system management techniques to maximize the efficiency and effectiveness of existing roadways during recreation peak periods and protect road capacity for visitors: (1) recommend that the State Highway Patrol enforce illegal parking regulations along Route 1 and in emergency pullouts on peak weekends and holidays;
- (2) recommend that CalTrans install left turn storage lanes at all parking lots (25 spaces or greater) along the shoreline; (3) ~~minimize the number of~~ prohibit new road or driveway connections to Routes 1 ~~and, 92 in the Midcoast area as shown on Map 1.3 which do not serve recreation facilities unless there is no other feasible alternative;~~ and (4) minimize the number of new road or driveway connections to Route 1, 92, and 84 in rural areas which do not serve recreation facilities; and (5) orient local commercial and community facilities away from Highways 1 and 92.
- b. Recommend to the City of Half Moon Bay that it prohibit the location of local commercial or community facilities on Route 92 and on Route 1, within a half mile of Route 92.
- c. Monitor the peak recreation period traffic to determine whether the above techniques are successful and whether new residential development is consuming road capacity needed for visitors.

2.2.4. Suggested Modification to County Proposed Exhibit H: Midcoast Traffic Mitigation Measures

Suggested Modification No. 38 – Traffic Mitigation

~~2.54~~ Traffic Mitigation

~~In the Midcoast LCP Update Project Area, as shown on Map 1.3, require Transportation Demand Management (TDM) measures for new development which generates a not increase of more than 50 peak hour trips per hour at any time during the a.m. or p.m. peak period. TDM measures can include establishing a shuttle service, subsidizing transit for employees, charging for parking, establishing a carpool or vanpooling program, having a compressed work week, providing bicycle storage facilities and showers, or establishing a day care program.~~

2.57.1 Traffic Mitigation for all Development

In the urban Midcoast, require new development as defined in Section 30106 of the Coastal Act, that generates any net increase in vehicle trips on Highways 1 and 92, except single family residential development and visitor serving uses to develop and implement a traffic impact analysis and mitigation plan (TIMP). Prior to the approval of any coastal development permit application involving the above, information necessary for the analysis and implementation of all components of the TIMP shall be submitted in support of any CDP application. Calculation of new vehicle trips generated shall assume maximum occupancy/use of any approved development. The TIMP shall include:

- a. Traffic mitigation measures, including but not limited to transportation demand management (TDM) measures set forth by the City/County Association of Governments (CCAG), lot retirement or merger of lots of record (as described in subsection (c) below), establishing a shuttle service for employees of the subject development, subsidizing transit for employees of the specific development, charging for non-public access parking, establishing a carpool or vanpooling program for employees of the subject development, having a compressed work week for employees of the subject development, providing bicycle storage facilities and showers for employees of the subject development, and establishing a day care program for employees of the subject development. Prior to approval of the Coastal Development Permit the County shall find that the proposed mitigation measures reduce all new vehicle trips generated by the project to the maximum extent feasible.
- b. Specific provisions to assess, and mitigate for, the project's significant adverse cumulative impacts on public access to, and recreational use of, the beaches of the Mid-coast region of San Mateo County. This shall include an assessment of project impacts combined with other projects causing related impacts, including all reasonably foreseeable future projects as defined in 14 CCR § 15130(b). Public access and recreation mitigation measures to consider include: providing public access parking that is not time restricted, public access signage indicating that public access parking is available, providing a public recreation shuttle bus to all the beaches during key recreational use times that commences at the junction of Highway 92 and 280, dedication of construction of various public access improvements such as bikeways, and vertical and lateral public paths to and along the beaches and/or bluffs.
- c. **Land Divisions.** Mitigation measures for all land divisions shall include lot retirement or merger, as described in Subsections (1) and (2) below:
 - (1) Lot Retirement:
 - i. Prior to issuance of the coastal development permit, the applicant shall submit evidence, for the review and approval of Community Development Director, that the development rights have been permanently extinguished on the number of existing legal lots equal to the number of lots to be developed such that the development of property authorized shall not

result in a net increase of residential development within the Midcoast project area as depicted on Map 1.3. The development rights on the lots shall be extinguished only in the Midcoast Region of San Mateo County, an area that is generally depicted on Map 1.3 and that is primarily served by the segment of Highway 1 between its intersection with Highway 92 and Devil's Slide and/or by the segment of Highway 92 west of Highway 280. Each mitigation lot shall be an existing legal lot or combination of contiguous lots in common ownership and shall be zoned to allow development of a detached single-family residence. The legality of each mitigation lot shall be demonstrated by the issuance of a Certificate of Compliance by the City or County consistent with the applicable standards of the certified LCP and other applicable law.

ii. For each development right extinguished in satisfaction of c(1) of this policy, the applicant shall, prior to issuance of the coastal development permit execute and record a document, in a form and content acceptable to the Community Development Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an open space or scenic easement to preserve the open space and scenic values present on the property that is the source of the development right being extinguished and to prevent the significant adverse cumulative impact to vehicular traffic levels and public access to the coast that would result as a consequence of development of the property for residential use. Such easement shall include a legal description of the entire property that is the source of the development right being extinguished. The recorded document shall also reflect that development in the easement area is restricted as set forth in this permit condition. Each offer shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

iii. For each development right extinguished in satisfaction of c(1)(ii) of this policy, the applicant shall, prior to issuance of the coastal development permit, also execute and record a deed restriction, in a form and content acceptable to the Community Development Director, requiring the applicant to combine the property that is the source of the development right being extinguished with an adjacent already developed lot or with an adjacent lot that could demonstrably be developed consistent with the applicable certified local coastal program. The deed restriction shall include legal descriptions of all combined and individual lots affected by the deed restriction. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Community Development Director determines may affect the enforceability of the restriction. This deed restriction shall not be

removed or changed without an amendment to the coastal development permit.

iv. As an alternative to the method described in subsection c(1)(ii) and (iii) above, the applicant may instead, prior to issuance of the coastal development permit, purchase existing legal lots that satisfy the criteria in subsection c(1)(i) above and, subject to the review and approval of the Community Development Director, dedicate such lots in fee to a public or private land management agency approved by the Community Development Director for permanent public recreational or natural resource conservation purposes.

2. Lot Merger

i. Prior to issuance of the coastal development permit, the applicant shall submit evidence, for the review and approval of Community Development Director, that contiguously owned lots, equal to the number of lots to be developed, are merged such that the development of property authorized shall not result in a net increase of residential development within the Midcoast project area as depicted on Map 1.3. The lots shall be merged only in the Midcoast project area. Each merged lot shall be an existing legal lot or combination of contiguous lots in common ownership and shall be zoned to allow development of a detached single-family residence. The legality of each merged lot shall be demonstrated by the issuance of a Certificate of Compliance by the City or County consistent with the applicable standards of the certified LCP and other applicable law. For each lot merger, the applicant shall, prior to issuance of the coastal development permit, also execute and record a deed restriction, in a form and content acceptable to the Community Development Director, requiring the applicant to combine the lot(s) to be merged with an adjacent already developed lot or with an adjacent lot that could demonstrably be developed consistent with the applicable certified local coastal program. The deed restriction shall include legal descriptions of all combined and individual lots affected by the deed restriction. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Community Development Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without an amendment to the coastal development permit.

Suggested Modification No. 39- Transportation Management Plan:

2.57.2 Transportation Management Plan

Develop a comprehensive transportation management plan to address the cumulative traffic impacts of residential development on roads and highways in the entire Midcoast, including the City of Half Moon Bay. The Plan shall be based on the results of a County-commissioned study that identifies the total cumulative traffic impact of projected new

development at LCP buildout and shall propose specific LCP policies designed to offset the demand for all new vehicle trips generated by the project on Highway One, Highway 92, and relevant local streets, during commuter peak periods and peak recreation periods and mitigate for, residential development's significant adverse cumulative impacts on public access to, and recreational use of, the beaches of the Mid-coast region of San Mateo County.

The Plan shall thoroughly evaluate the feasibility of developing an in-lieu fee traffic mitigation program, the expansion of public transit, including buses and shuttles, development of a lot retirement program, and development of a mandatory lot merger program.

2.2.5. Suggested Modifications to County Proposed Exhibit C: Updated Estimated of Sewage Treatment Demand

Suggested Modification No. 40 – Sewage treatment demand table:

TABLE 2.3

~~a. Original Sewage Generation Estimate (1980)~~

<p>TABLE 2.3 ESTIMATE OF SEWAGE GENERATION FROM BUILDOUT OF LOCAL COASTAL PROGRAM LAND USE PLAN MONTARA SANITARY DISTRICT</p>				
Land Use	Number of Acres	Number of People	Sewage Generation Factor [†]	Sewage Generation (GPD)
MONTARA MOSS BEACH				
RESIDENTIAL²				
Developed³	=	= 3,607		252,490-360,700
Single Family	=	(3,523)	70-100 g/d/c	
Multi-Family⁷	=	(84)	70-100 g/d/c	
Undeveloped	=	= 3,825		267,750-382,500
Single Family	=	(3,549)	70-100 g/d/c	
Multi-Family	=	(276)	70-100 g/d/c	
COMMERCIAL⁴				

Developed	1.05	=		1,580
Retail	(0.40)	=	2,000 gal/acre	(800)
Recreation	(0.65)	=	1,200 gal/acre	(780)
Undeveloped	11.14	=		21,870
Retail	(10.32)	=	2,000 gal/acre	(20,640)
Recreation	(0.82)	=	1,500 gal/acre	(1,230)
INDUSTRIAL⁴				
Developed	=	=		=
Marine Related	=	=		=
General	=	=		=
Undeveloped	42.60	=		=
Marine Related	(0.00)	=		=
General	(42.60)	=	1,250 gal/acre	53,250
PUBLIC RECREATION				
Parks and Beaches	=	405⁵		4,080⁶
TOTAL				601,020-823,980

NOTES:

- ~~1. Unless otherwise indicated, sewage generation factors are based on Resources Engineering and Management's Draft Phase II Report - Granada Sanitary District Master Plan Study, March, 1979.~~
- ~~2. The Midcoast Buildout in the Locating and Planning New Development Component is the source for the number of dwelling units and household size which is: Single Family - 2.6 and Multiple Family - 2.1 persons per household.~~
- ~~3. Based on assumption that 99% of the existing 180,000 gpd Montara Sanitary District flows are generated by developed residences. A 4% increase was added to the existing flows for increasing sewage generation at buildout.~~
- ~~4. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan.~~
- ~~5. Based on the number of projected annual visitors to Montara State Beach divided by 365 to estimate an average day.~~
- ~~6. Based on estimates of sewage generation for beach and tourist restrooms~~

~~developed by Williams, Kuobelbeck and Associates, Inc., for the Environmental Impact Statement on the Pillar Point Project.~~

- ~~7. This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 299 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.~~

Updated Sewage Generation Estimate (2006)

The following is an estimate of Midcoast sewage generation at buildout, which includes the Montara Water and Sanitary District component. The wastewater treatment provider for the unincorporated Midcoast is Sewer Authority Mid-Coastside (SAM), serving the Montara Water and Sanitary District and Granada Sanitary District. Residential sewage treatment demand in the Sewer Authority Mid-Coastside service area ~~is for 2001 was approximately 66.8~~ 85 gallons per day per person. The sewage treatment demand for Midcoast non-residential uses is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The estimated Midcoast residential buildout to be served by sewers is as follows:

<u>R-1 zoned areas</u>	<u>4,804 units</u>
<u>R-3 zoned areas</u>	<u>443 units</u>
<u>R-3-A zoned areas</u>	<u>513 units</u>
<u>C-1 and CCR Zoning Districts</u>	<u>99-495 units</u>
<u>Second Units</u>	<u>466 units</u>
<u>Caretaker's Quarters</u>	<u>45 units</u>
<u>Mobile Home Park</u>	<u>227 units</u>
<u>TOTAL</u>	<u>6,597-6,993 units</u> *

* Excludes 160 units on RM-CZ and PAD zoned Midcoast parcels; most of which are assumed will not connect to a sewage treatment facility.

For the purposes of this study, the estimated residential buildout is 6,993 units (this number could increase to a maximum buildout of 9,553 units if contiguously owned substandard lots are not merged or retired).

Census 2000 showed average Midcoast household size as 2.78 persons per household. Based on the residential sewage treatment demand figure above (66.8 85 gdp), the estimated sewer treatment capacity needed to serve Midcoast residential buildout is 1.65 million gallons per day.

Non-Residential Uses

The area designated for non-residential sewage treatment demanding uses in the Midcoast is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>24</u>
<u>Commercial Recreation (CCR)</u>	<u>45</u>
<u>Waterfront (W)</u>	<u>39</u>
<u>Light Industrial (M-1)</u>	<u>47</u>
<u>Institutional</u>	<u>49</u>

~~Based on the non-residential sewage treatment demand figures above, The sewage treatment capacity needed to serve non-residential uses at buildout is as follows:~~

<u>Land Use/Zoning</u>	<u>Gallons per Day</u>
<u>Neighborhood Commercial (C-1)</u>	<u>48,000</u>
<u>Commercial Recreation (CCR)</u>	<u>67,500</u>
<u>Waterfront (W)</u>	<u>78,000</u>
<u>Light Industrial (M-1)</u>	<u>94,000</u>
<u>Institutional</u>	<u>24,500</u>
<u>TOTAL</u>	<u>311,000</u>

The sewage treatment capacity needed to serve non-residential buildout is 0.31 million gallons per day.

Combined Residential and Non-Residential Uses at Buildout

The total sewage treatment capacity needed to serve combined residential and non-residential Midcoast buildout is 1.9664 million gallons per day.

...

2.2.6. Suggested Modifications to County Proposed Exhibit D: Updated Estimate of Midcoast Water Consumption

Suggested Modification No. 41 – Water consumption table:

TABLE 2.9

~~a. Original Water Consumption Estimate (1980)~~

<p>TABLE 2.9 ESTIMATE OF WATER CONSUMPTION DEMAND FROM BUILDOUT OF LAND USE PLAN CITIZENS UTILITY COMPANY</p>				
Land Use	Number of Acres¹	Number of People	Water Generation Factor	Water Generation (GPD)
MONTARA MOSS BEACH				
RESIDENTIAL				
Developed	=	= 3,607	93-134 g/d/c	335,550-483,300
Single Family	=	= (3,523)		=
Multi Family	=	= (84)		=
Undeveloped	=	= 3,825	93-134 g/d/c	355,700-512,600
Single Family⁶	=	= (3,549)		=
Multi Family	=	= (276)		=
COMMERCIAL²				
Developed	1.05	=		= 2,000
Retail	(0.40)	=	2,000 gal/acre	= (1,000)
Recreation	(0.65)	=	1,500 gal/acre	= (1,000)
Undeveloped	11.14	=		= 27,400
Retail	(10.32)	=	2,500 gal/acre	= (25,800)
Recreation	(0.82)	=	1,900 gal/acre	= (1,600)
INDUSTRIAL²				

Undeveloped	42.60	=		85,200
Marine Related	(0.00)	=		=
General	(42.60)	=	2,000 gal/acre	(85,200)
PUBLIC RECREATION²				
Parks and Beaches	=	408³	11.5 gal/day/capita	4,700
FLORICULTURE	=	=		40,000⁴
Developed	=	=		(20,000)
Expansion	=	=	100% increase	(20,000)
INSTITUTIONS⁵				
Developed	=	=		13,600
TOTAL				864,100 1,168,000

~~**NOTES:**~~

- ~~1. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan.~~
- ~~2. Water generation factors for commercial, industrial and public recreation uses derived from estimates of sewage generation in the sewer section of this component and the estimates of the relation between sewage generation and water consumption by Williams, Kuobelbock and Associates, Inc., in the Pillar Point Harbor Project Environmental Impact Report. A 15% system loss is included.~~
- ~~3. Based on an estimate of average daily visitors to Montara State Beach at buildout.~~
- ~~4. Estimate of CUC existing floricultural usage, projected to expand 100% at buildout.~~
- ~~5. Institutions include schools and convalescent homes. School equals about 1,200 gpd (Farallone). The rest is a convalescent home. Expansion at buildout assumes a 35% increase for schools, assuming a probable year round system with the potential to accommodate about 35% more children than the system now serves.~~

6. ~~This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 200 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.~~

Updated Water Consumption Estimate (2006)

Montara Water and Sanitary District

The following is an estimate of water consumption at buildout for Midcoast properties served by the Montara Water and Sanitary District (MWSD). Based on 2001 and 2002 Midcoast water consumption data, annual average residential water consumption is assumed to be 87 gallons per day per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The portion of Midcoast residential buildout expected to be served by a water supply utility is 6,993 units (this number could increase to a maximum buildout of 9,553 units if contiguously owned substandard lots are not merged or retired). Census 2000 showed average Midcoast household size as 2.78 persons per household. Based on the residential water consumption figure above (87 gdp), the estimated water supply capacity needed to serve Midcoast residential buildout is 1.69 million gallons per day (annual average consumption).

Utility service area maps show that MWSD serves approximately 47.4% of the Midcoast water supply area. The water supply capacity needed for the Montara Water and Sanitary District to serve residential buildout is at least 0.80 million gallons per day (annual average) and 1.44 million gallons per day (peak day).

Non-Residential Uses

The acreage of non-residential water consuming uses served is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>9</u>
<u>Commercial Recreation (CCR)</u>	<u>4</u>
<u>Waterfront (W)</u>	<u>8</u>
<u>Light Industrial (M-1)</u>	<u>47</u>
<u>Institutional</u>	<u>31</u>

Based on the non-residential water consumption figures above, the water supply capacity needed for MWSD to serve each non-residential use at buildout is as follows:

<u>Land Use/Zoning</u>	<u>Gallons Per Day</u>
<u>Neighborhood Commercial (C-1)</u>	<u>18,000</u>
<u>Commercial Recreation (CCR)</u>	<u>6,000</u>
<u>Waterfront (W)</u>	<u>20,000</u>
<u>Light Industrial (M-1)</u>	<u>94,000</u>
<u>Institutional</u>	<u>15,500</u>
<u>TOTAL</u>	<u>153,500</u>

Combined Residential and Non-Residential Demand at Buildout

Taking into account 14% percent of system losses and the potential development of substandard lots if they are not merged or retired as anticipated, the total annual average water supply capacity needed for the Montara Water and Sanitary District to serve combined residential and non-residential buildout is at least ~~0.95~~ 1.08 million gallons per day.

The total peak day water supply capacity needed for the Montara Water and Sanitary District to serve combined residential and non-residential buildout is ~~1.72~~ 1.96 million gallons per day.

TABLE 2.10

a. Original Water Consumption Estimate (1980)

<p>TABLE 2.10</p> <p>ESTIMATE OF WATER CONSUMPTION DEMAND FROM BUILDOUT OF LAND USE PLAN</p> <p>COASTSIDE COUNTY WATER DISTRICT WITHIN COUNTY JURISDICTION</p>				
Land Use	Number of Acres	Number of People	Water Generation Factor	Water Generation (GPD)
EL GRANADA PRINCETON				
RESIDENTIAL				
Developed	=	= 3,400	93-134 g/d/c	316,200-455,600
Single Family	=	=		=
Multi Family	=	=		=
Undeveloped	=	= 5,193	93-134 g/d/c	482,900-695,900
Single Family⁶	=	= (4,042)		
Multi Family	=	= (1,151)		
COMMERCIAL^{1,2}				
Developed	6.90	=		= 14,600
Retail	(4.25)	=	2,500 gal/acre	= (10,600)
Recreation	(2.65)	=	1,500 gal/acre	= (4,000)
Undeveloped	57.20	=		= 148,580
Retail	(14.70)	=	4,700 gal/acre	= (68,100)
Recreation	(42.50)	=	1,900 gal/acre	= (80,750)
INDUSTRIAL^{1,2}				
Developed	11.00	=		= 27,500
Marine Related	(11.00)	=	2,500 gal/acre	= (27,500)
General	(0.00)	=		=
Undeveloped	29.29	=		= 73,225
Marine Related	(29.29)	=	2,500 gal/acre	= (73,225)
General	(0.00)	=		=

ESSENTIAL PUBLIC SERVICES				
Developed⁵	=	=		1,700
Undeveloped	=	=		6,425
PUBLIC RECREATION²				
Parks and Beaches	=	318³	11.5 gal/day/capita	3,700
FLORICULTURE⁴	=	=		230,000
Developed	=	=		(60,000)
Expansion	=	=		(170,000)
TOTAL				1,306,100 1,658,500

NOTES:

~~1. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan. These figures, as revised in 1991, do not include roads.~~

~~2. Water generation factors for commercial, industrial and public recreation uses derived from estimates of sewage generation in the sewer section of this component and the estimates of the relation between sewage generation and water consumption by Williams, Kuobelbeck and Associates, Inc., in the Pillar Point Harbor Project Environmental Impact Report. A 15% system loss is included.~~

~~3. Based on an estimate of average daily visitors to Fitzgerald Marine Reserve at buildout.~~

~~4. Floricultural water usage is estimated as follows:~~

Developed	(.2 mgd)	CCWD actual 1978 floricultural usage.
	60,000 gpd	CCWD County areas (30% of actual).
	140,000 gpd	Half Moon Bay (70% of actual).
Expansion	50,000 gpd	Water usage by existing Pilarcitos Valley floriculturalists now relying on creek and well water.
	120,000 gpd	100% expansion of existing floricultural use at buildout.

~~5. El Granada School projected to expand its existing consumption (1,300 gpd at the time of LCP adoption) by 35% at buildout because of a probable year round system with the potential to accommodate about 35% more children.~~

- ~~6. This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 350 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.~~
- ~~7. Essential public services include the following uses: Emergency Facilities, Correctional Facilities, Transportation Facilities (public), Utility Facilities, Hospitals, Skilled Nursing Facilities, Intermediate Care Facilities, Libraries, Community Centers, Elementary and Secondary Schools, Institutional Day Care Facilities for Children (Day Care Centers as defined by State law), Adults and the Elderly, Institutional Full Time Care Facilities for Children and Adults, and Institutional Shared Housing Facilities for the Elderly. These services must be provided by a public agency or private non-profit or government-funded (partially or fully) purveyor to be considered an essential public service. The reserve capacity allocated to these priority uses may not be shared by any associated, non-priority use and must be forfeited when the priority use is discontinued.~~

6. Updated Water Consumption Estimate (2006)

Coastside County Water District

The following is an estimate of water consumption at buildout for Midcoast properties served by the Coastside County Water District (CCWD). Based on 2001 and 2002 Midcoast water consumption data, annual average residential water consumption is assumed to be 87 gallons per day per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The portion of Midcoast residential buildout expected to be served by a water supply utility is 6,993 units (this number could increase to a maximum buildout of 9,553 units if contiguously owned substandard lots are not merged or retired). Census 2000 showed average Midcoast household size as 2.78 persons/household. Based on the residential water consumption figure above (87 gdp), the estimated water supply capacity needed to serve Midcoast residential buildout is 1.69 million gallons per day (annual average consumption).

Utility service area maps show that CCWD serves approximately 52.6% of the Midcoast water supply area. Therefore, the water supply capacity needed for the Coastside County Water District to serve residential buildout is 0.89 million gallons per day (annual average) and 1.60 million gallons per day (peak day).

Non-Residential Uses

The acreage of non-residential water consuming uses is as follows:

<u>Land Use/Zoning</u>	<i>Acre</i>
<u>Neighborhood Commercial (C-1)</u>	<u>15</u>
<u>Commercial Recreation (CCR)</u>	<u>41</u>
<u>Waterfront (W)</u>	<u>31</u>
<u>Institutional</u>	<u>18</u>
<u>Agriculture (Floriculture) (PAD)</u>	(see below)

Based on the non-residential water consumption figures above, the water supply capacity needed for CCWD to serve each non-residential use at buildout is as follows:

<u>Land Use/Zoning</u>	<i>Acre</i>
<u>Neighborhood Commercial (C-1)</u>	<u>30,000</u>
<u>Commercial Recreation (CCR)</u>	<u>61,500</u>
<u>Waterfront (W)</u>	<u>77,500</u>
<u>Institutional</u>	<u>9,000</u>
<u>Agriculture (Floriculture) (PAD)</u>	<u>170,000</u>
<u>TOTAL</u>	<u>348,000</u>

Combined Residential and Non-Residential Demand at Buildout

Taking into account 9.5% percent of system losses and the potential development of substandard lots if they are not merged or retired as anticipated. The total annual average water supply capacity needed for the Coastside County Water District to serve combined residential and non-residential buildout is at least ~~4.24~~ 1.36 million gallons per day.

The total peak day water supply capacity needed for the Coastside County Water District to serve combined residential and non-residential buildout is ~~2.23~~ 2.44 million gallons per day.

Suggested Modifications to Exhibit E: Reallocated Priority Use Reserved Water Capacity

Suggested Modification No. 42 – Reservation of public works for priority uses:

2.8 Reservation of Capacity for Priority Land Uses

- a. Reserve public works capacity for land uses given priority by the Local Coastal Program as shown on Table 2.7 and Table 2.17. Public works shall include water supply and transmission, sewage treatment and transmission, and the San Mateo County Midcoast and City of Half Moon Bay regional transportation system, including the level of service (LOS) on Highways 1 and 92. All priority land uses shall exclusively rely on public sewer and water services.
- b. For each public works development ~~phase~~, reserve capacity adequate to allow priority land uses to develop to the buildout allowed by ~~that phase~~ the LCP.
- c. ~~Under the following circumstances,~~ Allow public agencies and utilities to reallocate capacity to non-priority land uses only through an LCP Amendment. ~~(1) when landowners refuse to pay the assessment fees for public services to serve priority land uses because they desire to keep their land vacant or develop a non-priority land use allowed on the site by the Local Coastal Program, and (2) when a landowner, in response to a written inquiry by a public agency or utility, indicates in writing that he/she does not plan to develop his/her land as a priority land use and will not be using any reserved capacity during a certain phase. The public agency or utility shall calculate the capacity needed to serve the remaining priority land uses. Reserved capacity that is not required for the remaining priority land uses may be reallocated to non-priority land uses after the public agency has gained the approval of the Planning Commission. Applications for a LCP Amendment to reallocate priority capacity must be accompanied by substantial evidence and studies documenting excess capacity. Before approving the reallocation and before submitting the reallocation to the Coastal Commission for an LCP~~

Amendment, the Planning Commission shall ~~make the finding~~ substantiate, in writing, that the remaining reserved capacity will be adequate to serve the remaining priority land uses. ~~The reservation of capacity for priority land uses shall be increased during the next phase to compensate priority land uses for this reallocation. At least 50% of the priority land uses planned in each phase must be provided capacity for; that capacity may not be allocated to the next phase.~~

- d. Allow Coastsides County Water District and Montara Water and Sanitary District to allocate priority capacity in accordance with Table 2.17 equivalent to ten standard size (5/8 inch diameter) service connections (approximately 2,710 gallons per day total) in order to provide municipal water service to residential dwellings which are connected to the public sanitary sewer system, when such a connection is necessary to avert a substantial hardship caused by the failure of a private well serving the dwelling in production quantity or quality as certified by the Director of the Environmental Health Division. For purposes of this policy, "substantial hardship" shall not include any failure which can be remedied by repair or replacement of well equipment or facilities, or relocation of a well on a parcel. Whether substantial hardship exists shall be determined by the Community Development Director ~~Planning Director~~, following consultation with the Director of Environmental Health and the General Manager of the ~~Coastsides County Water District~~ serving water district.

In order to minimize the reduction in water reserved for Coastal Act priority and uses, applications for reallocated water shall include a Water Fixture Retrofit Plan to replace existing water fixtures of the residence applying for the connection with water conserving fixtures. This plan must be reviewed and approved by the ~~Coastsides Community Water District~~ General Manager of the serving water district prior to the establishment of the connection, and contain the following:

- (1) A list of all existing fixtures to be retrofitted and their present associated water flow (e.g., gallons/second);
- (2) A list of all proposed fixtures to be installed and their associated water flow;
- (3) The estimated annual water savings resulting from the proposed retrofit, showing all calculations and assumptions; and
- (4) A leak detection test; all leaks shall be repaired, but such repairs shall not be calculated in the estimates of savings. The inspection personnel of the serving water district shall inspect the water fixtures prior to and following the retrofit to confirm compliance with the approved plan and proper installation.

The Coastsides Community Water District inspection personnel of the serving

water district shall inspect the water fixtures prior to and following the retrofit to confirm compliance with the approved plan and proper installation.

The serving water district shall provide notices to the County Planning Department and the Coastal Commission of all failed wells applications.

Suggested Modification No. 43: Priority allocation table:

TABLE 2.17				
AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES ¹				
<u>MONTARA WATER AND SEWER DISTRICT</u> CITIZENS UTILITY DISTRICT (MONTARA/MOSS BEACH)				
ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I <u>March 2009</u>		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
<u>Coastal Act Priorities</u>				
Marine Related Industrial	--	--	--	--
Commercial Recreation	.57 acres	1,100	.82 acres	1,230
Public Recreation	282 persons	3,200	408 persons	4,080
Floriculture		13,800		20,000 10,000 <u>15,000</u>
<u>Essential Public Services</u> ²				<u>5,000</u>
<u>Local Coastal Program Priorities</u>				
Specific Developments on Designated Sites Containing Affordable Housing (1) North Moss Beach Site (11 acres)	148	64,380	148	35,816 to 51,504
<u>Other Affordable Housing</u>			20	<u>5,000</u>
Total Water Capacity for Priority Land Uses		82,480		61,126 to 76,814
Percent of Total Water Capacity for Priority Land Uses		10.6%		5.4 to 9.2%
Percent of Buildout Allowed by Phase		50 to 69%		100%
Total Water Capacity		778,800		836,300 to 1,128,700

TABLE 2.17 (continued)				
AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES ¹ COASTSIDE COUNTY WATER DISTRICT (COUNTY JURISDICTION)				
ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I <u>March 2009</u>		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
<u>Coastal Act Priorities</u>				
Marine Related Industrial	22.85 acres	55,770	29.29 acres	71,870
Commercial Recreation	33.15 acres	61,630	42.50 acres	79,395
Public Recreation	248 persons	2,900	318 persons	3,700
Floriculture		179,400		230,000 <u>229,000</u>
Essential Public Services ²		7,700		9,135 <u>14,135</u>
<u>Local Coastal Program Priorities</u>				
Specific Developments on Designated Sites Containing Affordable Housing (1) North El Granada Site (6 acres) (2) South Moss Beach Site (12.5 acres)	104	39,936	322	77,924 to 112,056
<u>Other Affordable Housing</u>			20	5,000
Consolidated Lots in Miramar	55	20,900	70	16,900 to 24,400
Historic Structures ³ (1) Johnston House	1	1,480	1	1,480

TABLE 2.17 (continued)				
AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES ¹ COASTSIDE COUNTY WATER DISTRICT (COUNTY JURISDICTION)				
ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I <u>March 2009</u>		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
Total Water Capacity for Priority Land Uses		369,716		490,404 to 532,036
Percent of Total Water Capacity for Priority Land Uses		29.4%		30.4 to 41.8%
Percent of Buildout Allowed by Phase		59 to 78%		100%
Total Water Capacity		1,257,000		1,273,600 to 1,611,600

NOTES:

- Capacity reserved for additional priority land use development. Does not include existing, developed priority land uses at time of LCP adoption.
- Essential public services include the following uses: Emergency Facilities, Correctional Facilities, Transportation Facilities (public), Utility Facilities, Hospitals, Skilled Nursing Facilities, Intermediate Care Facilities, Libraries, Community Centers, Elementary and Secondary Schools, Institutional Day Care Facilities for Children (Day Care Centers as defined by State law), Adults and the Elderly, Institutional Full-Time Care Facilities for Children and Adults, Institutional Shared Housing Facilities for the Elderly and One-Family Dwellings with Failed Domestic Wells. These services must be provided by a public agency or private non-profit or government-funded (partially or fully) purveyor to be considered an essential public service. The reserve capacity allocated to these priority uses may not be shared by any associated, non-priority use and must be forfeited when the priority use is discontinued.

12,710 gallons/day are reserved for One-Family Dwellings with Failed Domestic Wells. This reservation was calculated by reserving capacity for ten (10) One Family Dwellings, each consuming 271 gallons/day of water. This reservation is allocated as follows:

Coastside County Water District – 7,710 gallons/day (30 units)
Montara Water and Sanitary District – 5,000 gallons/day (20 units)

- In order to qualify for priority, historic structures must meet the criteria contained under LCP Policy 2.37.c(b).

2.3. Suggested Modifications to LUP Chapter 3 (Housing)

2.3.1. Suggested Modification to County Exhibit L: Incentives for Midcoast Affordable Housing

Suggested Modification No. 43 – Affordable housing incentives:

3.17. Incentives for Midcoast Affordable Housing

Provide the following incentives for voluntary development of affordable housing units on Midcoast parcels other than the designated housing sites:

~~a. Any property that is (1) developed with an affordable (very low, low or moderate income) housing unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County, and (2) located in an urban Midcoast zoning district where residential units are permitted, may receive reserved water supply capacity to the extent authorized by LCP Tables 2.7 and 2.17, respectively.~~

~~b.a. In addition, a~~ Any substandard lot smaller than 4,500 sq. ft. in area and not in common ownership with contiguous lots that is (1) developed with an affordable (very low, low or moderate income) housing unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County, and (2) located in a Midcoast residential zoning district, shall be entitled to:

- (1) Up to 200 sq. ft. of covered parking floor area that is not counted toward the applicable building floor area limit; and
- (2) One required parking space may be provided uncovered.

2.4. Suggested Modifications to LUP Chapter 10 (Shoreline Access)

2.4.1. Suggested Modifications to County Exhibit P (Role of Trail Providing Agencies)

Suggested Modification No. 44 – California Coastal Trail:

10.37.1 California Coastal Trail (CCT)

Segments of the California Coastal Trail shall be developed consistent with the parameters of this policy.

Within two years of this LCP, as amended, being certified, the County will seek a planning grant, and/or comparable funding, for planning and implementation of the California Coastal Trail (CCT). This request for funding will provide for a CCT Alignment Study including the following parameters:

1. The County shall take the lead responsibility and will consult with the National Park Service, the State Department of Parks & Recreation, the State Coastal Conservancy, the California Coastal Commission, the Counties of San Francisco and Santa Cruz, the Cities of Daly City, Pacifica and Half Moon Bay, Caltrans and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring and implementing the CCT.
2. The CCT shall be identified and defined as a continuous trail system along the state's coastline and designed and sited as a continuous lateral trail network traversing the length of the County's Coastal Zone and connecting with contiguous trail links in adjacent Coastal jurisdictions, the counties of San Francisco and Santa Cruz as well as with the Cities of Pacifica and Half Moon Bay.
2. Existing segments of the CCT within County jurisdiction include at least the following:
 - a) Former Highway One at Devil's Slide, once formally relinquished by Caltrans and opened as a public trail
 - b) Old San Pedro Road
 - c) Surfer's Beach trail
 - d) Mirada Surf west
 - e) Various segments within State Park properties that have been signed with the CCT official state logo.
3. The CCT shall be designed and implemented to achieve the following objectives:
 - a) Provide a continuous walking and hiking trail as close to the ocean as possible;
 - b) Provide maximum access for a variety of non-motorized uses by utilizing alternative trail segments where feasible;
 - c) Maximize connections to existing and proposed local trail systems;

- d) Ensure that all segments of the trail have vertical access connections at reasonable intervals;
- e) Maximize ocean views and scenic coastal vistas;
- f) Provide an educational experience where feasible through interpretive facilities.

4. CCT Siting and Design Standards:

a) The trail should be sited and designed to be located along or as close to the shoreline where physically and aesthetically feasible. Where it is not feasible to locate the trail along the shoreline due to natural landforms or legally authorized development that prevents passage at all times, inland bypass trail segments located as close to the shoreline as possible should be utilized. Shoreline trail segments that may not be passable at all times should provide inland alternative routes. Special attention should be given to identifying any segments that necessarily must be placed within Caltrans right-of way.

b) Where gaps are identified in the trail, interim segments should be identified to ensure a continuous coastal trail. Interim segments should be noted as such, with provisions that as opportunities arise, the trail shall be realigned for ideal siting. Interim trail segments should meet as many of the CCT objectives and standards as possible.

c) The CCT should be designed and located to minimize impacts to environmentally sensitive habitat areas and prime agriculture lands to the maximum extent feasible. Where appropriate, trail access should be limited to pass and repass. Where necessary to prevent disturbance to sensitive species, sections of the trail may be closed on a seasonal basis. Alternative trail segments shall be provided where feasible. For situations where impact avoidance is not feasible, appropriate mitigation measures should be identified, including but not limited to use of boardwalks, reducing width of trails, converting edges of agricultural land to public trail use when the minimal amount of conversion is used, etc.

d) The CCT should be located to incorporate existing oceanfront trails and paths and support facilities of public shoreline parks and beaches to the maximum extent feasible.

e) The CCT should be designed to avoid being located on roads with motorized vehicle traffic where feasible. In locations where it is not possible to avoid siting the trail along a roadway, the trail should be located off of the pavement and within the public right-of-way, and separated from traffic by a safe distance or by physical barriers that do not obstruct, or detract from, the visual scenic character of their surroundings. In locations where the trail must cross a roadway, safe under- or over-crossings or other alternative at-grade crossings should be considered in connection with appropriate directional and traffic warning signage.

5. CCT Acquisition and Management:

a) Trail easements should be obtained by encouraging private donation of land, by public purchase, or by dedication of trail easements required pursuant to a development permit.

b) The CCT Alignment Study should identify the appropriate management agency(s) to take responsibility for trail operation and maintenance.

6. CCT Signage Standards:

a) The trail should provide adequate signage at all access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads and shall incorporate the State adopted CCT logo.

b) The trail should provide adequate safety signage, including but not limited to, road crossing signs and yield/warning signs on multi-use trail segments. Where appropriate signs should be developed in coordination with Caltrans, Cities of Daly City, Pacifica and of Half Moon Bay, County Public Works Department and/or any other applicable public agencies or nonprofit organizations.

7. CCT Support Facilities:

a) To maximize access to the CCT, adequate parking and trailhead facilities should be provided.

8. CCT Mapping:

a) The final CCT map shall identify all finally planned or secured segments, including existing segments, all access linkages and planned staging areas, public and private lands, existing Easements, Deed Restricted sections and sections subject to an Offer-to-dedicate (OTD). Where property ownerships or other constrictions make final alignment selection unfeasible, a preferred corridor for the alignment shall be identified. The map shall be updated on a regular basis.

b) The CCT preferred alignment corridor shall be identified on all applicable County Trail Maps contained in the LCP.

9. Inclusion of CCT in LCP:

a) Within one year of the completion of the CCT Alignment Study, the LCP shall be amended to incorporate all plans and designs for locating and implementing the CCT within the County, including the final maps of the trails and corridor alignments.

Suggested Modification No. 45 – Policies on shoreline access agencies and providers:

10.41 ~~Lead~~Agency Major Shoreline Access Provider

Encourage the State Department of Parks and Recreation to continue assuming e-the a major role responsibility for in the acquisition, development, and maintenance of public shoreline access along the coast.

10.44 Major Shoreline Access Facilitator

Encourage the State Coastal Conservancy to continue assuming a major role in funding and facilitating the acquisition, development, and maintenance of public shoreline access to and along the coast.

10.49 San Mateo County Harbor District

Encourage the San Mateo County Harbor District to continue its efforts developing and maintaining public shoreline access on the District's coastal properties.

10.50 National Park Service

Encourage the National Park Service to acquire, develop, open and maintain public shoreline access on coastal land in the Golden Gate National Recreation Area.

2.5. Suggested Modifications to LUP Chapter 11 (Recreation and Visitor Serving Facilities)

2.5.1. Suggested Modifications to County Exhibit J (Updated LCP Trails Policy)

Suggested Modification No. 46 – Trails:

11.13 Trails

- a. The 2001 County Trails Plan establishes a trails program for the Coastal Zone with the objective of: (1) connecting major shoreline areas and trails to inland park and recreation facilities and trails, and (2) linking existing and proposed recreation facilities along the coast. Policies 3.0 -3.2 (County Trail Policies) and Policies 4.0 – 4.3 (County Trails Design and Management Guidelines) of the 2001 County Trails Plan are hereby incorporated into the LCP.
- b. Designate the following as Local Coastal Program (LCP) trails:
 - (1) County-wide

~~a) Coastal Trail as delineated by the State Coastal Conservancy, California Coastal Trail, connecting Thorton beach to Ano Nuevo State Reserve. Ocean Corridor Trail of the State Department of Parks and Recreation.~~

(2) Regional ~~Other~~ trails (portions located within the Coastal Zone) proposals:

(a) Montara Mountain Gulch Trail connecting Point Montara Lighthouse to the Gregorio Trail between Montara State Beach and San Pedro Park near the McNee Ranch, with connections to Gray Whale Cove State Beach.

(b) Pilarcitos, Scarper View, Midcoast Foothill, and Old San Pedro Road Trails, as shown in the County Trails Plan.

When the County Trails Plan is amended, the Scarper View Trail could be more precisely described as located on Mirada Surf West, Mirada Surf East, Quarry Park, and other publicly owned properties.

~~(b)~~

(c) Half Moon Bay to Huddart Park Trail connecting Half Moon Bay State Beach near via Higgins Road to the Gregorio Trail from Huddart County Park.

~~(c)~~

(d) Purisima Creek to Huddart County Park Trail connecting from Route 1 near via Purisima Creek Road to the Gregorio Trail from Huddart County Park.

~~(d)~~

(e) Martin's Beach to Huddart County Park Trail connecting from Martin's Beach via the Lobitos Creek cut-off and Tunitas Creek Road to Huddart County Park.

~~(e)~~

(f) San Gregorio State Beach to Town of Pescadero Trail connecting San Gregorio State Beach to the communities of San Gregorio and Pescadero via La Honda Road and Stage Road.

~~(f)~~

(g) Gazos Creek Coastal Access to Butano State Park Trail connecting Gazos Creek Coastal Access to Butano State Park via Gazos Creek Access Road.

(h) Midcoast Foothills Trail connecting the south boundary of McNee Ranch State Park with Highway 92 in Half Moon Bay.

(3) Trails, located within the coastal zone, offered by property owners for public use.

(4) All future trails located in the coastal zone shall be considered a Local Coastal Program trail.

Suggested Modification No. 47 – Improvement of public recreation:

11.27 Improvement, Expansion and Maintenance of Public Recreation

- a. Continue to provide for the improvement, expansion and maintenance of the Fitzgerald Marine Reserve, ~~and~~ San Pedro Valley Park and the CCT.
- b. Support efforts to add the Devil's Slide bypass roadway alignment to adjoining park units, including, but not limited to, the Golden Gate National Recreation Area.
- ~~b.~~
- ~~c.~~ Explore developing a contractual agreement with the State Department of Parks and Recreation which would allow the County to maintain and operate State-owned recreation areas with reimbursement for these expenses by the State Department of Parks and Recreation.
- ~~c.~~
- ~~d.~~ Undertake the development and maintenance of ~~Gregorio/Murphy and~~ LCP proposed trails, including the Coastal Trail, with reimbursement for these activities by the State of California to the greatest extent possible.
- ~~d.~~
- ~~e.~~ Collect in-lieu fees and contribute these and other minor funds to the appropriate County fund including, but not limited to, the Midcoast Parks Development Fund administered by the Parks and Recreation Division. ~~County's general funds and u~~Use these funds to: (1) develop County public recreation facilities, including trails, and (2) provide matching funds for State and federal recreation programs in accordance with the priorities in Policy 11.23.

~~e.~~

- f. ~~Sign major~~ public recreation areas and commercial recreation areas consistent with Policy 11.16.

2.5.2. Suggested Modifications to County Exhibit K “Pedestrian Improvements for Highway 1”

Suggested Modification No. 48 – Trails and recreational development:

11.26 Requirements for Trails and Recreational Development

- a. Require the dedication by public agencies of trail easements along the routes of ~~the Gregorio/Murphy and LCP Trails Program, including the Pacific Ocean Corridor Trail after submission by the State Department of Parks and Recreation of an acceptable alignment.~~ the LCP Trails (as defined in Section 11.13b).
- b. Require some provision for public recreation for each development permit for a land division within the Coastal Zone. Require either: (1) the dedication of trail easements when the division affects land along the routes of ~~Gregorio/Murphy and LCP Trails Program trails, including the CCT - Pacific Ocean Corridor Trail,~~ after submission by the State Department of Parks and Recreation of an acceptable alignment, or (2) the payment of in-lieu fees in areas outside a trail corridor. Base the amount of the land to be dedicated or the fees to be paid on a graduated scale related to the size, type, and adverse impact on the development of open space recreational opportunities or coastal access.
- c. ~~Require CalTrans, as a condition of granting development permits for expansion of State roads for improvements for bicycles in the Coastal Zone, to provide adequate right of way and construct bikeways in conformance with the standards and types of bikeway construction contained in the County's Bikeways Plan.~~ Require each agency, board, department, or commission of the state with property interests or regulatory authority in coastal areas, to the extent feasible and consistent with their mandates, to cooperate in the planning and making of lands available for the California Coastal Trail (CCT), including the construction of trail links, placement of signs and management of the trail consistent with AB 1396.

~~d.~~

~~Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicyclo/multi-purpose path parallel to Highway 1 within the right of way.~~

- d. Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path parallel to Highway 1 within the right-of way consistent with the California Coastal Trail (CCT) Plan (Policy 10.37.A) and within the right-of-way when no other preferable CCT alignment is available.
- e. Through coordination with CalTrans, promote the development of the most appropriate, safe, feasible crossings, either at-grade, above and - or below-ground pedestrian crossings at the Midcoast locations along Highway 1, including those shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment – Map 3.
- fg. ~~When warranted by the size of Highway 1 projects in the Midcoast, require that CalTrans:~~ Unless a suitable off-highway alternative already exists or is being provided, require that CalTrans, except for general maintenance activities, incorporate the following as part of any roadway project:
 - (1) ~~Develop a pedestrian/bicycle/multi purpose path parallel to the portion of Highway 1 where the project is located, and/or a~~ continuous Midcoast pedestrian/bicycle/multi-purpose path (or a system of single mode paths) parallel to Highway 1 consistent with the California Coastal Trail (CCT) Plan (Policy 10.37.A) and within the right-of-way when no other preferable CCT alignment is available, and/or
 - (2) ~~At locations shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment, develop an above or below ground pedestrian crossing.~~ The most appropriate, safe, feasible crossings, either at-grade, above- or below-ground pedestrian crossings at Midcoast locations along Highway 1, including those shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment – Map 3.

g.h. Ensure that transportation agencies, including Caltrans, San Mateo County Transportation Authority, San Mateo County Public Works, etc., coordinate their actions to provide for the California Coastal Trail (CCT) along the San Mateo County coastline. In particular, no highway, County road or street right-of-way will be transferred out of public ownership unless it has first been evaluated for its utility as part of the CCT or other public access, and is found to have no reasonable potential for such use. Transfer of public roads or rights-of-way out of public ownership that may provide such public access shall require a coastal development permit appealable to the Coastal Commission. The sale or transfer of state lands between the first public road and the sea with an existing or potential public accessway to or from the sea, or that the Commission or County has formally designated as part of the California Coastal Trail, shall comply with Coastal Act section 30609.5.

h.i. The County shall work with the San Mateo County Transportation Authority and the Metropolitan Transportation Commission to ensure that provisions for the CCT are included within the Regional Transportation Plan each time that it is updated, consistent with AB 1396.

2.5.3. Suggested Modifications to County Exhibit P “Role of Trail Providing Agencies”

Suggested Modification No. 49 – Public expenditure for recreation:

11.24 Priorities for the Expenditure of Public Funds

- a. Establish the following priorities for the expenditure of public funds on public recreation and visitor-serving facilities, based on the level of existing development and need:
 - (1) Improve and maintain existing public recreation areas in the Midcoast.
 - (2) Develop and maintain necessary visitor-serving facilities, such as rest areas, public restrooms, drinking water, campgrounds, within existing public recreation areas.
 - (3) Expand recreational opportunities through the provision of trails, including the CCT, and youth hostels.

- (4) Acquire and develop for recreational use lands which are adjacent to and would expand the size of existing publicly owned recreation areas.
 - (5) Acquire and develop for recreational use lands which would introduce a public recreation area into a section of the Coastal Zone where no public recreation areas now exist.
 - (6) Acquire and develop lands designated as community parks.
- b. Use the following priorities when expending County funds for trails:
- (1) Implement the California Coastal Trail Plan identified in LCP Policy 10.37.A and as included in Regional Transportation Plans as identified in Policy 11.32. ~~Gregorio Trails Program as adopted by the County Board of Supervisors.~~
 - (2) Implement the ~~other~~ Regional Local Coastal Program trails proposals. identified in LCP Policy 11.13.
- c. Regularly reassess these priorities as new public recreation and visitor-serving facilities development takes place in the Coastal Zone.
- d. Encourage low cost facilities in privately developed visitor-serving facilities, particularly hotels and motels.

Suggested Modification No. 50 – State Parks:

11.25 Requirement that State Parks Development Conform to the Local Coastal Program

- a. Require that the State Department of Parks and Recreation, as part of any application for a Coastal Development Permit, and in addition to any other submittals required, submit a long-range plan for any park unit proposed for improvement which includes: (1) the development plan, including the location of all proposed structures, parking areas, trails, recreation facilities and any proposed alterations of the natural environment, (2) a map of sensitive habitats and lands which are needed for the protection and vital functioning of sensitive habitats and (3) evidence of how agriculture has been considered in the planning of each park unit by (a) demonstrating how the Department will continue or renew the maximum amount of prime agricultural land and other lands suitable for agriculture in agricultural production within each park unit and (b) providing site specific justifications, which are consistent with the criteria for conversion in the Agriculture Component, for converting prime agricultural land or other lands suitable for agriculture to non-agricultural use, and (4) any capital outlay projects proposed for the subsequent one-year period.
- b. Require, prior to granting a development permit to the State Department of Parks and Recreation, that the development and the long-range park unit plan be found consistent with the certified Local Coastal Program, or with a public works plan approved by the California Coastal Commission.
- c. ~~Encourage the State Department of Parks and Recreation to specify an alignment for the Pacific Ocean Corridor Trail, including design and locational requirements. This alignment should include trails along Route 1 proposed in the Shoreline Access Component and shall be shown in each applicable park unit long-range plan.~~

11.28 Role of the State Department of Parks and Recreation

- a. Designate the State Department of Parks and Recreation as the primary agency for the acquisition, development and maintenance of public recreation and visitor-serving facilities in the Coastal Zone.
- b. Encourage the Department to contribute the major portion of funds for the development, expansion and maintenance of public recreation and visitor-serving facilities in accordance with the priorities and policies of this component.
- c. Encourage ~~Designate~~ the State Department of Parks and Recreation ~~as the agency to develop and maintain segments of the California Coastal Trail on State-owned property the Pacific Ocean Corridor Trail,~~ in conjunction with the shoreline access trails.

- d. Consider the possibility of having the County undertake the maintenance of the facilities with reimbursed funds.

Suggested Modification No. 51 – Coastal Conservancy:

11.29 Role of the State Coastal Conservancy

- a. Request the State Coastal Conservancy to contribute funds to acquire land or interests in land in the areas surrounding public beaches, parks and nature preserves when private development would clearly damage the resource values of the public land.
- b. Support and facilitate the efforts of the State Coastal Conservancy to coordinate the development of the California Coastal Trail, including delineation of the Coastal Trail alignment. &&

Suggested Modification No. 52 – Harbor District:

11.30 Encourage San Mateo County Harbor District

Encourage the San Mateo County Harbor District to continue its efforts providing public recreation and visitor-serving facilities on the District's coastal properties, including provision of shoreline access and trails.

Suggested Modification No. 53 – National Park Service:

11.31 Encourage National Park Service

Encourage the National Park Service to provide public recreation and visitor-serving facilities on coastal land in the Golden Gate National Recreation Area, including provision of shoreline access and trails.

Suggested Modification No. 54 – San Mateo County Transportation Authority

11. 32 Encourage the San Mateo County Transportation Authority and the Metropolitan Transportation Commission to ensure that provisions for the CCT are included within the Regional Transportation Plan each time that it is updated, consistent with AB 1396.

2.5.4. Additional Suggested Modifications to Chapter 11

Suggested Modification No. 55 – Re-designation of Caltrans Devil's Slide Bypass Alignment:

11.31 Use of Caltrans' Devil's Slide Bypass Alignment within Montara

- a. In anticipation that Caltrans will transfer to the County ownership of some or all of the original Devil's Slide Bypass Alignment, also known as the Martini Creek "Adopted Alignment," between the McNee Ranch acquisition of Montara

Beach State Park and Highway 1 [including the Peninsula Open Space Trust (POST) ownership south and east of Sunshine Valley Road], the County has :

(1) Designated the former right-of-way as a Linear Park and Trail.

Land uses within the Devil's Slide Bypass Alignment Linear Park and Trail shall be limited to: low-intensity, non-motorized park and trail recreation uses (pedestrian, bicycle, and equestrian (as appropriate)), open space, sensitive resource protection and restoration, agriculture, and repair and maintenance of existing structures.

(2) Revised the zoning of the former right-of-way to Community Open Space) in order to implement the Linear Park and Trail designation as described in section (b) below.

(3) Provided for existing roads which cross the former right-of-way to remain or be relocated, particularly for resource protection purposes, following completion of the Land Management Plan (LMP) described below in part (b).

(b) Within two years of certification of San Mateo County LCP Amendment 1-07, the County will seek a planning grant, or comparable funding, in partnership with Caltrans and other affected agencies, for completion of a Linear Park and Trail Plan (LTP) for the Devil's Slide Bypass Alignment (Adopted Alignment ROW area (also called out as the Midcoast Foothills Trail in the 2001 County Parks Plan)). This request for funding will provide for:

1. identification of appropriate, continuous trail alignments for hiking trail and bicycle routes, and equestrian trails as appropriate, along with projected road and stream crossing locations, consistent with the Linear Park and Trail guidelines of LUP Appendix 11.A;
2. reservation of suitable trailhead parking and scenic viewing areas; identification of connections to other trail systems, public transit, and community facilities;
3. identification of connections to other trail systems (including the California Coastal Trail network), public transit, and community facilities;
4. identification of existing roads that will be retained, realigned, consolidated or retired (generally, all plated but unnecessary, roads will be retired) and of actions that the County will undertake to implement the desired road configurations and crossings;
5. identification of sensitive resource features and appropriate impact avoidance measures for each. Appropriate mitigation measures should be identified for situations where impact avoidance is not feasible for the useable location of hiking and biking trails in the

Adopted Alignment Linear Park. Such sensitive resource features include, but are not limited to, the following:

- (i) wetlands, streams, designated critical habitats, and other environmentally sensitive habitat areas;
- (ii) archaeological, paleontological and historical features;
- (iii) productive agricultural lands;
- (iv) highly scenic landscapes; and
- (v) watersheds identified as critical for potable water or anadromous fish habitat.

6. identification of sites with potential prescriptive access rights and of sites with value for development as scenic vista points, interpretive centers, or other public uses consistent with the Linear Park and Trail uses allowed within this land use designation;

7. evaluation and reservation of sites suitable for future Caltrans' potential mitigation needs, particularly for public access, agriculture, wetlands, and other environmentally sensitive habitats as well as reservation of necessary access to those selected sites;

8. identification of lots that were bisected by the highway ROW acquisition process and are suitable for recombination and lot line adjustment, as necessary, to accommodate the most reasonable land use pattern within the community, provided for any particular site, the optimum alignment of the linear trails and supporting facilities will not be compromised;.

9. provisions to ensure that adequate ROW space along and across the existing County roads traversing the Adopted Alignment ROW is reserved for safe crossing of the future hiking and biking trails within the Linear Park; and.

10. an implementation plan for the Linear Park and Trail, including identification of potential funding sources for trail construction; management mechanisms; and any identified parking areas, scenic vistas, or other implementing measures and public support facilities.

2.6. Suggested Modifications to the Land Use Plan and Implementation Plan Maps

Suggested Modification Nos. 56-62 – LUP and zoning map modifications:

56. The County shall create and submit an updated land use plan (LUP) map and an Implementation Plan (zoning) map for the urban Midcoast area, based on the

maps titled “Midcoast LCP Update Project.” These maps shall depict the certified land use and zoning designations for the Midcoast.

57. The LUP map shall clarify that the existing land use designation for the “burnham strip,” is “Open Space” with a “Park” overlay as identified by the certified Montara, Moss Beach, El Granada Community Plan.

58. The LUP maps shall change the Residential Land Use designations for the Devil’s Slide Martini Creek Bypass Alignment property to General Open Space.

59. The IP zoning map shall change the zoning for the portion of the Devil’s Slide Bypass Alignment property from RM-CZ and R-1/S-17 to COSC, and place a “Linear Park and Trail” overlay designation on the Devil’s Slide Bypass Alignment property between the McNee Ranch acquisition of Montara Beach State Park and Highway 1.

60. All land use designations on the LUP map shall be referred to as LCP land use designations, and not as General Plan land use designations.

61. Both maps shall be stamped as “certified by the California Coastal Commission on [insert final certification date].”

62. The LUP map shall be inserted into the certified LUP as Map 1.4, and the zoning map shall be inserted into the certified zoning regulations in Chapter 20B Coastal Development District.

3. IMPLEMENTATION PLAN SUGGESTED MODIFICATIONS

Staff recommends the following suggested modifications to the proposed LUP amendment be adopted. The language shown in double underline represent language that the Commission suggests be added and the language shown in ~~double strike through~~ represents language that the Commission suggests be deleted from the language as originally submitted. Suggested modifications that do not involve direct text changes, but are directives to the City are shown in *italics*.

3.1. Suggested Modifications to County Proposed El Granada Gateway District (Burnham Strip):

Suggested modification No. 63:

SECTION 6229.0. REGULATIONS FOR “EG” DISTRICT. The following regulations shall apply in the El Granada Gateway (EG) District.

SECTION 6229.1. PURPOSE. The purpose of the “EG” District is to provide for low intensity development at the “Burnham Strip” in El Granada, which preserves, to the greatest degree possible, the visual and open space characteristics of this property.

SECTION 6229.2. DEFINITIONS.

1. Community Centers

Facilities used by local citizens for civic activities, performances, presentations or other purposes.

2. Interpretive Centers

Facilities used for the education of the public with respect to natural, historical and cultural environments and legacies.

3. Libraries

Facilities used for storage, exhibition and lending of various media including, but not limited to, books, periodicals, documents, audio and videotapes and visual art.

4. Linear Parks and Trails

Linear strips of land established for the purposes of walking, hiking, bicycling, horseback riding and boating, and comprising a natural or manmade linear resource such as stream drainage, bluff line, ridge, utility right-of-way, or service road.

5. Open Field Cultivation of Plants and Flowers for Ornamental Purposes

The cultivation, sale and distribution of seeds, flowers, plants, and/or trees of ornamental value that are grown in or on an open field, i.e., uncovered by any structure, such as a greenhouse.

6. Temporary Outdoor Art Centers

Outdoor facilities used temporarily for the exhibition, study or creation of works of artistic value.

7. Outdoor Athletic Facilities

Outdoor facilities, associated grounds and accessory structures used for active recreation, including swimming pools, tennis courts, playing fields or similar uses.

8. Outdoor Recreation Areas

Outdoor areas used for a variety of outdoor recreational purposes, including areas that will provide for public use of natural and manmade water features, as well as for special recreation activities.

9. Parks

Areas of scenic and natural character where outdoor recreation opportunities and facilities may be provided for public convenience and enjoyment, and within which interpretive exhibits can be established.

10. Temporary Outdoor Performing Arts Centers

Outdoor areas used temporarily for the presentation of live musical, dance, dramatic or other artistic performances, involving portable facilities and equipment, e.g., movable stage sets, and seating.

11. Temporary Outdoor Sales

Outdoor areas used temporarily by multiple small commercial establishments which serve the general public, typically from portable stalls, in the outdoor sales of food, arts and crafts, or used manufactured goods, e.g., farmers markets, flea markets, art shows, and food and wine tastings.

12. Temporary Outdoor Showgrounds and Exhibition Facilities

Outdoor areas used temporarily for a variety of showground and exhibition activities, including rodeos, fairs, carnivals, and traveling shows, involving portable facilities and equipment.

~~13. Urban Roadside Stands~~

~~Structures in urban areas of either portable or permanent construction used for the sale of produce and other goods and merchandise.~~

14. Vegetative Stormwater Treatment Systems and Underground Storage Facilities

The installation of:

- a. Ground level vegetation devices to filter, reduce the velocity of, and/or absorb stormwater flow from off-site sources including, but not limited to the use of bio-filters, vegetated buffer strips and engineered wetlands, and/or
- b. Underground storage or detention facilities for stormwater from off-site sources.

SECTION 6229.3. USES PERMITTED. The following uses are permitted in the “EG” District subject to the issuance of a use permit, as provided in Chapter 24 of this part.

1. Community Centers
2. Interpretive Centers
3. Libraries
4. Linear Parks and Trails
5. Open Field Cultivation of Plants and Flowers for Ornamental Purposes
6. Temporary Outdoor Art Centers
7. Outdoor Athletic Facilities
8. Outdoor Recreation Areas
9. Parks
10. Temporary Outdoor Performing Arts Centers
11. Temporary Outdoor Sales
12. Temporary Outdoor Showgrounds and Exhibition Facilities
- ~~13. Urban Roadside Stands~~
- ~~143~~ Vegetative Stormwater Treatment Systems and Underground Storage Facilities
14. Public Parking for Surfer’s Beach
15. Public Restrooms and Showers

- 16. Public Pedestrian Trails and Bicycle Trails
- 17. Realignment of Highway 1

SECTION 6229.4. DEVELOPMENT CRITERIA AND STANDARDS. All new development must meet the following minimum standards:

- 1. Minimum Parcel Area: 3.5 acres.
- 2. Maximum Building Height: 16 feet.
- 3. Minimum Building Setbacks

<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
<u>50 feet</u>	<u>20 feet</u>	<u>20 feet</u>

- 4. Maximum Parcel Coverage: Ten percent (10%) parcel size.

Maximum parcel coverage shall include all structures that are 18 inches or more above the ground.

- 5. Impervious Surface Area

The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage and calculations which demonstrates this finding can be made.

- 6. Landscaping

All building and structures shall be screened with sufficient landscaping to obscure and soften their appearance when viewed from Highway 1.

- 7. Signs

- a. Prohibited Signs:

(1) Signs having animated, moving, rotating, inflatable, or flashing parts.

(2) Signs emitting intense and highly focused light, including beacons.

(3) Off-premises signs, including billboards.

b. Number of Signs: One per use or establishment.

c. Maximum Sign Display Area: 20 sq. ft. on each sign face.

8. Winter Grading

Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

9. Traffic Control

In addition to all other applicable policies of the LCP, all development that generates traffic demand, including temporary uses, shall comply with LCP Policies 2.58 and 2.59.

Suggested Modification No. 63: Hydromodification definition

Hydromodification. Hydromodification is broadly defined as altering the hydrologic characteristics of water bodies to cause degradation of water resources. However, for the purpose of administering LCP policy, hydromodification shall mean any condition which, as a consequence of new impervious surface development and the construction of storm drainage systems, rainwater can no longer infiltrate into the soil and flows offsite in greater volume and erosive velocity than occurred under pre-project conditions to cause natural creeks or earthen channels to erode excessively, enlarge or otherwise change their configuration. The effects of this additional erosion, i.e. hydromodification can include degradation of stream habitat, loss of water quality and property damage.

4. SUMMARY OF PUBLIC PARTICIPATION

Between July and November 2000, the County commenced Midcoast LCP Update by holding four evening community scoping sessions in El Granada and Half Moon Bay to identify the issues and changes that participants wanted to be addressed by the Midcoast LCP Update. This process culminated in the project scope of study. Key tasks included recalculating residential buildout, evaluating the annual growth rate limit, reconsidering the controls on non-conforming parcel development, and preparing new Design Review standards.

In 2001, County staff prepared an "Alternatives Report" which analyzed issues, evaluated alternatives, and identified a preferred approach for each project task. The report became the basis for subsequent community workshops.

Between April 2002 and May 2003, County staff convened 21 community workshops in the Midcoast to generate and refine policy proposals and identify general community preference. Notice of the community workshops occurred through direct mailing of meeting announcements to a growing list of Midcoast participants, and through announcements and discussion at regular Midcoast Community Council meetings.

Between August 2003 and October 2004, the San Mateo County Planning Commission held 15 public hearings (five in El Granada) to consider the Midcoast LCP Update to formulate and refine policy proposals. Many members of the public representing varied perspectives provide the Planning Commission with substantial testimony and correspondence.

Opportunity for public participation in the hearing process was achieved through: (1) publication of all Planning Commission meeting notices in the San Mateo County Times and Half Moon Bay Review newspapers, and (2) direct mailing of meeting announcements and reports to approximately 200 Midcoast community participants.

Between January and March 2005, the Board of Supervisors convened a noticed study session to facilitate improved Board and public understanding of the proposed amendments, and held three public hearings to consider the Midcoast LCP Update. Many members of the public representing varied perspectives provided the Board of Supervisors with substantial testimony and correspondence.

Between March and June 2005, the Board of Supervisors held two public hearings to conduct a visioning process to provide a framework for future policy changes. Between November 2005 and November 2006, the Board of Supervisors held six public hearings (one in Half Moon Bay) to revise and refine policy changes, and approve the project proposals, including the currently proposed LCP amendments. Many members of the public representing varied perspectives provided the Board of Supervisors with substantial testimony and correspondence.

The Board of Supervisors hearings were noticed through: (1) publication of all Board of Supervisors meeting notices in the San Mateo County Times and Half Moon Bay Review newspapers, (2) publication of a project advertisement at the beginning of the hearing process in the Half Moon Bay Review, (3) direct mailing to affected property owners for several key

policy proposals, and (4) direct mailing of meeting announcements and reports to more than 250 Midcoast participants.

5. STANDARD OF REVIEW

Section 30512 of the Coastal Act requires the Commission to certify an LUP amendment if it finds that it “meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act.” A decision to certify an LUP requires a majority vote of the appointed membership of the Commission. Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission must act by majority vote of the Commissioners present when making a decision on the implementing portion of a local coastal program.

6. LAND USE PLAN FINDINGS AND DECLARATIONS

6.1. NEW DEVELOPMENT AND PUBLIC SERVICES

Coastal Act policies:

Section 30250 of the Coastal Act states:

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

Section 30254 states:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223 of the Coastal Act states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Coastal Act section 30250 directs new growth and development to existing urban areas with adequate public services, such as water supply, wastewater disposal, roadway capacity, and other infrastructure, to assure that such growth does not have significant adverse effects on coastal resources, such as public access, water quality, and visual quality. Hence, Section 30250 provides an important foundation for analysis of proposed LCPs and LCP amendments. LCPs must identify the types, locations, and densities of land uses and developments for each geographic areas within the area covered by the LCP. In so doing, proposed land uses and development need to assure the protection of coastal resources, and the availability of adequate public services in urban areas.

“Buildout” in an LCP is the maximum potentially allowable amount of development when all available land is developed to the maximum density levels identified in the certified LCP. Section 30250 requires thorough analysis of the predicted buildout in context of the available and future available infrastructure to serve it. Section 30250 also requires that development be concentrated in areas able to accommodate it. Therefore, the analytical question for San Mateo County is whether there is adequate water supply, wastewater disposal, roadway capacity, and storm drainage infrastructure to serve the maximum potentially allowable buildout, as permitted by the proposed LCP Update, in a way that will not significantly adversely impact public access, water quality, and other coastal resources.

Section 30254 compliments Section 30250, but it focuses in on the development of public works facilities. It states that public works facilities, such as wastewater treatment plants, highways, or water wells can only be developed to accommodate the size of the population or buildout that is certified in the LCP. Any public works development that goes beyond what is allowed by the specific communities LCP planned growth, is considered “growth inducing” and prohibited. This prevents the uncontrolled growth of a coastal community beyond the capacity of some public services (for example, water and sewer capacities), based on the expansion of another public service (for example highway capacity). Section 30254 also provides that where public works facilities are limited, that services be reserved for coastal act priority uses, such as visitor serving land uses, before other development (e.g. residential) can be served.

Existing LCP

The existing LCP divides the entire County into defined Urban, Rural, Rural Residential and Rural Service Centers. The Midcoast project area contains areas that are Urban and Rural Residential, although most of the geographic area consists of Urban lands that are subdivided and zoned for residential densities greater than one dwelling unit per five acres, and served by sewer and water utilities, and/or designated as affordable housing sites. Pursuant to LUP Policy 1.4, these are designated lands that are located inside the urban/rural boundary on the Land Use Plan maps, including Montara, Moss Beach, El Granada, Princeton, and Miramar.

There are a few areas within the urban/rural boundary designated as General Open Space, Agriculture, and Public Recreation-Community Park. LUP Policy 1.3(b) recognizes this apparent contradiction by stating: "...in order to make a logical urban/rural boundary, some land has been included within the urban boundary which should be restricted to open space uses and not developed at relatively high densities (e.g. prime agricultural soils, and sensitive habitats)." These areas, which are depicted on the Midcoast LCP Update Project Map (Exhibit 3), are currently only permitted to be developed at 1 dwelling unit per 40 – 160 acres. These areas include the Open Space designated area of Seal Cove, a coastal residential subdivision area on the coastal bluffs above Fitzgerald Marine Reserve, where lot consolidation of contiguous lots held in same ownership is an existing priority as per certified LUP Policy 1.20; the Open Space area north of Pillar Point Harbor containing Pillar Point Marsh; and the large Agriculturally designated area (zoned Planned Agriculture Development) west of the Half Moon Bay Airport.

The Midcoast project area also includes the Rural Residential area in east Montara, which is outside the urban/rural boundary. This area is developed with residential uses at densities less than one dwelling unit per 5 acres. Rural Residential is defined by certified LUP Policy 1.13 as being adjacent to the urban area and partially or entirely served by water and sewer utility lines. The area is zoned Resource Management/Coastal Zone (RM/CZ), with a minimum parcel size of 40 acres.

The Midcoast project area also contains some Commercial land uses. These include LUP designated Public Recreation lands (zoned Resource Management [RM/CZ]) in a thin strip along the majority of the coastline in Moss Beach, Montara, Miramar, and Princeton-by-the-Sea as well as isolated inland areas in El Granada and Montara. Permitted uses include parks, recreational facilities, open space, and in some cases, conditional residential uses.

Commercial land uses also include Industrial designated/Waterfront zoned lands in Princeton-by-the Sea, Airport designated/light industrial zoned lands at the Half Moon Bay airport, Industrial designated/industrial zoned lands just west of the airport, and Coastsides Commercial Recreation areas along Pillar Point Harbor in El Granada, and along Miramar coast. Along the "Burnham Strip" fronting El Granada, designated Open Space in the LUP, commercial recreation as well as some conditional residential uses

are allowed in the Community Open Space Conservation (COSC) zoned area. In addition, there are some scattered Neighborhood Commercial designated areas along Highway One in Moss Beach, Montara, and El Granada, as well some pockets of Institutional designated lands for schools, hospitals, community centers, etc. in Montara, Moss Beach, and El Granada.

6.1.1. Proposed Buildout

The “buildout” of an LCP is the maximum potentially allowable amount of development when all available land is developed to its full potential. It is the maximum development potential before application of all other applicable development limitations. When the San Mateo LCP was originally certified in 1980, it estimated residential buildout in the Land Use Plan for the Midcoast to be 6,728 units with an estimated population of 16,485 (see “Table 1” of the Hearing Draft of the LCP, exhibit 4). According to the County, as of 2008 approximately 3,928 units or 58% of the original buildout estimate have already been developed.

The County is proposing to update Table 1 with a new estimated maximum buildout of 7,153 units and a projected population of 19,885 people -- an increase of 425 dwelling units and 3,400 people. The new proposed Table 1 shows the estimated residential buildout in each zoning district that allows residential development (Exhibit 4). The County states that the recalculated buildout estimate represents the sum of all potential residential units at the maximum allowable density by the proposed LUP and IP within the Midcoast project area. The recalculation included single family units, multiple-family units, second dwelling units, and caretakers quarters (in the Waterfront district), and resulted in a figure of 6,757 – 7,153 residential units.² Census 2000 identified the Midcoast average household size as 2.78 persons per household. Hence, the estimated population at the proposed re-calculated buildout is 18,784-19,885 persons. According to the County, of the maximum potentially allowable buildout of 7,153 units, there are approximately 3,928 existing permitted (and mostly developed) Midcoast residential units and approximately 3,038 to 3,434 units yet to be developed under the proposed re-estimated buildout figures. Based on the County’s re-estimates, this means the Midcoast is approximately half built out.

Although the proposed amendment would increase the number of permitted caretaker’s quarters at Princeton, reduce the number of residential units in El Granada by prohibiting new houses at the Burnham Strip (see proposed El-Granada Gateway District, exhibit 2), and effect other changes in potential density, the County emphasizes that its changes to the buildout projections are simply a more accurate estimate of future buildout and population in the Midcoast. In addition, the proposed text that goes along with the buildout table emphasizes that the buildout estimate and the LCP policies on which it is based are not entitlements and do not guarantee that any proposed development will be approved.

² The following zones were counted: R-1, R-3, R-3-A, RM-CZ, PAD, and W. The County also counted permissible second units, proposed permissible caretaker’s quarters in the W zoning district, and 227 units in the El Granada Mobile Home Park.

TABLE 1
ESTIMATE OF DWELLING UNITS AND POPULATION PERMITTED BY THE LAND USE PLAN

	EXISTING		PHASE I		BUILDOUT	
	Dwelling Units	Population	Dwelling Units	Population	Dwelling Units	Population
MID-COAST	2,775	7,675	4,100-4,700	11,500-12,700	6,728	16,485
Urban	(2,550)	(7,000)	(4,100-4,700)	(11,500-12,700)	(6,200)	(14,900)
Rural	(225)	(675)	-----	-----	(528)	(1,585)
HALF MOON BAY	2,240	6,900	5,000	12,000-13,000	5,500-6,500	13,500-15,000
SOUTH COAST	620	2,000	-----	-----	1,424	5,000
Pescadero	(143)	-----	-----	-----	(200)	-----
San Gregorio	-----	-----	-----	-----	(40)	-----
Rural	(477)	-----	-----	-----	(1,184)	-----
TOTAL	5,635	16,575	-----	-----	13,650-14,650	35,000-36,500

Proposed New Table 1

<u>R-1 Zoning District</u>	<u>4,804</u> <u>units</u>
<u>R-3 Zoning District</u>	<u>443</u> <u>units</u>
<u>R-3-A Zoning District</u>	<u>513</u> <u>units</u>
<u>RM-CZ and PAD Zoning Districts</u>	<u>160</u> <u>units</u>
<u>C-1 and CCR Zoning Districts</u>	<u>99-495</u> <u>units</u>
<u>Second Units</u>	<u>466</u> <u>units</u>
<u>Caretaker's Quarters</u>	<u>45</u> <u>units</u>
<u>El Granada Mobile Home Park</u>	<u>227</u> <u>units</u>
<u>TOTAL</u>	<u>6,757-7,153</u> <u>units</u>

Substandard Lots Not Counted Individually in the Buildout Figure

In the early 1900s much of the Midcoast was subdivided into residential tracts, with 25' x 100' (2,500 sq. ft.) being the predominant size. These lots are now non-conforming because the minimum parcel size for most residential zones is 5,000 square-feet. Some of the substandard lots have been combined into conforming parcels, but over two thousand substandard lots remain.

In determining the proposed buildout estimate for residential units, the County counted individual parcels and determined their development potential according to the proposed updated LUP.³ The County combined the contiguously owned substandard lots into conforming parcels (to roughly 5,000 or 7,500 square feet [5,000 square feet is the minimum parcel size]), and only the units for these "merged" lots were included in the buildout figure. Only solitary, non-contiguous substandard lots that could not be merged in the future were counted as one unit each in the buildout figure.

This counting technique was employed because the County's assumption is that all the contiguously owned lots will be merged according to existing and future merger policies that are not part of the LCP. If these lots were not merged or retired in some way, the actual buildout number could be 2,400 more units, i.e. closer to 9,553 units rather than the proposed re-calculated buildout of 6,757 – 7,153 units.⁴

³ The following zones were counted: R-1, R-3, R-3-A, RM-CZ, PAD, C-1 and CCR. The County also counted potential second units, proposed potential caretaker's quarters in the W zoning district, and 227 units in the El Granada Mobile Home Park.

In fact, individual substandard lots are also not reflected in the currently certified 1980 buildout figures (Table 1). According to County staff, when the original LCP was written, residential buildout was calculated by combining vacant substandard lots into 5,000 square foot parcels for counting purposes and likely counting three 2,500 square foot lots in common ownership as one 7,500 square foot parcel.

There are two major issues associated with the buildout projections as currently proposed:

- 1) The proposed build out table is not an accurate statement of potential buildout. The proposed *and existing* LCP buildout projections fail to recognize approximately 2,400 (1,681 on developed parcels + 726 on undeveloped parcels) substandard lots that could be individually developed under the current and proposed LCP if not merged. An accurate understanding and statement of buildout is the foundation of the planning process for any area. The certified LCP's existing and proposed infrastructure policies and water, sewer, and traffic demand figures are based on buildout figures. Failing to take into account the potential development of substandard lots calls into question the accuracy of assumptions and policies pertaining to public services in the certified and proposed LCP.
- 2) Notwithstanding the above issue, neither existing development nor future development, at levels reflected in the proposed buildout estimation, is adequately supported by available services (water supply, wastewater disposal, and roadway capacity) (see Sections 6.1.2, 6.1.3, 6.1.4). If one takes into account the actual increased development potential when including substandard lots in the buildout figures, the situation worsens.

The potential development of substandard lots in the Midcoast is a concern. The current and proposed LCP is centered around planned buildout. As proposed, the buildout figures do not give an accurate picture of potential future development, because buildout could be approximately 2,400 more units more than projected. Because neither the original nor proposed revised buildout estimates take into account development on substandard lots, unanticipated, unplanned development could occur throughout the Midcoast, resulting in significant impacts to coastal resources, such as community character, existing and planned infrastructure capacity, water quality, and other coastal resources.

Commission History with Substandard Lots in the Midcoast

⁴ According to the January 27, 2005 Board of Supervisors staff report for the Midcoast LCP update, there are 4,899 residentially zoned substandard lots in the project area. 3,294 of these lots occur on developed parcels and 1,605 lots occur on undeveloped parcels. If these lots were included in the buildout figure the maximum development potential without lot merger for all substandard lots would be 2,407 additional units (1,681 on developed parcels + 726 on undeveloped parcels). The calculations for these figures are explained in Exhibit 16.

The Commission found in its review of Appeal No. A-1-SMC-99-014 (Judy Taylor and Linda Banks), that the consequences of higher buildout totals and overloading infrastructure capacities could include increased levels of congestion on Highway 1 and 35 with consequent adverse impacts on opportunities for recreation access to the coast, increased demand for already strained water supplies, and heightened problems associated with overdraft of groundwater basins, including reduced water flows for streams and wetland areas, and exceeded water treatment capacities, with consequent hazards of renewed pollutant discharges to the ocean.

The Commission also found in its review of LCP Amendment 1-97-C, that the extensive development of substandard lots could exceed maximum development levels anticipated by the certified LCP. LCPA 1-97-C was an amendment to the certified zoning non-conformities use permit section of the LCP that was intended to address the substandard lot question. In general, the amendment would have incorporated the lot coverage and floor-area ratio (FAR) provisions of the document entitled: "San Mateo County Policy: Use Permits for Construction on Non-Conforming (25-foot-wide) Residential Parcels." In the hearings on Amendment 1-97-C, numerous community members raised concerns that the standards in the proposed amendment permitted houses too large for such small lots, causing undesirable impacts to community character. Moreover, there was a concern that making such small lots more marketable would increase the incentive to develop them as individual building sites, rather than to combine them into building sites that meet zoning standards. This in turn could result in an unanticipated level of buildout of small lots, with the potential impacts discussed above.

For these reasons, the Commission rejected LCP Amendment 1-97-C. The Commission recognized that simply rejecting the County's proposed amendment would not solve the problem, and directed staff to encourage the County to determine the exact magnitude of the problem, and develop effective means to deal with it.

In the year 2000, the County submitted LCPA No. 3-00 Part A to deal with the construction of larger homes on these small 2,500 square foot lots. The County amended its implementation plan to establish more restrictive house size, shape, and design regulations for R-1 zoned areas in the Midcoast, and the Commission certified the amendment in 2001. The Commission made several findings in regards to the concerns over the substandard lot issue. There was a concern expressed in letters from the public regarding the LCPA No. 3-00 Part A that construction on these lots is contrary to the LCP's buildout numbers and would significantly impact the infrastructure and quality of living in the Midcoast area. In its findings on this issue, the Commission acknowledged that the buildout of non-conforming lots is an important planning issue in the County, but that it was outside the scope of that particular amendment because the amendment was limited to size and design issues. Because of this, the Commission found that the appropriate mechanism to address the non-conforming lot/buildout-level issue is the LCP update, and noted that the County was working on an update and the issue of non-conforming lot buildout levels and consequent impacts to coastal resources and public access was included in the scope of study for the Midcoast LCP update.

project. The Commission further noted that both the ongoing local process and the Commission's future consideration of an LCP amendment to certify the update would provide opportunity for public review and comment regarding the issue of non-conforming lots.

Upon further study of the issue, the County has updated its buildout figures in the context of this LCP amendment. In dealing with the substandard lot issue, the County's proposal (a) contemplates voluntary lot merger of substandard lots; (b) does not assume that a house will be built on each substandard lot and (c) does not count each substandard lot as a potential housing unit. The County maintains that the proposed buildout figures omitting approximately 2,400 substandard lots are an accurate statement of buildout because, due to several factors, it is unlikely that all the substandard lots will be developed. According to the County, full development of all these substandard lots would only happen if:

- (1) The County does not fulfill its resolved commitment to merge the substandard lots in common ownership (note that the referenced merger provisions are not proposed for inclusion in the certified LCP),
- (2) Each existing house that spans multiple substandard lots is demolished,
- (3) The County does not administer its existing non-LCP policy (since 1998 – see Exhibit 5) that requires merger of substandard lots at the time of house demolition or at the time of application to build a house on a substandard lot,
- (4) Each substandard lot is sold to a separate owner, and
- (5) A discretionary Use Permit and Coastal Permit is approved to build a house on each substandard lot.

The first phase of the County's merger program is a voluntary merger phase, coupled with incentives that could last up to 21 months and begin once this subject LCPA is certified; after which, a mandatory merger policy would ensue. The merger program would not go into effect until the LCP is certified by the Commission, because although the merger program itself is not included as part of the LCP amendment, the various incentives for merger *are* included as proposed changes to the zoning districts in the Implementation Plan. The County Board of Supervisors recently adopted a two phase merger incentive program, with the first three years being voluntary. This program, authorized by Resolution 068386 (the same resolution authorizing the LCP update), is included as Exhibit G of the Resolution of Transmittal.⁵ This Board of Supervisors policy

⁵ The program would set up a merger program for substandard lots in contiguous ownership to a size of 5,000 square feet minimum or the minimum lot size for the specific district. The program would be in two phases, the first two years being voluntary and then mandatory thereafter. The incentives for merger during the voluntary period include up to 250 square-feet bonus floor area, or \$1,500 (new unit)/\$300 (existing unit) or 5% reduction in building permit fees, whichever is greater, or one required parking space may be provided uncovered, or if the development were to be affordable housing, several other incentives apply. The mandatory merger program would commence at

was adopted in part to be implemented by the IP through proposed incentives to be included in specific zoning districts, but the merger program itself was explicitly not included as an LCP Amendment or to be part of the LCP. There is no guarantee that this program will succeed in merging all the contiguously owned substandard lots because property owners can transfer/sell off their lots to separate owners to avoid the merger process. The merger policy does have a provision that if more than five (5) ownership changes occur during Phase I, the mandatory merger phase would kick in early. However, it is unknown how the transfer/sale of substandard lots would be monitored.

As noted above, the merger program does not commence until the Commission has certified the incentives for merger that are included as part of this LCP amendment. Critics of this program have noted that there are few mechanisms to stop property owners with substandard lots in common contiguous ownership from selling off their individual lots to different owners to avoid the merger process, rendering its objective useless. Nevertheless, in its proposed (and current) buildout figures, the County has not counted substandard lots in common ownership because it assumes that they will all be merged.

It is also current County practice to pursue the merger of substandard lots located in the R-1/S-17 zoning district on a case-by-case basis when such lots are less than 3500 square feet in area, and in common ownership with contiguous property, initiated only at the time when an application has been received to construct, enlarge or demolish a house on the applicable properties. This policy is also not part of the certified LCP.

The Commission finds that the omission of the approximately 2,400 potential lots from the proposed buildout figures is inconsistent with Sections 30250 and 30254, which mandate the siting of new development in areas with adequate services able to accommodate it and where it will avoid significant adverse impacts to coastal resources, such as public access and water quality. Further, since the merger policies are not proposed to be included in the LCP, and there are various ways that lot merger could not occur as assumed, there is a potential that the substandard lots will not be merged as intended. In addition, to provide a realistic picture for land use planning issues in the Midcoast, it is important to provide the maximum potential buildout in the area. Therefore, the Commission finds that the proposed LUP re-estimated buildout numbers are inconsistent with the Coastal Act and therefore the LUP must be denied. However, if modified to include the potential additional substandard lots in the buildout numbers to provide a more accurate estimation of buildout thereby providing an accurate base with which to conduct coastal planning, including the adequacy of infrastructure to support new development, the LUP buildout numbers can be found consistent with the Coastal Act. Therefore, the Commission imposes Suggested Modification No. 1. As modified, the Commission finds that the proposed LUP is consistent with the Coastal Act.

6.1.2. Regional Transportation Systems

Relevant Coastal Act Policies:

In addition to the overarching policies cited above (30250, 30254), the following policies relate specifically to regional transportation and traffic, in that they discuss energy consumption and vehicle miles traveled, and vehicular public access:

Section 30253 of the Coastal Act states in part:

New development shall:

.....

(4) Minimize energy consumption and vehicle miles traveled

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service,

(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,

(3) providing nonautomobile circulation within the development,

(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation,

.....

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act 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.

The existing certified LUP Policies 2.48 and 2.49 require adequate road capacity to serve new development and to minimize impacts of development to traffic on local highways:

LUP Policy 2.48 (Capacity Limits) states:

The County will: a. Limit expansion of roadways to capacity which does not

exceed that needed to accommodate commuter peak period traffic when buildout of the Land Use Plan occurs; b. Use the requirements of commuter peak period traffic as the basis for determining appropriate increases in capacity.

LUP Policy 2.49 (Desired Level of Service) states:

In assessing the need for road expansion, consider Service Level D acceptable during commuter peak periods and Service Level E acceptable during recreation peak periods.

In addition, existing LUP Policy 2.57(c) addresses the need to ensure that new residential development is not consuming road capacity needed for visitors:

c. Monitor the peak recreation period traffic to determine whether the above techniques are successful and whether new residential development is consuming road capacity needed for visitors.

Existing Regional Traffic Patterns in San Mateo County

The prevailing mode of transportation in San Mateo County is the automobile, and the public depends heavily on the County's road system for daily transportation to commercial, educational, and recreational destinations. Most residents live in peripheral, low-density communities while traveling to urban centers for employment and other amenities. This development pattern has caused traffic on County roadways to rise to "critical levels".⁶

During the 1990s high tech manufacturing firms moved to San Mateo County increasing the number of jobs in the County. However, there has historically been a high level of commuting outside the County, and these firms are not located on the coast, so automobile commuting from the Coast to the Bayside is common. County residents also share the road system with commuters from surrounding Counties as well. As a result, in addition to high "outcommuting" to other counties and from the coast to the Bayside, increased "in-commuting" has caused even more vehicles to share the limited roadway capacity.⁵

Local Conditions on the Midcoast

Highway capacity (i.e. traffic) on the coast poses a large problem for the County. While the rural, southern portion of the County is relatively uncongested, the urban Midcoast area and the City of Half Moon Bay are severely congested at peak travel times, hindering traveler's abilities to reach these more remote areas of the coast as well as several of the more "urban" beaches and recreation areas on the Midcoast. This is because road access to the Midcoast region of San Mateo County, for people living North of San Mateo County, including the City of San Francisco, is limited to Highways 1 (from points north) and 92 (from points east).

⁶ City/County Association of Governments of San Mateo County (C/CAG). 2001. Countywide Transportation Plan 2010

Because all of the state highway roads in San Mateo carry a large volume of traffic than other roads and serve a vital function in the Bay Area's transportation network, the 2001 Countywide Transportation Plan (CTP) has defined all these routes (with the exception of Highway 35) "corridors of regional significance".⁷ These include Highway One on the Coast, and Highway 92, the major route to the Coast from points east ("Bayside"). The Countywide Transportation Plan identifies Highway 1 from Half Moon Bay (at Highway 92) to San Francisco, through the Midcoast, as a "High Priority Corridor of Regional Significance."

Traffic analysis is commonly undertaken using the level of service (LOS) rating method. The level of service rating is a qualitative description of the operational conditions along roadways and within intersections. LOS is reported using an A through F letter system to describe travel delay and congestion. LOS A indicates free-flowing conditions. LOS E indicates the maximum capacity condition with significant congestion and delays. A LOS F rating indicates traffic that exceeds operational capacity with unacceptable delays and congestion.

The certified LCP (Policy 2.49) considers LOS "D" acceptable during commuter peak periods and Service Level E acceptable during recreation peak periods. Peak commuter traffic has already worsened beyond the LOS standard, as described below. The County has not provided information on the traffic levels during recreation peak periods in conjunction with the proposed LCPA.

Road Segments

The 2007 San Mateo County Congestion Management Program (CMP) shows the existing service levels for roadway segments of Highways 1 and 92 during the peak afternoon commute, as summarized below. The LOS shown represents the most congested section of each roadway segment.⁸

Highway 92 (1 to 280)	LOS "E"
Highway 1 (Miramontes to Frenchman's Creek)	LOS "E"
Highway 1 (Frenchman's Creek to Linda mar, Pacifica)	LOS "D"
Highway 1 (Pacifica to San Francisco)	LOS "F"

Exhibit 7 graphically depicts these segments on a map of the Midcoast.

Highway 92 (1 to 280) is a key route to the Midcoast. Travelers use 92 to reach the Midcoast from points north and south (e.g. San Francisco and the South Bay) via Highway 280. Highway 92 runs east of the City of Half Moon Bay to Highway 280

⁷ CCAG 2001

⁸ C/CAG. 2007. Final Congestion Management Program for 2007; Fehr and Peers. October 2007. Final Report San Mateo County Congestion Management Program 2007 Monitoring Report.

traversing steep rugged terrain. Recently, a widening project was completed in the City of Half Moon Bay that may alleviate some congestion over the long run, but there is little basis for concluding that the severe congestion outside of the City will be alleviated. Because of the steep slopes, slow-moving vehicles delay eastbound traffic, and highway widening is restricted due to environmental resource issues. As demonstrated above, Highway 92 has exceeded its service level standard “D” during peak commuter periods. During these times, the segment is at LOS E, which is defined as at maximum capacity, with significant congestion and delays for travelers.

A key segment of Highway One leading to and south of the Midcoast project area is Miramontes to Frenchman’s Creek, located between Half Moon Bay north and Frenchman’s Creek Road. This segment must be used by travelers to reach homes, businesses, schools, beaches, etc. around Half Moon Bay and the Midcoast, including beaches in Miramar, El Granada, Moss Beach, and Montara, Fitzgerald Marine Reserve. It is also used to travel to rural beaches, agricultural areas, and the picturesque towns of Pescadero and San Gregorio in the southern portion of the County. This segment has exceeded its service level “D” standard during peak commuter periods. During these times, the segment is also at LOS E.

The segment of Highway 1 from Frenchman’s Creek north to Linda Mar (in the City of Pacifica) stretches along the majority of the Midcoast Area. This segment is used as a local travel route to destinations around the Midcoast, including the local beaches described above. This segment currently meets the LOS “D” standard at peak commuter periods. However, any significant increase in traffic will cause the segment to exceed its standard.

Northern Highway 1 in the City of Pacifica (to San Francisco) is the most congested section in the County. While it is not physically located within the unincorporated Midcoast, travelers from the Midcoast area commuting to areas north on Highway One, including to jobs in San Francisco and beyond, contribute to this congestion along with residents of Pacifica and Half Moon Bay. Currently this section of Highway One is at the lowest level of service (LOS) F. LOS F is defined as heavily congested flow with traffic demand exceeding capacity, resulting in stopped traffic and long delays on transportation corridors and specific intersections.

Highway 1 and 92 Intersection

The 2007 CMP also evaluated service levels at the intersection of Highway 92 and Highway 1 in the City of Half Moon Bay. This intersection is used heavily by commuters and travelers turning from Highway 1 to 92 to travel inland, and commuters and travelers returning in the opposite direction from 92 to Highway 1 towards points north and south. According to the 2007 Congestion Management Program (CMP), this intersection is currently at LOS D during commuter peak periods, the lowest level allowable under the LCP (Fehr and Peers 2007).⁹ Any significant increase in traffic will cause the roadway to exceed its standard.

⁹ This result was generated using the “HCM 2000” methodology (Fehr and Peers 2007)

Traffic congestion is high on the Midcoast for a number of reasons. First of all, there is a significant imbalance between housing supply and jobs throughout the Midcoast region. In most areas of San Mateo County, the problem is caused by a shortage of housing near the job centers, resulting in workers commuting long distances from outside the County. In these areas, the Congestion Management Plan (CMP) recommends general plan and zoning changes designed to increase the housing supply near the job centers of the County. In the Mid-Coast area, this problem is exacerbated by the fact that even if the number of jobs in the County increase, these jobs will be located on the Bayside, rather than the Coastside, so the roads would still be congested from Coastside residents commuting to other parts of the County, or outside of the County for work.

Secondly, capacity increases to the highways are constrained both legally and physically. For example, some areas of these roads in the Midcoast cannot be widened due to their proximity to existing development, wetlands, agricultural areas, and beaches. In rural areas of the County (outside the Midcoast), Coastal Act Section 30254 restricts Highway 1 to remain a scenic two-lane road. This Coastal Act policy is implemented in rural areas throughout the San Mateo County Coast outside the Urban Midcoast, to the south of the City of Half Moon Bay, and north of Pacifica. Approximately 10 miles north of the Midcoast area, Highway 1 passes through the "Devil's Slide" area, where landslides cause frequent interruptions and occasional closures during the rainy season. Caltrans is currently constructing a tunnel to by-pass Devil's Slide. While the tunnel will improve operations of the highway in that section by preventing slide-related delays and closures, the width of the tunnel will only allow one lane in each direction consistent with Coastal Act Section 30254. Construction of additional lanes to provide additional capacity is therefore not an option in the Devil's Slide area.

In 1989, the voters of San Mateo County passed Measure A, a 1/2 cent sales tax initiative to provide funds for transportation improvements within the County.¹⁰ Operational and safety improvements to Highway 92 from Highway 1 to Highway 280 were included as part of the Measure A program. A slow vehicle lane from I-280 to Pilarcitos Creek has been constructed. New traffic lanes and intersection improvements from the Half Moon Bay city limits to Highway 1, and shoulder widening and curve corrections between Pilarcitos Creek and Half Moon Bay are anticipated and are expected to begin before the end of 2008. However, these improvements are not expected to alleviate congestion, and, in fact, traffic congestion is projected to be worse by 2010, as described below.

Projected Traffic Levels

According to the 2007 San Mateo County Countywide Transportation Plan (CTP), most of these key travel routes along Highway 92 and Highway 1 will be at LOS "F" by 2010.¹¹ The CTP shows the projected (2010) Level of Service (LOS) measures for the

¹⁰ Unrelated to the City of Half Moon Bay Residential Growth Initiative also known as Measure A.

¹¹ C/CAG 2001

most congested segments of Highways 1 and 92 during the peak afternoon commute hours as summarized below. The segments between Miramontes and Pacifica are located in the urban Midcoast. The other segments (Highway 92 and Highway 1 Pacifica to San Francisco) are integrally connected to the Midcoast segments.

ROADWAY SEGMENT	LOS
Highway 92 (1 to 280)	LOS "F"
Highway 1 (Miramontes to El Granada)	LOS "F"
Highway 1 (El Granada to Montara)	LOS "E"
Highway 1 (Montara to Pacifica)	LOS "F"
Highway 1 (Pacifica to San Francisco)	LOS "F"

These 2010 projections already take into account the completion of the following improvements: (a) completion of the Montara Mountain (Devils Slide) tunnel, and (b) the following improvements to Highway 92: (1) a slow vehicle lane from I-280 to Pilarcitos Creek, (2) new traffic lanes and intersection improvements from Half Moon Bay city limits to Highway 1, and (3) shoulder widening and curve corrections between Pilarcitos Creek and Half Moon Bay. In other words, even with the completion of the above projects, congestion on these segments is projected to be substandard, because level of service (LOS) at peak commuter hours will be below LOS D, as required by the existing certified LCP. Indeed, most of Highway 1 and 92 will be LOS F, which indicates the worst traffic levels, defined as heavily congested flow with traffic demand exceeding capacity, resulting in stopped traffic and long delays on transportation corridors and specific intersections.

LCP Buildout Analysis

The CTP 2010 LOS projections assume a Midcoast population of 5,367 households (i.e. units) (approximately 1,786 units less than the population assumed by the proposed LCPA) and a Half Moon Bay population of 5,692 households (units). In 2010, the Highways' peak time LOS are projected to be mostly at "F."

In accordance with the projections contained in the CTP and CMP, the demand associated with residential buildout of the Midcoast combined with the City of Half Moon Bay would exceed the capacity of the available Highways. Further, the capacity of these roads cannot feasibly be increased to the level necessary to meet the demand created by the development potentially allowable under the City and the County land use plans. Since the LOS on key segments and intersections of these roads will already be at "F," with one segment at "E" (El Granada to Montara) in 2010 (according to projections of the CTP), without major improvements to transportation infrastructure and public transit at LCP buildout, these roads will still be at "F" albeit a much worse "F," with significant traffic delays.

According to the County, there are approximately 3,928 existing permitted (and mostly developed) Midcoast residential units and approximately 3,038 to 3,434 units yet to be developed under the proposed re-estimated buildout figures. If the additional 2,407 substandard lots are developed and not merged as anticipated, an estimated additional 5,841 could be developed at buildout. Using the proposed growth rate of 75 units per year, buildout would occur in 77 years. If the additional 2,407 are merged as anticipated, and only 3,434 units are yet to be developed, using the proposed growth rate of 75 units per year (and subtracting 257 potential affordable housing units and 386 2nd units that wouldn't be subject to the growth rate), buildout would occur in approximately 37 years. Each additional residential unit puts additional cars on the roads, especially during peak commuting hours. Using the Institute of Transportation Engineers Trip Generation Rate of 9.6 trips per residential dwelling unit per day ($9.6 \times 365 = 3504$ per year), and the proposed growth rate of 75 units per year, this results in an additional 262,800 vehicle trips (75×3504) per year on Highways 1 or 92, for a total of between 9,723,600 additional vehicle trips at buildout if substandard lots are merged using County assumed numbers and 20,466,864 additional trips at buildout if substandard lots are not merged as anticipated.

LOS F generally describes breakdown operations (except for signalized intersections) which occur when flow arriving at a point is greater than the facility's capacity to discharge flow. At such points, queues develop, and LOS F exists within the queue and at the point of the breakdown. LOS conditions mean forced-flow operations at low speeds, where volumes are below capacity. In the extreme, both speed and volume can drop to zero. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time because of the downstream congestion.¹²

Public Transportation

The County does not propose any updates to LCP public transit policies. The automobile is the prevalent mode of transportation in San Mateo County and public transportation is limited. samTrans runs two bus lines, route 294 and route 17. Route 294 runs between the "bayside" (Hillsdale) and Pacifica via Highway 92 and Highway 1 through the Midcoast. On weekdays it is limited to 10 trips per day with each trip going approximately every two hours. There is no express bus service. On weekends, this service is very limited and there are no trips over Highway 92, which eliminates bus options for weekend recreationists trying to reach the coast from inland points north and south (Vehicular traffic is extremely high along Highway 92 and Highway 1 during peak recreational hours on the weekends).

Route 17 runs local service along the San Mateo Coast between Montara and Miramontes Point Road south of Half Moon Bay. In addition, it extends service to Pescadero twice a day only, once in the morning and once in the evening. This service

¹² McShane, William R. and Roess, Roger P. 1990. Traffic Engineering
Pignataro, Louis J. 1973. Traffic Engineering Theory and Practice.

is more frequent in the mornings, running buses approximately every ½ hour. In the midday and evening hours it runs approximately every 1.5 hours. There is no express bus, and this bus does not travel over Highway 92 to bayside points. Again, on weekends the service is much reduced, with buses running every 1.5 to 2 hours.

The existing certified LUP Chapter 2 policies contain directives to the County and other agencies, such as samTrans, to work together to encourage increased ridership on existing transit as well as increased transit options for coastside residents and recreationists. The desired transit includes an express bus, the development of a park and ride facility near the intersection of Highways 1 and 92, increased recreational transit options and use on holidays and weekends. These policies have not been updated in many years, and the County has not proposed to amend them. Increasing public transit options and ridership is extremely important given the constraints on expanding the existing roads, which are inadequate to serve buildout, and given the Coastal Act mandates to address climate change through reductions in vehicle miles traveled.

Two options for improving public transportation on the Midcoast are through samTrans bus service expansions and establishment of local shuttle programs. samTrans is the agency responsible for providing and funding public transit service throughout the County. samTrans and other transportation agencies have expressed that the ridership numbers don't justify expansion in service. While increased service is important for a variety of reasons, many people opt to drive their car instead of taking the bus, and a steady funding stream is needed to operate an efficient service. However, other agencies and non-profit groups have gotten together to fund local coastside shuttles.

The City and County Association of Governments (CCAG) for San Mateo County provides funding for local service shuttle programs, however funding must be matched by local sponsor, such as San Mateo County or Half Moon Bay. If approved, CCAG will provide ½ of the required funds through a reimbursement program. The Peninsula Traffic Congestion Relief Alliance provides assistance to Cities and Counties on establishing and running their shuttle programs. For example, while Highway One's Devil's Slide was closed, it increased promotion of carpooling and put up billboards in the area on carpooling. In cooperation with CCAG, it also put together an emergency shuttle service for use while the highway was closed, however this was never implemented because the highway opened sooner than expected.

In addition, the Peninsula Traffic Congestion Traffic Relief alliance works to identify local transportation needs for low income residents on the San Mateo coast. As a result of this work, samTrans expanded bus service to Sundays and later in the evenings. It conducted a Coastside Needs assessment for transportation for low income residents. While 95% of the low-income population works in the Coastside area, only 30% of the general population works in the area. In Half Moon Bay, six percent of the population lives below the poverty line. This community was specifically identified as 1,000 individuals (350 families). The assessment determined that the following was needed:

- Larger buses to accommodate workers and students traveling within the Coastside area
- Increased service frequency
- Expanded hours, including evenings and weekends
- Increase “over-the-hill” transportation alternatives, especially for medical appointments.
- Improve coordination and scheduling to provide service for middle school and high school students.
- Greater outreach to the community, particularly seniors.
- Buses Must Carry Bicycles
- Connect Transit Stops to Pedestrian Paths

The Needs Assessment identified the following solutions:

- Increase Transit Use-express buses from Half Moon Bay to BART, Caltrain and on into San Francisco
- Implement a Coastside Shuttle Service: A shuttle running every 20 minutes from Montara to Half Moon Bay would address:
 - Insufficiently frequent service during commute hours, resulting in overcrowded buses
 - Middle school and high school students getting to school, and the ensuing congestion
 - Congestion from residents traveling to local jobs
 - Low-income families unable to participate in school events during the day
 - Evening and weekend transportation to classes and other community events
 - Making connections with buses traveling over the hill for medical and dental services
- Improve awareness of transit alternatives and incentives.

The assessment also provided an interesting local example of transportation issues surrounding local employment and local businesses: The Ritz-Carlton Hotel in Half Moon Bay feels that it has saturated the employment market in the Coastside area; all potential employees have either interviewed and been rejected, or are employed there. The hotel is interested in attracting employees from “over the hill,” the reverse commute for 70% of Coastside residents. The Needs Assessment found that by working with the hotel, transit could be developed that has significant ridership in each direction. In addition, the existing Ritz Carlton employee shuttle could potentially expand its route to connect with buses arriving and departing from Half Moon Bay.

Consistency of Proposed LCP with Coastal Act

The Coastal Act (30210, 30211, 30223, 30250 and 30252) requires that development be located in areas with adequate public services (including roads), able to

accommodate it, development shall not interfere with the public's ability to access the sea, the location and amount of new development maintain and enhance public access to the coast, upland areas necessary to support coastal recreation uses shall be reserved for such uses and that new development be located in areas with adequate public services, including roadway capacity, where it will not have a significant adverse effect, either individually or cumulatively, on coastal resources.

Because there are no alternative access routes to and along the coastline in this area of the coast, and because public transit options are extremely limited to and along the coast, the extreme traffic congestion on Highways 1 and 92 significantly interferes with the public's ability to access the area's substantial public beaches and other visitor serving coastal resources, in conflict with the public access policies of the Coastal Act. In addition, this extreme traffic congestion renders the highways inadequate to accommodate and serve existing and future development, inconsistent with Section 30250 of the Coastal Act.

The County proposes three policies to address traffic issues in the LCP: (1) the proposed reduced growth rate of 75 units per year [down from 125], (2) the proposed traffic mitigation policy, and (3) specific and unspecified road improvement projects.

Reduced Growth Rate

The County claims that the proposed reduced growth rate will slow growth to a pace that will allow infrastructure to keep up with demand. However, the County has not provided an analysis of how the reduced growth rate will improve traffic. The proposal would reduce the annual limit from 125 to 75 residential units per year (see Exhibit 1, County Exhibit "F") and eliminate the provision authorizing an increase to 200 units per year. If the Midcoast were to grow at 75 units per year, buildout would occur in approximately 77 years. Using the Institute of Transportation Engineers Trip Generation Rate of 9.6 trips per residential dwelling unit per day, this growth rate would still result in an additional 720 vehicle trips per year on Highways 1 or 92, for a total of 32,966 additional vehicle trips at buildout (56,073 additional trips if the substandard lots aren't merged as anticipated). Since according to the CTP the LOS on key segments and intersections of these roads will already be at "F," with one segment at "E" (El Granada to Montara) in 2010, without major improvements to transportation infrastructure and public transit, and other land use controls, these roads will be still be at "F" albeit a much worse "F," with significant traffic delays even with the Midcoast's proposed 75 units per year growth rate restriction in place. The Highways are already nearing capacity and are inadequate at peak commuter and recreational times to serve existing levels of development, and they hinder the public's ability to access the coast, inconsistent with the Coastal Act. Therefore, without significant investment in transit planning and land use controls, *any* growth would make this situation worse.

County Proposed Traffic Mitigation Policy

The County is also proposing a new LUP traffic mitigation policy requiring transportation demand management (TDM) measures to be required of any project that generates over fifty (50) peak hour trips during peak periods (Exhibit 1, County Exhibit "H"). The proposed policy indicates that TDMs can include "establishing a shuttle service, subsidizing transit for employees, charging for parking, establishing a carpooling and vanpooling program, having a compressed work week, providing bicycle storage facilities and showers, or establishing a day care program."

This policy is modeled on the City/County Association of Governments (C/CAG) traffic mitigation requirements. In May 2000 C/CAG adopted guidelines requiring all local jurisdictions in the County to mitigate traffic impacts from new development on the Congestion Management Program (CMP) roadway network. In the Midcoast area, State Highways 1 and 92 are on the CMP network. C/CAG's guidelines apply to all development that require CEQA review and generate a net increase of 100 or more trips per hour during peak periods. Among the traffic impact mitigation options required by the guidelines are transportation demand management measures (TDM's). The TDM can also include collecting road mitigation fees or paying a one time fee of \$20,000 per peak hour trip.

When developing its proposed policy, the County noted that C/CAG guidelines of mitigation for more than 100 peak hour trips would apply only to development on the three affordable housing sites in the Midcoast area (up to 513 units) since these are the only individual projects that would meet the qualifying criteria (they would generate 1,004 peak trips). Therefore, only the traffic impacts of these projects would have to be mitigated according to the C/CAG guidelines. As a result, the County's proposed policy requires TDMs for all projects generating 50 trips or more. However, there are very few additional anticipated projects allowable by zoning that would generate 50 peak trips or more.

The County has not provided a traffic study examining how this proposed policy requiring TDMs for all projects generating 50 peak trips or more will improve traffic on the Midcoast. Since most of the lands in the Midcoast are divided into small parcels, it is unlikely that many projects would generate more than 50 peak hour trips and would be subject to this policy, and very few TDMs would be implemented to help alleviate congestion problems. Most significant, this proposed policy would not mitigate the largest threat to roadway capacity, cumulative residential development on individual legal lots, development which would individually only generate 9.6 trips, but cumulatively at buildout, would generate 720 vehicle trips per year (at the 75 unit/year growth rate) and approximately 32,966 trips at buildout (56,073 additional trips at buildout if the substandard lots aren't merged as anticipated).

Road Improvements

The projected 2010 LOS assumed the construction of the following roadway improvement projects. Even after construction of these projects, the LOS is still projected to be "E" and "F" on Highways 1 and 92:

- Construction of a slow vehicle lane on Highway 92 from Pilarcitos Creek to I-280 (this has been completed up to Highway 35, westbound improvements between I-280 and 35 are contingent on funding)
- Construction of additional travel lanes on Highway 92 within the City of Half Moon Bay (complete)
- Intersection improvements along Highway 92 within the City of Half Moon Bay (complete)
- Construction of the Devil's Slide Tunnel bypass (in progress)

The County has also provided a list of anticipated road improvement projects that may be constructed in the future and has stated that these may help to alleviate traffic. They are at various stages of design, funding, and permitting and some are not designed to alleviate traffic, as described below. They include:

- Highway 1/San Pedro Creek Bridge Replacement (not traffic alleviating)
- Route 1/Manor Drive Overcrossing Improvement and Widening, including a new ramp, Pacifica (not traffic alleviating)
- Routes 1 and 92 Safety and Operational Improvements within and near Half Moon Bay (nothing has been defined yet)
- Highway 92 and 35 Interchange Project-Unfunded truck climbing lane between I-280 and Route 35 ("shelved")
- Widening of Calera Parkway in Pacifica between Fassler Ave to So. Westport (may alleviate traffic in Pacifica, unknown how this will affect the Midcoast, pending approval from the Commission and there are potential ESHA, public access, and climate change issues)
- Construction of northbound and southbound off-ramp in Pacifica at Milagra Drive (probably won't affect traffic)
- Elimination of sharp curves and widen roadway near Half Moon Bay City East of Main Street to Pilarcitos Creek Bridge (no anticipated change to traffic)
- Extend two way left turn lane on Highway One in Half Moon Bay (would alleviate traffic, but still in design phase and still needs to go through environmental and permitting process)
- Install left turn channelization in Montara (would help alleviate traffic, but not anticipated until Winter 2012 and still needs to go through environmental and permitting process)

The County maintains that the 2010 LOS projections do not take into account the above listed improvements in Half Moon Bay, Midcoast, and Pacifica, and that they should result in improved levels of service. In addition, the County maintains that future unspecified traffic flow improvements, such as (a) operational and safety improvements to increase existing roadway efficiency, (b) maintenance improvements to improve the roadway condition, and (c) adding limited lanes such as reversible lanes, auxiliary lanes, turn lanes at intersections, signalization improvements, and grade separation improvements will increase roadway capacity. These future projects are only theoretical, however. In addition, the bulleted projects above, although they are more defined, are

mostly not intended to solve traffic congestion problems specifically, are at various stages of design and environmental review, and many are not funded. In addition, the County has not submitted traffic studies evaluating whether and how these projects and improvements would increase levels of service (LOS) to acceptable levels (i.e. "D" as required in the LUP).

Conclusion

As detailed above, transportation services (i.e. roadway capacity and public transit) are insufficient to serve existing and projected levels of development in the LCP. This is inconsistent with Section 30250 of the Coastal Act, which requires development to be located in existing developed areas able to accommodate it and with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The above-detailed level of transportation services is also inconsistent with public access policies 30210, 30211, and 30252 of the Coastal Act because the extreme traffic congestion on Highways 1 and 92 significantly interferes with the public's ability to access the area's substantial public beaches and other visitor serving coastal resources.

The County's proposed mitigation policy (2.51) does not adequately mitigate traffic impacts in conformance with the above-referenced Coastal Act policies. Further the proposed LCPA does not adequately reserve road capacity for priority uses. However, if modified as suggested to include specific traffic related mitigation for all non-residential development, regardless of its size, including subdivisions, such as lot retirement and mandatory lot merger; and if also modified to address the cumulative impacts of residential development on the regional transportation system, by further reducing the growth rate to one percent (39 units/year) (consistent with Half Moon Bay's growth rate) until such time that the County develops, and the Commission certifies, a comprehensive transportation management plan for the Midcoast, the proposed LCP amendment would be consistent with the Coastal Act (see Section 6.1.5 on growth rate). Therefore, the Commission imposes Suggested Modifications to proposed LUP Policies 1.22 (growth rate) and 2.51 (traffic mitigation) and also suggests that the LUP be modified to add new policies 2.57.1 (Traffic Mitigation for All Development) and 2.57.2 (Transportation Management Plan) to the public works Chapter 2 of the LUP.

6.1.3. Water Supply and Transmission

Relevant Coastal Act Policies:

In addition to the overarching policies of 30250 and 30250 cited above, Section 30231 of the Coastal Act also applies to water supply:

Section 30231 Biological productivity; water quality

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

As a part of this LCP update, the County proposes to (1) update water demand projections based on the new buildout numbers and (2) reallocate water capacity reserved for floriculture to a total of 50 priority connections for failed wells and 40 connections for affordable housing (see exhibit 1, County Exhibit B and C). The County does not propose any specific policy changes with respect to the sections concerning water within the Public Works chapter (Chapter 2) of the LCP.

Overview of Water Supply in the Midcoast

Ensuring adequate water supply has been a significant issue in the Midcoast since the certification of the LCP in 1981. The urban Midcoast is currently served by two special districts, the Montara Water and Sanitary District (MWSD) and the Coastside County Water District (CCWD). MWSD serves the communities of Montara and Moss Beach while CCWD provides water to Miramar, Princeton by the Sea and El Granada as well as the City of Half Moon Bay. Each district has dealt with moratoria on new water connections due to a lack of supply. The supply shortage is most severe in areas served by MWSD which has had a moratorium for new connections since 1986. MWSD relies exclusively on local sources for its supply. In the mid 1980s, CCWD was also unable to provide new water connections. Volume and reliability of CCWD's water supply drastically improved in 1994 when the Crystal Springs Pipeline project was completed which allowed the district to purchase and distribute water from the Crystal Springs reservoir owned by the San Francisco Public Utilities Commission (SFPUC). Today, CCWD obtains approximately 75% of its supply from SFPUC and the rest from local sources.

In addition to these public water providers, residential development in the Midcoast also relies on private wells. Numerous residences in the Midcoast are developed with private wells due to a combination of factors that include: (1) MWSD's moratorium;(2) the fact that although the LCP defines the urban area as an area served by public services, the existing LCP does not specifically prohibit wells in the urban area; (3) the County's categorical exclusion order which excludes single-family residential development within most of the R-1 zoned areas in the Midcoast from coastal development permit requirements; and (4) the high cost of CCWD's water connections for residential development. According to data from Kleinfelder, the County's consulting geologist for the Midcoast groundwater study that has not been released, there is a total of 946 wells in the Midcoast¹³. The number of existing residential units is approximately 3,928. This

¹³ The County states that there are more than 550 wells in the Midcoast. However, according to documents from Kleinfelder, the number 946 is a "reasonable, full accounting (i.e. potential demand) of wells in the study area."

means that approximately 24 percent of the homes within the urban Midcoast are served by private wells instead of public water.

Montara Water and Sanitary District Water Supply

MWSD provides water, sewer, and trash disposal services to the communities of Montara, Moss Beach, and adjacent areas. Water sources for MWSD consist of local surface water diversions and groundwater.

Montara Creek provides the surface water source. MWSD diverts water from the creek at a diversion point north of Montara. The water is conveyed from the diversion point to the Alta Vista Water Treatment Plant (AVWTP) site through a 6-inch-diameter raw water pipeline. Montara Creek flows are diverted into a 77,000-gallon concrete raw water tank where suspended solids are allowed to pre-settle prior to treatment at the AVWTP. Treated water is stored in the 462,000-gallon Alta Vista storage tank, and then conveyed to the distribution system. MWSD's water rights allow diversions from Montara Creek of up to 200 gallons per minute (gpm).

Groundwater is currently extracted at seven locations: North Airport Well, South Airport Well, Airport Well 3 (known as Airport wells), Drake Well, Portola Estates Wells I and IV, and Wagner Well. There are three additional wells in place, Park and Portola Estates II and III; the first two are out-of-service due to higher-than-acceptable iron and manganese levels and have not contributed to system production in the last few years. Park and Portola Estates II wells are permitted as standby by the California Department of Health Services.

Table 1 presents a summary of the existing MWSD water supply capacity and presents a calculation of the reliable capacity (source MWSD System Master Plan).

Supply Source	Capacity (gpm)
Montara Creek	70
Airport Wells Water Treatment Facility	225
Five other groundwater wells	171
Total Production Capacity	466
Total Reliable Capacity with the Largest Single Source Out of Service	241

Source: MWSD System Master Plan

The MWSD does not have enough supply to meet existing demand. It needs additional supply and storage capacity to serve existing customers during times of drought and to satisfy existing requirements for emergency and fire services. In November 2008, the Commission certified a Public Works Plan for MWSD that includes development of an

additional groundwater well, storage tanks, and treatment facilities to adequately serve existing customers and meet emergency supply and storage needs. The approval limited the pumping of the new Alta Vista well to 150 gpm (averaged over a 24 hour period), which increases MWSD's total production capacity to 616 gpm. The approval was contingent on suggested modifications to the PWP prohibiting the new supply to be used for any expansion of service or provision of new water connections. The PWP's final certification is awaiting the District's action as to whether to accept or reject the Commission's suggested modifications, hence none of the proposed improvements have been developed.

Existing Demand in the MWSD Service Area

Existing demand in the MWSD service area exceeds supply. MWSD currently provides water service to 1,650 accounts, 90% of which are residential. Citizens Utility Company and California American Water Company (Cal-Am) formerly owned the water system that is now part of MWSD. MWSD took over the water system in 2003. In 1986, when the water system was owned by Cal-Am, the California Public Utilities Commission placed a moratorium on new water connections based on the finding that water supplies were inadequate to meet demands on the system. The moratorium was fully supported by California Department of Health Services and remains in place today. While the water system is currently owned by a special district and the moratorium imposed by the PUC is no longer applicable due to lack of jurisdiction, the MWSD board adopted regulations to extend the moratorium due to continuing serious shortage of water supply and storage for existing customers. As described above, new water supply associated with the District's Phase I Public Works Plan is limited to serving existing customers (with existing connections) only. This leaves approximately 317 homes without municipal service and these homes must rely on individual wells even though they are located within the urban area.¹⁴

MWSD Projected Supply and Demand at LCP Buildout

The County estimates that MWSD will need to provide total annual average of 0.95 million gallons per day (mgd) and total peak day water supply capacity of 1.72 mgd to serve buildout. The County's proposal to update the water consumption estimates in Table 2.9 of the LUP is as follows:

Montara Water and Sanitary District

The following is an estimate of water consumption at buildout for Midcoast properties served by the Montara Water and Sanitary District (MWSD). Based on 2001 and 2002 Midcoast water consumption data, annual average residential water consumption is assumed to be 87 gallons per day per person. Peak day consumption is generally 1.8 x annual average water consumption.

¹⁴ Personal communication with Clemens Heldmaier, Montara Water and Sanitary District 2/11/09

Non-residential water consumption is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The portion of Midcoast residential buildout expected to be served by a water supply utility is 6,993 units. Census 2000 showed average Midcoast household size as 2.78 persons per household. Based on the residential water consumption figure above (87 gdp), the estimated water supply capacity needed to serve Midcoast residential buildout is 1.69 million gallons per day (annual average consumption).

Utility service area maps show that MWSD serves approximately 47.4% of the Midcoast water supply area. Therefore, the water supply capacity needed for the Montara Water and Sanitary District to serve residential buildout is 0.80 million gallons per day (annual average) and 1.44 million gallons per day (peak day).

Non-Residential Uses

The acreage of non-residential water consuming uses served is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>9</u>
<u>Commercial Recreation (CCR)</u>	<u>4</u>
<u>Waterfront (W)</u>	<u>8</u>
<u>Light Industrial (M-1)</u>	<u>47</u>
<u>Institutional</u>	<u>31</u>

Based on the non-residential water consumption figures above, the water supply capacity needed for MWSD to serve each non-residential use at buildout is as follows:

<u>Land Use/Zoning</u>	<u>Gallons Per Day</u>
<u>Neighborhood Commercial (C-1)</u>	<u>18,000</u>
<u>Commercial Recreation (CCR)</u>	<u>6,000</u>

<u>Waterfront (W)</u>	<u>20,000</u>
<u>Light Industrial (M-1)</u>	<u>94,000</u>
<u>Institutional</u>	<u>15,500</u>
<u>TOTAL</u>	<u>153,500</u>

Combined Residential and Non-Residential Demand at Buildout

The total annual average water supply capacity needed for the Montara Water and Sanitary District to serve combined residential and non-residential buildout is 0.95 million gallons per day.

The total peak day water supply capacity needed for the Montara Water and Sanitary District to serve combined residential and non-residential buildout is 1.72 million gallons per day.

The County's proposed updated estimates do not take into consideration un-accounted water which is the difference between the amount of water produced and the amount of water metered and sold. This difference is mainly due to leakage, inaccurate meters, and un-metered water use such as water used for fire flow testing, hydrant flushing, and main repairs. MWSD assumes a 14 percent system loss rate for estimating future demands in its 2004 Water System Master Plan. There is no evidence in the County's submittal that the project water demands include accounting for system water losses. In order to more accurately project water demands, system losses must be factored in. Therefore, considering a 14 percent system loss, the amount of water that MWSD will need to produce to meet buildout would be approximately 1.08 mgd per day. In addition, the proposed estimates do not take into account maximum buildout numbers that could include residential units developed on substandard lots in MWSD's District (see Section 6.1.1). The County has not provided the number of substandard lots within MWSD's service area. Thus, considering these additional units (up to 2,400 units Midcoast wide were not counted in the buildout figures), the amount of water that MWSD will need to produce to meet buildout would be at least 1.08 mgd.

Currently, MWSD produces 0.67 million gallons per day and its safe yield is 0.347 gallons per day. With the new Alta Vista well, pumping at 150 gallons per minute, MWSD would increase the total supply by 0.216 million gallons per day, which would bring up the average daily supply to 0.886 million gallons per day and the safe yield to 0.56 million gallons per day, which would still be short of the 1.08 mgd projected demand that factors in system losses. In addition, the Commission's approval of the Public Works Plan Phase I prohibits any additional water pumped from the Alta Vista well to be used to supply new connections; such additional water may only be used for existing customers and emergency water demands. In order to increase the Alta Vista well pumping rate, the District must apply for an amendment to the Public Works Plan. In order to obtain Commission approval, it must be demonstrated with sufficient evidence that the increased pumping rate will not impact nearby wetlands, riparian

areas, and sensitive habitats. Also, any increase in water supply or distribution capacity, to provide additional service connections in excess of the limitations of this Public Works Plan Phase I, including any augmentation or reallocation of existing water supplies, or changes to the District service area, requires an amendment to the PWP. In reviewing the proposal, the Commission will have to evaluate whether the proposed increase in water supply and/or distribution capacity is in phase with the existing or probable future capacity of other area infrastructure, including but not limited to the need for an adequate level of service for Highways 1 and 92 as required by the local coastal program. Therefore, there is a great deal of uncertainty as to whether the Alta Vista well or any other source of supply will be able to serve buildout demands.

According to MWSD's Water System Master Plan, "further development of local groundwater resources represents the best option for meeting short term water supply needs." The Master Plan identifies four potential sites for additional groundwater, including one of them being the Alta Vista site, and two other sites that would need to be acquired by MWSD before exploration for groundwater could begin. The only other site identified in the plan is McNee Ranch which is estimated to produce 0.071 million gallons per day. In the letter from MWSD's General Manager to the County, MWSD indicates that the Alta Vista well site was found after drilling eight test wells in the area.

The other potential source of water supply MWSD is considering as a long-term solution is desalination, which is a process that removes dissolved minerals from seawater, brackish water of treated wastewater. The Master Plan states "seawater desalination may be considered a long-term option, particularly if the opportunity arises to develop this resource on a regional basis."

As discussed above, MWSD currently has a water moratorium and any additional water from the Alta Vista well is currently only permitted to serve existing customers and provide emergency supply. There is no available evidence indicating that MWSD will have another significant source of water supply that would allow MWSD to lift the water moratorium and to serve the County's proposed water demand at buildout.

The following table provides a summary of available supply and projected demands.

Available Supply (normal)	Available Supply (Safe yield)	Projected Supply with Alta Vista Well in Production	Projected Demand	Projected Demand Factoring 14% System Loss	Deficit
0.67 mgd	0.347 mgd	0.886 mgd	0.95 mgd	1.08 mgd	-0.194

Coastside County Water District (CCWD) Water System

The Coastside County Water District provides water to three communities in the San Mateo County Midcoast, Miramar, Princeton by the Sea, and El Granada, and the entire

City of Half Moon Bay. The service area's boundaries extend approximately 9.5 miles north to south along the coast and 1.5 miles east to west.

CCWD currently has three water supply sources including (1) water purchased from the San Francisco Public Utilities Commission (SFPUC) at Pilarcitos Lake and Crystal Springs Reservoir, (2) Pilarcitos Well Fields and (3) the Denniston Project which includes water from Denniston wells and stream diversions from Denniston and San Vicente creeks.

CCWD Supply sources owned by the San Francisco Public Utilities Commission (SFPUC):

The District purchases water under an agreement (Master Contract) executed in 1984 from two sources owned and operated by SFPUC (1) Pilarcitos Lake and (2) Upper Crystal Springs Reservoir. While the terms of this agreement are complex, the District is currently entitled to purchase a minimum of about 800 MG (million gallons) annually except in drought years when mandatory water rationing is in effect. The Master Contract between the District and the SFPUC expires in 2009 at which time a new contract will be negotiated and implemented, but increased supply from this source is unlikely. The San Francisco Public Utilities Commission just approved the Water System Improvement Project, which stipulates that through 2018 it will not provide increases in water deliveries from its sources, and states that wholesale customers will have to generate their own local sources and/or implement conservation and recycled water schemes to meet their demands.

The transmission pipelines from each of the two sources from SFPUC interconnect in upper Pilarcitos Canyon. Water can be purchased from only one of these sources at any one point in time because of the system hydraulics including a check valve in the pipeline from Pilarcitos Lake.

Pilarcitos Lake

Water from the Pilarcitos Lake source is normally only available during the winter and spring months because the SFPUC seeks to keep the lake relatively full for use during emergencies. In addition, the District's transmission pipeline from Pilarcitos Lake has a limited capacity of 1,889 gpm (gallons per minute). This limited flow rate is caused by the restriction of the 2,200 linear feet of 50-year-old 12-inch diameter steel pipeline between the SFPUC service connection and northerly end of the 18-inch diameter Pilarcitos Canyon pipeline. The District estimates the safe yield of Pilarcitos Lake to be 520 MG per year. The Pilarcitos Lake supply source is important to the District because the flow is by gravity (no pumping required) from the SFPUC service connection to the District's Nunes Water Treatment Plant (WTP). This gravity flow results in low operating cost and high dependability.

Crystal Springs Reservoir

The District pumps water from Upper Crystal Springs Reservoir through an 18-inch diameter transmission pipeline to the Nunes WTP. Water from the Crystal Springs

source is available throughout the year on an as-needed basis. The Crystal Springs project was designed for an ultimate capacity of 12.0 MGD, but the initial capacity to provide water to Half Moon Bay is 4.5 MGD as determined by the capacity of the Nunes WTP. Expansion of the project capacity requires the approval of the SFPUC.

The Crystal Springs supply source is important to the District because Crystal Springs Reservoir is inter-tied with SFPUC's main supply source, the Hetch Hetchy system. The Crystal Springs supply is more expensive than the other supply sources because of pumping electrical power costs, and is not totally dependable because of the lack of a standby power system at the Crystal Springs pump station.

Pilarcitos Well Field

This well field, located in Pilarcitos Canyon between Pilarcitos Lake and Highway 92, is owned and operated by the District. Operation of this well field is limited by a State-issued water rights license to the period November 1 through March 31 of each year. Also, the license limits the maximum pumping rate to 673 gpm and annual production to 117 MG. Because the production of these wells is dependent upon infiltration from the Pilarcitos Creek stream flow, their yield is extremely low during drought years.

Denniston Project

The Denniston Project has two water supply sources: Denniston Wells and Denniston Surface Water (stream diversions). The Denniston Project is located in the vicinity of the Half Moon Bay Airport. The District owns and operates these water production facilities.

Denniston Surface Water

Water may be diverted from both Denniston and San Vicente Creeks under a State issued water rights permit, but currently there are no facilities for diversion of water from San Vicente Creek. The water production available from these surface water sources during the summer months is limited by the amount of flow in the creeks, or, in other words, the amount of diversion allowed under the water rights permit is greater than the amount of flow in the creeks during the summer months. During drought years the production from these creeks is extremely low because of the small watershed area.

Denniston Wells

The production from the Denniston area wells is not under the control of a water rights permit, but a Coastal Development Permit limits annual total production of the well field to 130 MG. The production from the Denniston well field decreases substantially during drought periods due to lowering of the water table in the Denniston groundwater basin.

Total CCWD Supply

According to the 2006 Water Supply Evaluation Report, the estimated annual production capability in million gallons is as follows. Also represented in the table are actual 2006 and 2007 production numbers.

Supply Source	2006 Estimated Drought Yield (Safe Yield)**	2006 Estimated Normal Yield**	2006 Actual Production**	2007 Actual Production***	2008 Actual production
SFPUC (Crystal Springs Res. and Pilarcitos Lake)	600 ¹⁵	800 ¹⁶	717	817.96	753.64
Pilarcitos Well Field	16 ¹⁷	53 ¹⁸	49	21.92	29.65
Denniston Surface Water	101 ¹⁹	204 ²⁰	103	121.07	52.92
Denniston Groundwater	43 ²¹	55 ²²	13	21.35	11.93
Annual Total	760	1112	882 gross 859.3 produced and delivered to the system	982.3 (gross) 876.9**** produced and delivered to the system	848.1****

**Source: CCWD Water Supply Evaluation Report Calendar Year 2006

***Source: CCWD Fourth Annual Report to Special Condition No. 3 of CDP Nos. A-2-SMC-99; A-1-HMB-99-20, Exhibit G Monthly Water Production for Each Supply Source

****Source: Personal communication with Cathleen Brennan, Water Resources Analyst, CCWD

The 2006 Water Supply Evaluation Report states that available water during non-drought years is above the District's current requirements, but that "however, during drought years, like 2006 when the "production requirement" was 880 gpm, the production requirement exceeded the estimated drought yield supply of 160 by 120 MG demand figure, which would require a cutback of 14%. During the most recent drought (1989 – 1992), San Francisco Public Utilities Commission mandated a 20-25% reduction of water use by each of its suburban customers, and therefore the current drought yield supply is sufficient for drought years with similar SFPUC mandated water rationing. Should another water reduction occur which is not mandated by the SFPUC,

¹⁵ Based on the SFPUC Agreement less 25% mandatory rationing which has been imposed by SFPUC during recent droughts.

¹⁶ Based on SFPUC Agreement amount

¹⁷ Based on historical year of lowest production, 1977

¹⁸ Average production since 1983

¹⁹ Based on historical year of lowest production, 1977

²⁰ Average production since 1992, when the maximum capacity of the Denniston WTP was decreased to 700 gpm for compliance with the Surface Water Treatment Rule.

²¹ Based on well production capability at end of 1991. Well production was low this year because it was during a drought period when flow in the creek was minimal.

²² Based on well production during 1995 during which production was maximized

the District can refer to its Water Shortage Contingency Plan that was adopted in June of 2005.

Existing Demand in CCWD Service Area

In 2008, CCWD had a total of 7,589 accounts. 60% of the District's water sales were sold to the residential sector. The second major water user is the floriculture sector, totaling 13% of sales.²³

In 2008, existing customers of CCWD demanded 768.5 million gallons of water. In order to supply this amount, the district had to produce and deliver to the distribution system more water than it sold because of unaccounted water use, inaccurate meters, and pipeline leakages. In 2008 CCWD produced and delivered to the distribution system 848.1 mg. Between 2001 and 2008, CCWD sold approximately 750 to 850 million gallons of water per year and produced between 850-934 million gallons per year. In 2008 the amount of unaccounted for water was 9.38%.¹⁷ CCWD states that according to the Memorandum of Understanding with the California Urban Water Conservation Council (CUWCC), unaccounted water loss should be no more than 10% of total water into the water supplier's system.²⁴ On average, over the past 34 years, CCWD's unaccounted water is 9.50%.

Limitations from Phase I Crystal Springs Project

When the County approved the Phase I Crystal Springs Pipelines Project in 1993, it allowed CCWD to supply a total of 2,503 non-priority and 1,043 priority water connections. CCWD has sold all of the non-priority connections and approximately two thirds of the priority connections. While all of the non-priority connections have been sold, there are approximately 1,093 non-priority connections that remain uninstalled. According to CCWD, to finance the Phase I Crystal Springs project, all non-priority service connections that would be created by the project were made available for purchase before the completion of the project in 1994. As a result, most of the non-priority connections were sold before the completion of project to anyone who owned a lot with an assessor parcel number in the CCWD service area regardless of whether the connections would serve any existing or planned development. Because the sale of the connections was not associated with actual development needs at the time of the sale, there are approximately 1,093 sold connections that remain uninstalled today.

There are also 109.5 priority connections sold but uninstalled, and 175 unsold priority connections and 202.5 connections reserved for affordable housing. CCWD defines non-priority connections as residential, general commercial, and general industrial and defines priority connections as public recreational, visitor serving commercial, coastal dependent industrial, and agriculture.

²³ Personal communication with Cathleen Brennan, CCWD Water Resources Analyst, January 2009

²⁴ CCWD 2006 Water Supply Evaluation Report

Assuming that the 1,093 non-priority connections will be used for residential purposes, based on the County's calculation of 87 gallons per day per person and 2.78 persons per household, the outstanding uninstalled non-priority connections translate into approximately 96,488,837 gallons of water demand per year.

The 487 uninstalled/unsold priority connections equal roughly 161 million gallons per year in demand²⁵.

In total, outstanding connections from the Phase I Crystal Springs Project represent approximately 257 million gallons per year of additional water demand which means, assuming a 10% systems loss of water, CCWD would need to produce approximately 283 million gallons of water a year to supply the demand from the outstanding un-used available connections. After every connection from the Phase I Crystal Springs Project is installed, the total water demand would be between approximately 1,128 to 1,266 mg per year (using the lowest and the highest amounts of annual water production from the year 2001 to 2007), exceeding the normal year capacity of 1,120 mg CCWD currently has available, and drastically exceeding the 760 mg available during drought years.

CCWD Projected Supply and Demand at LCP Buildout

The County has determined that "the total peak day water supply capacity needed for the Coastside County Water District to serve combined residential and non-residential buildout is 2.23 million gallons per day. The total annual average water supply capacity needed for the Coastside County Water District to serve combined residential and non-residential buildout is 1.24 million gallons per day." 1.24 million gallons per day is 452.6 million gallons per year. Specifically the County's update provides the following estimates:

The following is an estimate of water consumption at buildout for Midcoast properties served by the Coastside County Water District (CCWD). Based on 2001 and 2002 Midcoast water consumption data, annual average residential water consumption is assumed to be 87 gallons per day per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>

²⁵ The total sale of priority water in 2006 was 181.3 mg. According to Dave Dixon, general manager of CCWD, there's a total of 555 priority connections installed. Each priority connection therefore consumes 0.33mg on average.

<u>Institutional</u>	<u>500 gallons per acre per day</u>
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Residential Use

The portion of Midcoast residential buildout expected to be served by a water supply utility is 6,993 units. Census 2000 showed average Midcoast household size as 2.78 persons/household. Based on the residential water consumption figure above (87 gdp), the estimated water supply capacity needed to serve Midcoast residential buildout is 1.69 million gallons per day (annual average consumption).

Utility service area maps show that CCWD serves approximately 52.6% of the Midcoast water supply area. Therefore, the water supply capacity needed for the Coastside County Water District to serve residential buildout is 0.89 million gallons per day (annual average) and 1.60 million gallons per day (peak day).

Non-Residential Uses

The acreage of non-residential water consuming uses is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>15</u>
<u>Commercial Recreation (CCR)</u>	<u>41</u>
<u>Waterfront (W)</u>	<u>31</u>
<u>Institutional</u>	<u>18</u>
<u>Agriculture (Floriculture) (PAD)</u>	<u>(see below)</u>

Based on the non-residential water consumption figures above, the water supply capacity needed for CCWD to serve each non-residential use at buildout is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>30,000</u>
<u>Commercial Recreation (CCR)</u>	<u>61,500</u>
<u>Waterfront (W)</u>	<u>77,500</u>
<u>Institutional</u>	<u>9,000</u>
<u>Agriculture (Floriculture) (PAD)</u>	<u>170,000</u>
<u>TOTAL</u>	<u>348,000</u>

Combined Residential and Non-Residential Demand at Buildout

The total annual average water supply capacity needed for the Coastsides County Water District to serve combined residential and non-residential buildout is 1.24 million gallons per day.

The total peak day water supply capacity needed for the Coastsides County Water District to serve combined residential and non-residential buildout is 2.23 million gallons per day.

CCWD also serves the City of Half Moon Bay, which according to the City's LCP amendment submittal, based on a 1.5 percent growth rate (as mandated by the Measure D growth control ordinance passed by voters in 1999), the City will have a population of 17,182 by 2025 and an additional 1556 dwelling units from 2005 figures. This means that based on the County's figure of 87 gallons per day per capita, the residential water needs of Half Moon Bay alone would be 545.6 million gallons per year. Combined with the buildout water demand from the Midcoast, total demand, excluding non-residential uses in Half Moon Bay, would be 998.2 million gallons a year. Since the District will need to produce more water than what it sells due to losses in the system, actual demand, assuming a 10 percent system wide water loss, would be approximately 1,100 million gallons per year for CCWD at buildout of both the Midcoast and residential use by Half Moon Bay.

As noted above CCWD's annual drought yield is 760 million gallons, and average yield is 1,120 million gallons. Because the estimation above of 1,100 million gallons per year for combined water demands of buildout of both the City and the Midcoast does not include non-residential water demands in the City of Half Moon Bay, it is very likely that total demand for buildout of the Midcoast and the City, including all residential and non-residential uses, would exceed existing supply of 1120 million gallons per year.

In the March 24, 2005 letter, CCWD acknowledged that additional surface water and groundwater supplies will be needed to meet buildout demands (see exhibit 8).

In addition to development of local water supplies, CCWD's latest Urban Water Management Plan (2005), indicates that CCWD plans to acquire a significant portion of its water supply from the SFPUC and anticipates supply from local sources to also significantly diminish.

A summary of the District's existing and planned water supply sources is given below in Table 7. When estimating future water supply for the SFPUC's Capital Improvement Program, the District chose a 2030 purchase range of 2.24-3.017 mgd (2,510-3,380 AFY) from the SFPUC. This range includes a 0.183 mgd (205 AFY) of water conservation savings. Table 7 illustrates the District's planned water supplies assuming significant loss in local water supplies due to unreliability from water quality, permitting, and drought situations.

Table 7: Current and Planned CCWD Water Supplies – AFY (Acre Feet per Year)
1 Acre Feet =325,851 Gallons

Water Supply Sources	2005	2010	2015	2020	2025	2030
SFPUC	2,117	2,980	3,081	3,182	3,272	3,350
Groundwater	129	78	56	56	44	33
Surface Water	647	67	56	56	44	44
Recycled Water (projected use)	0	0	0	0	0	0
Desalination (projected use)	0	0	0	0	0	0
Conservation	168	168	212	212	205	205
Total	3,061	3,293	3,405	3,506	3,565	3,632

Limitations in Developing Additional CCWD Supply

There are several limitations to CCWD's ability to increase water supply above existing levels, among them are (1) the fact that no increase in water supply or distribution capacity is permissible within the CCWD Service District in excess of phase I limitations unless the capacity of other infrastructure is sufficient to serve the increased level of development served by increased water supply; (2) Uncertainty of additional water from SFPUC, and (3) limitations of local water supplies.

Commission's CDPs for the El Granada Pipeline Replacement Project

CCWD's El Granada Pipeline Replacement Project was appealed to the Commission in 1999 and in 2003 the Commission approved the coastal development permits (A-1-HMB-99-20 AND A-2-SMC-99-63) with conditions that prohibits CCWD from increasing water supplies beyond existing Phase I of the Crystal Springs Project's service capacity unless regional traffic conditions improves to a level that will be able to accommodate the additional growth that would be supported by any additional water supply. Specifically, Special Condition 4d states:

No increase in water supply or distribution capacity shall be permitted within the CCWD Service District in excess of the Phase I limitations specified in 4.A. above, unless the existing or probable future capacity of other related infrastructure, including but not limited to the San Mateo County Mid-Coast and City of Half Moon Bay regional transportation system, is sufficient to adequately serve the level of development that would be supported by the proposed increase in water supply and/or distribution capacity. Adequate level of service for Highways 1 and 92 shall be defined, at a minimum, as Level of Service (LOS) C except during the peak two-hour commuting period and the ten-day average peak recreational hour when LOS E is acceptable, unless the permittee must abide by a stricter standard that is required under the applicable LCP at the time that such permit application is considered.

As discussed in the Transportation section (6.1.2), the Level of Service on Highways 1 and 92 is at capacity and will get worse within the foreseeable future. It is therefore doubtful that conditions under which the CCWD would be allowed to increase water supply or distribution capacity will be met in the next 20-30 years.

SFPUC

As indicated above, CCWD plans to purchase an additional 2.24-3.017 mgd to meet projected increase in demand. While it is guaranteed 800 million gallons per year during non-drought years through a supply assurance currently contracted with the SFPUC, the Master Contract terminates in 2009. The San Francisco Public Utilities Commission just approved the Water System Improvement Project, which stipulates that through 2018 it will not provide increases in water deliveries from its sources, and states that wholesale customers will have to generate their own local sources and/or implement conservation and recycled water schemes to meet their demands. After 2018 and through 2030 the SFPUC will re-evaluate the situation, and therefore supply assurance is uncertain in the future. Because of the environmental challenges to increasing diversions of water from the Tuolumne River (the SFPUC's main source of water), increased supply to wholesale customers is unlikely and local conservation will continue to be a priority. A July 28, 2006 letter from Bern Beecham of BAWSCA to its member agencies, illustrates the uncertainties exist in terms of future supply from the SFPUC (exhibit 10).

Limitations of Local Supplies in CCWD Service Area

The 2006 Water Supply Evaluation Report notes the limitations on the local supplies, including the Denniston Project and the Pilarcitos Well Field. In regards to the Denniston Project, the report notes that the water production from the surface water sources including Denniston and San Vicente Creeks during the summer months is limited by the amount of flow in the creeks, and the amount of diversion allowed under the water rights permit is greater than the amount of flow in the creeks during the summer months. During drought years the production from these creeks is extremely low because of the small watershed area. The production from the Denniston area wells is under the control of a coastal development permit which limits annual total production of the well field to 130 MG. The production from the Denniston well field decreases substantially during drought periods due to lowering of the water table in the Denniston groundwater basin.

In addition, the Pilarcitos Well Field, located in Pilarcitos Canyon between Pilarcitos Lake and Highway 92, is limited by a State-issued water rights license to the period November 1 through March 31 of each year. Also, the license limits the maximum pumping rate to 673 gpm and annual production to 117 MG. Because the production of these wells is dependent upon infiltration from the Pilarcitos Creek stream flow, their yield is extremely low during drought years.

CCWD's March 2005 letter to the County discusses the potential of additional water supplies from the lower Pilarcitos Creek groundwater (exhibit 8). The District has constructed a series of test wells and completed a feasibility study for using the Lower Pilarcitos Creek groundwater basin as a source of water supply. The feasibility study report states that the estimated annual production from the completed project would range from 129 mgd during drought years to 259 mgd during normal precipitation years. However the feasibility study only analyzed potential threat of salt water intrusion and not any other environmental concerns including impacts on in-stream flows and the sensitive riparian habitats of Pilarcitos Creek and wetlands.

Additional Demands at Buildout from Uncalculated Substandard Lots

As stated above in the Buildout section (6.1.1), the County's estimation of projected residential demand is not entirely accurate because the buildout numbers do not incorporate potential development that could occur on approximately 2,400 substandard lots. Since most of the substandard lots are not located in the Resource Management or PAD, this would mean approximately 2,400 more units would require water in the urban Midcoast, which means an additional 0.484 mgd of demand combined for both water districts.

Private Wells and Groundwater

Another source of water supply serving residential development in the Midcoast is groundwater extracted from private wells. Because of MWSD's moratorium on new water connections and the lack of available non-priority connections for purchase from CCWD and the high cost of purchasing uninstalled connections from a third party²⁶, many residential developments within the Midcoast are developed with private wells, and much of this development using private wells is exempt from coastal development permitting requirements due to the County's interpretation of its Commission-approved categorical exclusion order, which excludes single family residences within certain geographic areas. Because of a lawsuit filed by a local property owner with a well, the County has interpreted the categorical exclusion to be applicable to single family residences in the categorical exclusion area that are developed with private wells. The combination of the above factors has led to the development of 946 private wells (as of 2006) in the urban Midcoast, most of which tap into a shallow water aquifer.

There have been instances of failed wells over the years. Four of the 10 priority connections reserved within the CCWD service area under existing certified LCP Policy 2.8d for failed wells have been installed. It is unclear how many wells have failed within the MWSD's service area. Residences with failed wells are not able to connect to the

²⁶ CCWD allows the transfer of water connections within its service area. If a property owner who does not currently own a water connection wishes to develop a residence, he/she can purchase a connection from someone who currently owns a non-priority connection and the connection would be transferred to the property with the residential development. However, the cost of these non-priority connections are not regulated and is relatively high. According to a City of Half Moon Bay staff report from 2005, a non-priority connection was valued at \$25,000 at the time, this price might be even higher today.

public water system within MWSD's service area due to the moratorium and therefore may be reluctant to report failed wells due to fears that their residences may be declared uninhabitable by the County. There have been six failed wells in Half Moon Bay as well. As a part of this submittal, the County proposes to re-allocate additional priority water connections, 40 in total, to be reserved for failed well emergencies, indicating that the County is anticipating more failed wells in the future.

Commission staff recommended that the Commission rescind the categorical exclusion in 1987 due to concerns for groundwater impacts and the lack of public services to serve an urban area. However the Commission, in 1987, decided not to rescind the categorical exclusion order partly because groundwater impacts had not yet been sufficiently analyzed and partly based on the County's promise to conduct a comprehensive groundwater study to determine the capacity and sustained yield of the region's groundwater. Since 1987, there have been several hundred additional private wells within the Midcoast, and as of the writing of this staff report, there is no clear indication of what the impact of these wells have been on the groundwater supply since a draft of the County's groundwater study has not yet been released to the public for review. However, preliminary discussions of the study's findings with County staff indicate a cause for concern in many of the sub-basins at issue; that is, there appears to be a need for comprehensive groundwater management plan to assure that overdrafting does not occur in the future, or that additional private wells fail.

Consistency of Proposed LCP with Coastal Act

As a part of this LCP update, the County proposes to (1) update water demand projections based on updated buildout numbers and (2) reallocate water capacity reserved for floriculture to priority connections for failed wells and affordable housing.

Water Demand Projections

While the County does not propose any specific policy changes concerning water supply management and use it does propose to update the projected water demand at buildout which prompts an evaluation of the current water supply situation in the Midcoast, the planning realities facing the public water districts, and whether the County's existing water demands and the newly updated water demand projections could be supplied in a manner consistent with Coastal Act policies 30250, 30254, and 30231.

Section 30250 of the Coastal Act requires new development to be located in areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. Section 30254 of the Coastal Act allows the expansion of public works facilities only if it would not result in growth inducing effects, and also requires that where there is limited capacity, that priority uses shall not be precluded by other, non-priority development, such as residential use. Finally Section 30231 requires the biological productivity of coastal waters be

maintained and where feasible restored through, among other means, preventing depletion of groundwater supplies and substantial interference with surface water flow.

To be consistent with the above sections of the Coastal Act, water supply for the planned buildout in the urban Midcoast should (1) be adequate and provided by the public districts serving the area, MWSD and CCWD, (2) not induce growth beyond other public service capacities, including road and transportation and wastewater treatment capacity, (3) reserve sufficient capacity for priority uses, and (4) be developed in a manner that would not conflict with the maintenance of biological productivity of coastal water or result in significant adverse impacts to any other coastal resources.

The proposed LCP Update, including planned buildout and water demand projections are not consistent with Coastal Act Section 30250 that requires adequate public services for development consistent with the protection of coastal resources to serve them because MWSD does not have capacity to serve existing needs and neither MWSD nor CCWD has assured supplies to meet ultimate projected water demands at buildout. The submittal is also inconsistent with Section 30231 of the Coastal Act because it does not address the impacts of private wells. A significant amount of development is being served by private wells instead of public water service providers with unknown impacts to groundwater resources sensitive stream, riparian, and wetland habitats. The potential for additional failed wells, which would place added pressure on the already limited public supply, is a serious concern as well.

In order to find the proposed amendment consistent with the Coastal Act, new policies and development standards are needed that better reflect the reality of existing service capacity deficits within MWSD service area, prohibit the development of private wells in the urban area to ensure that development can be served by public infrastructure and address the implications of developing additional water supplies for both MWSD and CCWD.

A consequence of MWSD's on-going water moratorium, the market rate of CCWD's non-priority connections, and the County's interpretation of the Categorical Exclusion order, is the proliferation of private wells in the Midcoast, which, based on latest available data, total 946. The development of private wells within an urban area with designated public water providers is clearly inconsistent with Section 30250 of the Coastal Act that requires new development be served with public services. According to MWSD staff, most of the wells drilled in the Midcoast tap into shallow aquifers. Because the County has not released the Midcoast groundwater study, it is unclear what the cumulative impacts of these wells are on the groundwater resource and sensitive aquatic habitats including streams, wetlands and riparian zones. However, County staff has indicated that the data supports a conservative approach to managing groundwater and has indicated that until a comprehensive groundwater management plan is developed, it may be prudent to prohibit private wells in the Midcoast.

The existing LCP also does not prohibit nor provide any standards for private wells in the urban area, only wells that provide community water supply. To ensure consistency

with Coastal Act sections 30250, 30231, and 30240, and in light of the significant development of private wells since LCP certification, the failure of some wells, indications that additional failures are anticipated, and preliminary evidence of groundwater issues in certain areas, private wells in the urban Midcoast should be prohibited. Coastal Act 30250 requires new development to be served by public infrastructure. County's existing LCP Policy 1.3 defines urban area as "served by sewer and water utilities." Allowing development to be served by private wells in the urban Midcoast is clearly inconsistent with Coastal Act 30250 and LCP Policy 1.3. At the time of LCP certification the Commission acknowledged that County policy, as embodied in the LCP's Montara-Moss Beach-El Granada Community Plan, was to "confine future development to areas... served by utilities," consistent with the Coastal Act. Thus, no modification of the LCP to clearly require that new urban development be served by public services was proposed. In addition, prohibition of private wells would ensure the protection of groundwater supply and water quality as well as sensitive aquatic habitats. Therefore, the Commission imposes suggested modifications prohibiting private wells in the urban area.

Suggested modifications also addresses the possibility of a desalination plant being explored by MWSD. The Commission has worked extensively on issues related to desalination in the coastal zone and the protection of coastal resources (see the Commission's report on desalination (<http://www.coastal.ca.gov/energy/14a-3-2004-desalination.pdf>)). Such projects raise a host of coastal resource protection issues, including growth inducement, water quality and marine habitat impacts, and public water supply management. To assure that any future desalination plant addresses these concerns, a proposed modification is needed to add a standard concerning desalination.

Other suggested modifications change the demand projections in Table 2.9 (County Exhibit D) to include each district's systems losses and to eliminate the old table to provide clearer guidance and avoid any confusion when the special districts use this table as a planning tool for future supply projects.

Re-allocation of Priority Water for Affordable Housing and Essential Public Services (Failed Wells)

The County proposes to reallocate 20,000 gallons a day of water from Floriculture, a Coastal Act priority use, to failed wells, which falls under the essential public services category in the LCP and to affordable housing, which is designated an "LCP priority use" (see Exhibit 1, County Exhibit "E") (Affordable housing is not a priority use defined in Section 30254 of the Coastal Act. Each water district would reallocate 10,000 gallons a day from floriculture and would reserve connections for 20 units of affordable housing and 20 residences with failed wells).

Existing LCP Policy 2.8d currently requires CCWD to reserve 10 priority connections for failed wells. The County's proposal would mean that CCWD would reserve a total of 30 priority connections for failed wells and MWSD would reserve 20 connections.

Section 30254 of the Coastal Act provides that where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

MWSD

The County is proposing to reallocate 10,000 gallons per day reserved for Floriculture to affordable housing and failed wells in MWSD's service area. Failed domestic wells for single family dwellings are categorized under essential public services in the existing LCP. Essential public services are considered priority uses in Coastal Act Section 30254. Affordable housing is an LCP priority use, but not a Coastal Act priority use. As stated above, MWSD is currently under a moratorium for new water connections. As of the writing of this staff report, it is unclear how much new supply MWSD could develop, and to what extent this new supply would be able to serve the Table 2.17 Coastal Act and LCP priority uses within MWSD's service area. Since there is no available supply for any new connections, reallocations of water supplies under the proposed policy is a meaningless exercise under current conditions. However, if new water supplies are found and approved, MWSD has expressed its desire to provide connections to residents with failed wells. The Commission finds that serving homes with failed domestic wells within the urban area is an "essential public service," and consistent with Section 30254 only if the proposed LCP is modified to prohibit new domestic wells within the urban area (See below).

The reallocation of water from floriculture to affordable housing does not correspond with the reality of MWSD's existing capacity deficit and uncertain future supply capacity, nor is it consistent with Coastal Act requirements to reserve water supply for priority uses when existing and planned public works can accommodate only a limited amount of new development. Therefore, suggested modifications delete the proposed reallocation of water reserved for the floriculture industry to affordable housing. Further, to ensure that when supplies do become available, MWSD reserves sufficient capacity for Coastal Act priority uses, suggested modifications are necessary that specifically require reservation of adequate capacity for Coastal Act priority uses and the updating of Table 2.17 in the LCP when any capacity expansion projects are approved. In addition, to ensure that the Coastal Act priority uses identified on Table 2.17 are not precluded by other uses, the suggested modification to Policy 2.29 of the LCP requires that all new water supplies provide priority to the Coastal Act priority uses identified on Table 2.17 over the LCP priority uses such as affordable housing.

CCWD

There are currently approximately 487 uninstalled Phase I Crystal Springs Project priority connections within the CCWD district. The County has demonstrated that there is excess capacity currently allocated for Floriculture in the Midcoast and proposes to re-allocate the capacity for failed well emergencies and affordable housing. As described above, re-allocation of existing excess priority for failed wells priority uses is

consistent with section 30254 of the Coastal Act. However, the reallocation of priority water to affordable residential uses, which are not a priority, has not been adequately justified by the County and must be deleted. Suggested modifications also are imposed to ensure that new water supply expansion projects will reserve sufficient capacity for Coastal Act priority uses and that if there are any conflicts in demand between Coastal Act priority use and LCP priority uses identified in Table 2.17, the Coastal Act priority use identified in Table 2.17 shall supersede the needs of the LCP priority use designated on Table 2.17.

6.1.4. SEWER CAPACITY

Background

Wastewater treatment for the Mid-coast communities of El Granada, Montara, Moss Beach and Miramar is provided by the Sewer Authority Mid-Coastside (SAM). SAM was formed in 1976 as a Joint Powers Authority and consists of three member agencies: the City of Half Moon Bay, the Granada Sanitary District, and the Montara Water and Sanitary District. The SAM service area is approximately 12 square miles of which half of the service area is within the boundaries of the City of Half Moon Bay and the remainder equally divided between Granada Sanitary Water District and Montara Water and Sanitary District. The three member agencies retain ownership and responsibility for their individual collection systems and they have separate capital improvement programs. SAM operates the primary sewer treatment facility in the City of Half Moon Bay. This facility provides secondary sewer treatment from wastewater generated by all of the Mid-coast communities and the City of Half Moon Bay.

Wastewater effluent from residential and non-residential land uses is delivered to the treatment plant by the Intertie Pipeline System (IPS). IPS consists of a series pump stations located throughout the Mid-coast including 5.8 miles of forcemains, 1.9 miles of gravity sewers, and 8-miles of large-diameter long pipe that parallels Highway 1 from Montara to the SAM treatment plant. After secondary treatment, the treated effluent is discharged via an ocean outfall that extends approximately 1,900 feet offshore to a depth of 40 feet below mean sea level into the Monterey Bay National Marine Sanctuary (MBNMS). MBNMS is a federally protected marine area that stretches from Marin to Cambria, encompassing a shoreline length of 276 miles and 5,322 square miles of ocean.

Existing Capacity of SAM Sewer Treatment Plant

Wastewater treatment capacity is customarily measured as Average Daily Dry Weather Flow (ADDWF) in million gallons per day. Actual flow through the treatment plant varies by time of day, day of the week, and by season as the community's water use and wastewater generation fluctuates. Wet weather increases flow at the treatment plant as rain fall enters the sewer system by groundwater infiltration into the sewer pipes and by surface runoff into drains and vents. Wet weather flows that impact the sewer system are termed Infiltration and Inflow (I&I).

In 1994, the Coastal Commission issued CDP 1-94-111 to SAM that authorized the expansion of the wastewater treatment plant from treating 2.0 million gallons per day (mgd) to treating 4.062 mgd. The expansion was authorized as necessary to accommodate build-out under the existing LCP for the Mid-coast communities including residential, non-residential, and priority uses [See Table 2.3 of existing LCP – Exhibit 1]. To determine the capacity that was needed for the expansion, the Sewage Generation Factor of 70 to 100 gallons per day per person from Table 2.3 was used by taking the mid-point of that range – 85 gallons per day per person – and multiplying that number by the household size of 2.6 people per household to come up with an estimated demand of 221 gallons per day per household. Flow records from the Mid-coast area were used to verify the desired capacity of the plant expansion. These records indicated that in the mid 1980s wastewater flows averaged between 183 and 203 gallons per day per household. The planning figure of 221 gallons per day per household was considered “modestly higher” than actual observed flows but a “necessary contingency” as stated by the applicant (SAM) to allow adequate operation in wet years and accommodate shifts in household wastewater generation. [Findings from 1994 SAM Treatment Expansion CDP Staff Report].

The Environmental Impact Report (EIR) completed for the SAM expansion also recognized that the 85 gallons per day per person was an intentionally conservative number used for planning purposes because “actual wastewater generation is a complex function of population size, lifestyle, income level and weather and is difficult to measure precisely.” The EIR also states that the “design planning value chosen is conservative in that it must allow the plant to treat high flows resulting from unusually wet years or from changing household wastewater generation.” (SAM EIR, Page IV-2)

SAM has completed the treatment plant expansion authorized under the CDP in 1994. For the purposes of reviewing this LCP Update, the treatment facility is assumed to allocate half of its capacity to the Mid-coast communities, approximately 2.031 mgd. However, according to materials submitted by San Mateo County for the LCP Update, SAM elected to construct the treatment facility for a maximum of 3.71 rather than the 4.062 mgd as authorized by the CDP. As a result, 1.84 mgd of the existing SAM wastewater treatment facility capacity is currently allocated to serve the Mid-coast population wastewater generation.²⁷

As stated above, the Intertie Pipeline System (IPS) delivers effluent from the various Mid-coast communities to the SAM treatment facility through a series of pump stations, force mains, gravity sewers and pipelines. System-wide, approximately 65% of the gravity sewers in the IPS are 6-inch diameter pipes; this size pipe is generally more prone to blockages from roots, grease and debris because of the small size.²⁸ The rest of the system consists primarily of 8-inch diameter pipes with the remaining pipeline ranging from 10 to 18 inches. Most of the IPS pipes in the Mid-coast area were installed in the 1960s.

²⁷ personal communication with John Foley III, Manager of SAM, February 5, 2009

²⁸ EPA Report

Each District maintains and operates the collection infrastructure for its respective community; for example, the Montara Water and Sanitary District collection system consists of 23.6 miles of gravity sewers and 3 miles of force mains, 13 sewage pump stations on 23 point-of-use pump stations serving homes in the geologically active Seal Cove area. Over ninety percent of the gravity sewer pipes are 6-inch diameter pipes. The gravity sewers are made of an aging vitrified clay material (VCP) that makes this section of pipe difficult to access and maintain; however, in 1998, Montara started using PVC pipe as the standard for new sewer mains. The Granada Sanitary District collection system consists of 33 miles of gravity sewers, 85% of which are 6-inch diameter, and less than 200 feet of force mains.²⁹

Residential Wastewater Treatment Demand

As of 2006, SAM treated wastewater for about 22,000 people from its member agencies, including the City of Half Moon Bay.³⁰ As stated above, the Mid-coast communities are divided into two service districts: Montara Water & Sewer District (MWSD), which serves the communities of Montara and Moss Beach, and the Granada Sanitary District (GSD) which serves El Granada, Princeton by the Sea and the north portion of City of Half Moon Bay.

The County proposes to change the LCP residential sewage generation factor in Table 2.3 from 70-100 gallons per day per person to 66.8 gallons per day per person. According to the County, there are currently 3,928 existing units in the Mid-coast. Using the household data figure of 2.78 persons per household based on the 2000 census, the current estimated residential wastewater flow demand, based on the proposed LCP sewage generation factor is approximately 729,445 gallons per day.

The table below summarizes actual flow data provided by SAM and number of connections provided by MWSD, GSD and the City of Half Moon Bay from 2003 through 2006. The table includes connections from the City of Half Moon Bay because even though Half Moon Bay is not part of the Mid-coast LCP Update coverage area, flows into SAM include wastewater generated by all three districts.

Table 6.1.4-1- Recent historic flow data in Average Daily Dry Weather Flow from SAM and Connections from MWSD, GSD and the City of Half Moon Bay³¹

²⁹ EPA 2006

³⁰ EPA 2006

³¹ Recent communications with staff from MWSD, GSD and City of Half Moon Bay Public Works

Year	ADDWF (MGD)	Connections MWSD	Connections GSD	Connections HMB	Connections TOTAL	Flow per Connect. (gal/day)
2003	1.496	1875	2110	3878	7893	190
2004	1.674	1879	2137	3916	7962	210
2005	1.746	1892	2159	3925	8006	218
2006	1.777	1899	2185	3935	8049	221
2007	1.633	1907	2200	3957	8064	202
2008	1.535	1916	2227*	3973	8116	189

*# includes all hook ups until February 3, 2009

The table shows that flows per connection ranged from 190 gallons per day to 221 gallons per day over this six year period. This flow rate is remarkably close to the planning values used to estimate wastewater treatment demand capacity for the SAM treatment plant expansion (220 gallons per day).

Non-residential Wastewater Treatment Demand

The County submits as part of the LCP Update that current sewage demand for non-residential uses is as follows:

<u>Neighborhood-Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

This demand estimation is slightly revised from the current LCP which differentiates non-residential uses sewage generation by developed and undeveloped areas. For example, the current LCP estimates Commercial Recreational Uses in Developed area generate 1,200 gallons per acre per day while Commercial Recreational Uses in Undeveloped areas generate 1,500 gallons per acre per day. In addition, the existing LCP did not assign sewage demand to Waterfront, Light Industrial or Institutional Uses.

In terms of total demand for residential and non-residential uses, Table 6.1.4-1 above showing recent historic ADDWF provides a basis from which to estimate current demands for wastewater treatment in the Mid-coast. The flow per connection ranges from 190 gallons per day to 221 gallons per day. To isolate the Mid-coast demand, we can subtract the portion of ADDWF that was generated by the City of Half Moon Bay.

Year	SAM ADDWF	HMB-portion ADDWF	Mid-coast portion ADDWF
2003	1.496	0.693	0.803
2004	1.674	1.339	0.335
2005	1.746	1.331	0.415
2006	1.777	0.974	0.803

If one assumes that approximately 90 percent of wastewater flow is generated by residential uses, the remaining 10 percent of ADDWF would account for nonresidential use generated treatment flows from the Mid-coast. From 2003 to 2006, the average value was approximately 58,900 gallons per day.

Projected Wastewater Transmission and Treatment Capacity at LCP Buildout

The projected capacity of SAM treatment plant is expected to be the same as current capacity described above. The CDP for SAM treatment plant expansion authorized treatment capacity of 4.0 mgd, however, the treatment plant was built to handle capacity of 3.71 mgd. At the time the Commission approved the SAM treatment plant expansion, the added capacity from 2.0 to 4.0 mgd was determined to serve the needs of the population served by GSD, MWSD, and the City of Half Moon Bay until the communities are full built out to the level designated in the LCP. The build out level in the Mid-coast portion of the LCP was considered to be 6,728 potential dwelling units. The certified LCP estimates that the residential build-out population served by GSD would be 8,593 people and for MWSD, the residential build-out population would be 7,432 people (Table 2.3); therefore, at the time of expansion approval it was assumed that SAM treatment plant would have the capacity to provide wastewater treatment to approximately 16,025 people in the Mid-coast.

Residential Wastewater Treatment Demand

The LCP Update proposes to change the estimate of wastewater or sewage generation factor (SGF) for residential use in the Mid-coast. The County maintains that the proposed SGF is based on the actual residential sewage treatment demand in the SAM service area for 2001 which was approximately 66.8 gallons per day per person. The County materials state that this calculation was determined by consulting SAM personnel but no further details were provided by the County for the basis of this calculation.

The County also maintains that certain areas of the Mid-coast, including units on the Mid-coast Resource management (RM-CZ) and Planned Agricultural District (PAD) zoned parcels are excluded from projected demand at build out because these areas are assumed to be sufficiently large enough to accommodate a septic system, too far from existing sewer line infrastructure, and located in rural areas where sewer expansion is not permitted. Given this, the County submits that the number of units to

be served by the sewer system at build out is between 6,597 and 6993 units (18,340 to 19,440 people). Using a conversion factor of 2.78 people per household (unit) as proposed in the LCP Update and the sewage treatment demand factor of 66.8 gallons per day per person and the total number of units to be served at build out, the County estimates that projected sewer demand at the revised build-out level proposed is 1.31 mgd.

As stated above under the buildout section, the County's estimation of projected residential wastewater treatment demand is not entirely accurate because the build out numbers do not incorporate potential development that could occur on the approximately 2,400 substandard lots. Since most of the substandard lots are not located in the Resource Management or PAD, approximately 2,400 more units could potentially rely on sewer treatment from the SAM plant.

Table 6.1.4-3 Difference in Wastewater Treatment Capacity with Different Buildout Figures and Different Sewage Generation Factors

	Build Out Units	Sewage Gen. Factor	People per Household (Unit)	Wastewater Treatment Capacity
LCP Update1	6993	66.8	2.78	1.30 mgd
LCP Update2	6993	85	2.78	1.65 mgd
Including Substandard Lots1	8993	66.8	2.78	1.67 mgd
Substandard Lots2	8993	85	2.78	2.12 mgd

It is worth noting that by lowering the sewage generation factor in the LCP Update, the County is indirectly adding potential capacity to the wastewater treatment plant by assuming less wastewater is produced per capita. The SAM treatment plant expansion intentionally uses a conservative number of 85 million gallons per day per person to account for wet weather flows, variations in residential wastewater generations and non-residential uses. The proposed 66.8 mgd sewage generation factor appears to be based on only one year of data (2001).

Non-residential Wastewater Treatment Demand

The LCP Update does not propose to substantially change the sewage treatment demand factor for non-residential users as it exists in the current form of the LCP as stated above. To determine projected demand for non-residential uses at build-out, the County multiplies the sewage treatment demand factors given in gallons per day per acre (shown above in Section ii under Non-residential Demand) times the number of acres at build-out that various non-residential uses will hold. The acreages at build-out for the various non-residential uses are shown below.

<u>Land/Use Zoning</u>	<u>Acres</u>
Neighborhood Commercial (C-1)	24
Commercial Recreation	45
Waterfront (W)	39
Light Industrial (M-1)	47
Institutional	49

Using these figures, the County concludes that sewage treatment demand at build out from non residential will be 311,000 gallons per day. A more detailed break down of sewage generation by each non-residential use is shown in Exhibit C of the proposed LCP Update.

Adding non residential and residential treatment demand to the following estimates of sewage treatment demand at build out reveals the following:

- The proposed LCP update estimates a build out estimate of 6993 units and that the combined sewage treatment demand for residential and nonresidential uses will be 1.61 mgd assuming a sewage generation factor of 66.8 gallons per day per person. This estimate is within the 1.71 mgd of SAM capacity allotted to the Mid-coast.
- Assuming the same sewage generation factor and adding capacity for a minimum of 2,000 substandard lots, the combined sewage treatment demand for residential and nonresidential uses at build out will be 1.97 mgd, 0.26 mgd greater than the current SAM capacity allocated to the Mid-coast, but within the authorized SAM capacity of 2.0 mgd.
- Using a more conservative value for sewage generation factor of 85 gallons per day per person as was assumed in the SAM treatment plant expansion authorized in 1994 and the added demand for substandard lots, the combined sewage treatment demand for residential and nonresidential uses at build out will be 2.42 mgd, 0.71 mgd greater than current capacity allocated to the Mid-coast, and .42 mgd greater than the authorized SAM capacity of 2.0 mgd.

Conclusion (Treatment Capacity)

The SAM treatment plan only has enough capacity to serve build out under a revised sewage generation factor of 66.8 gallons per day per person without accounting for potential development from substandard lot and assuming treatment plant is expanded to its authorized capacity of 4.0 mgd (2.0 for Mid-coast). If the County were to use more conservative planning estimates for wastewater generation and account for development of substandard lots, the SAM treatment plant would not be able to serve maximum build out.

Adequacy of Supply and Delivery

The SAM treatment plant operates under a National Pollutant Discharge Elimination System (NPDES) permit which is required by the Clean Water Act. Since 2004, SAM and its member agencies have been the subject of ongoing compliance evaluation inspection of the SAM treatment plant and wastewater collection system. As part of the on-going compliance evaluation, the EPA conducted a compliance evaluation inspection of the SAM treatment plant and collection systems and reported their findings in the NPDES Compliance Evaluation Report for the Sewer Authority Mid-Coastside on August 18, 2006.

The EPA report states that 174 overflows occurred from January 2000 through December 2004 and that SAM experienced 23 spills in 2005 alone. The EPA report reveals that the most common cause of sewage spills was mainline or pipeline blockages by roots, grease or debris (74%). The report also acknowledges that SAM and its member agencies have experienced numerous repeat spills (i.e. spills in the same location on different dates) and that these repeat spills verify that the system has capacity shortfalls in certain well-known locations; however these problems may be resolved by cleaning pipes, repairing defective pipe or pump equipment. The EPA report also concludes that capacity shortages are manifested mostly in large volume overflows at the Montara Pump Station and from the manholes upstream of the Portola Pump Station (see Exhibit 11 – IPS diagram)

The above information indicates that SAM sewer system does not have sufficient capacity to convey peak flows during the winter rains resulting in wet weather overflows at various locations within the IPS transmission system. These overflows have resulted in untreated sewage entering the environment, either through streams, drainage areas, or into the storm drain system in the SAM service area.

The severity of the overflow situation is also illustrated by the following enforcement actions:

- On March 21, 2001, the Regional Board issued Order No. 01-033 that contained a penalty amount of \$21,000 for effluent violations during the period from January to June 2000.
- On May 23, 2003, the US Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), the agency charged with enforcing the National Marine Sanctuaries Act, issued a warning letter to SAM. The letter was in response to overflows of raw sewage into the marine sanctuary from the Montara Pump Station. These overflows occurred on or about May 5 - 7, 2000.

In addition, the County's submittal materials for the LCP update acknowledge that during certain wet weather periods, the collection system cannot convey peak flows which have lead to sewage overflows and water quality violations. The County recognizes that the wet weather over flow problems are due to excess inflow and infiltration in the IPS, with specifically identified problems at the Montara and Portola Pump stations. Indeed, the EPA report reveals that the largest spills have occurred

when the excess wet weather flow hits bottlenecks in the IPS at Montara and Portola Pump Stations. The County states that SAM and its member agencies have started to implement measures to remedy this problem by adding both permanent and temporary overflow storage tanks of various capacities throughout the system and making various IPS pipeline improvements. The County concludes that wet weather overflows should not be a factor in evaluating capacity of the system because significant tank, pump station and other improvements have occurred and are expected to continue.

For purposes of evaluating the proposed LCP Update, a better understanding of possible or planned improvements to the IPS are important for evaluating the capacity constraints of the current and future system. In January 2009, the SAM distributed for public review a draft Initial Study/Mitigated Negative Declaration for the SAM Wet Weather Flow Management Project. As proposed, SAM would install two parallel underground storage pipes to temporarily store excess sewage during peak flows or a storm event within the Burnham Strip grassy field area, between Highway 1 (Cabrillo Highway) and El Granada. The purpose of the project is to provide facilities to contain stormwater infiltration and inflow that exceed the existing system capacity during storm events and to help prevent untreated sewage discharges and resulting potential contamination of the Pacific Ocean, beaches and sensitive biological habitats. As part of this LCP Update, the County has proposed a zoning change to the Burnham Strip, which would allow this type of use (i.e. Vegetative Stormwater Treatment Systems and Underground Storage Facilities) to occur. This proposed project is still in the early planning stages, and environmental review has not concluded.

It is also worth noting that the County's projected wastewater demand at build-out as submitted in the LCP Update would essentially require the SAM treatment facility to operate at full treatment capacity. Planning documents for the 1994 authorized SAM treatment plant expansion, and more specifically, the Wastewater Treatment Plant Capacity Study conducted by John Carollo Engineers (March 1991), indicate that operating the treatment plant at maximum recommended loadings will require significantly more operator attention and that the risk of violating discharge requirements will be much greater.

Coastal Act Consistency Analysis

Section 30250 (a) requires new residential, commercial, or industrial development to be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The proposal does not ensure that new residential, commercial or industrial development will have adequate sewer collection and treatment services because:

- (1) Existing capacity is limited by IPS

- (2) The proposed sewage generation factor used does not provide room for fluctuations in use or wet weather conditions; therefore, the projected demand at build-out is artificially low.

The proposed LCP Update revises the estimated sewage generation factor to 66.8 mgd from a range of 70 to 100 mgd, based on a single year of data, and uses this number to estimate build-out demand for wastewater treatment. This number does not reflect planning rationale to allow for variations from year to year based on wet weather conditions and changes in household uses, inconsistent with Sections 30250 and 30231 of the Coastal Act. Using a more conservative approach to calculating wastewater treatment demand at build-out would allow for inevitable fluctuations in use and wet weather, thereby allowing more accurate planning for buildout in order to avoid impacts to water quality and other coastal resources, consistent with the requirements of the Coastal Act.

For example, as stated above, the capacity at build-out identified in the findings for the coastal development permit for the SAM Wastewater Treatment Plant expansion, was based on a sewage generation factor of 85 mgd, for both residential and non-residential uses. It was recognized in the findings that this number was purposefully conservative in order to allow for fluctuations in wastewater flow due to wet weather conditions and changing use patterns. The proposed LCP Update disregards this planning methodology by setting the sewage generation factor for residential use based on one year of wastewater flow data.

Setting aside the sewage generation factor, the SAM treatment plant expansion was authorized to accommodate a build out for the Mid-coast communities of approximately 7,500 dwelling units. While the proposed LCP Update proposes a revised and “more accurate” build out projection of 7,153 units (of which 6,993 would rely on wastewater treatment from SAM according to the proposed LCP), the Update does not include contiguously owned substandard lots into its build out calculations inconsistent with Sections 30250 and 30231 of the Coastal Act. As stated above, factoring in the substandard lots into the proposed revised build out estimate generates a wastewater treatment demand of 1.97 mgd, which is 0.26 mgd greater than the allocated capacity for Midcoast communities. Furthermore, applying a conservative estimate for sewage generation per person that accounts for variations in flow due to wet weather scenarios reveals that the demand would exceed capacity at build out by 0.7 mgd.

Priority Uses

Section 30254 of the Coastal Act requires that where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

The proposed LCP Update is inconsistent with Section 30254 because not all wastewater treatment demand can be accommodated at build out by the SAM treatment

plant and given this limited capacity, coastal dependent land uses have priority over new residential development.

In addition, the County has not discussed future planned public works facilities that appear to be necessary to maintain capacity of existing development; until such time as improvements to the IPS are approved and implemented, suggested modifications to the LCP Update must ensure that when the sewer system reaches capacity, wastewater treatment capacity and transmission capacity is properly allocated to coastal dependent land uses, essential public services and basic industries, before full residential buildout is served.

Water Quality

Section 30231 of the Coastal Act requires 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. Section 30231 also requires that restoration of the biological productivity and quality of coastal waters, streams, wetlands, and estuaries by minimizing adverse effects of waste water discharges and entrainment. As described, the overall SAM treatment system currently faces capacity challenges with the Intertie Pipeline System (IPS). Numerous discharge overflows have forced untreated sewage into the environment, drainages, streams and coastal waters thereby adversely impacting the biological productivity and quality of coastal waters. This LCP update does not address capacity issues with the IPS, nor does it seek authorization for improvements to the IPS that the County expects to resolve the IPS problems. Yet the LCP update build-out capacity calculations for sewage treatment rely on changes to the IPS in order to meet the projected demand.

Therefore, the proposed LCP Update is inconsistent with Coastal Act Section 30231 because it does not propose policies mandating improvements to the IPS; the IPS currently experiences wet weather flows resulting in adverse impacts to biological productivity quality of coastal waters, streams, wetlands, and estuaries, and does not minimize the effects of waste water discharges. Without improvements to the IPS, the system will not be able to handle the demand at build-out and wet weather flow problems will continue, threatening water quality. While the County acknowledges that there are issues with wet weather overflows in the submittal materials, the LCP update does not propose amendments to the LCP to address this issue, nor does it discuss what improvements might be necessary to address the constraints within the IPS during wet weather. Moreover, SAM and the sewer districts are planning potential projects to improve the IPS. These improvements may raise issues regarding consistency with existing LCP and Coastal Act policies that will require thorough analyses at the coastal development permit stage, such as growth inducement and water quality. Improvements to the IPS system are necessary in order for the overall SAM treatment system, including IPS to have necessary capacity to reach build out levels proposed by the County without causing additional adverse impacts to the biological productivity of coastal waters, streams, wetlands and estuaries.

Suggested Modifications

Suggested Modifications to the proposed LCP are necessary to ensure that future development does not over-tax the system, including policies requiring that the wet weather overflow problems and capacity issues at the plant be remedied.

Suggested modifications to bring proposed LCP Update into conformance with Coastal Act policies include:

- (1) A revision of the 66.8 gallon per day per person to 85 gpm, based on the waste generation factor used when calculating the appropriate capacity of the SAM treatment plant, and allowing for variations in wet weather flows and unforeseen changes in both residential treatment demand.
- (2) Limit new development until such time that improvements to the IPS system have been developed and capacity issues with wet weather flows have been resolved.

As modified, the Commission finds that the proposed LCP is consistent with the Coastal Act. Although the data submitted above demonstrates that the sewer treatment and transmission capacity is currently inadequate to accommodate full buildout, the Commission finds that treatment and transmission facilities can be expanded in the future to accommodate the updated buildout levels, and other suggested modifications to the LCP ensure that new development will be adequately served with public services (see section 6.1). Only as modified can the Commission find that the proposed LCP is consistent with the Coastal Act.

6.1.5. Growth Rate

As discussed in Sections 6.1.2 - 6.1.4, Midcoast infrastructure is severely constrained in serving existing levels of development and it is unclear how growth in the near term will be served, let alone full buildout of the LCP. It is possible that additional water supply, sewage treatment and transmission, and transportation services (e.g. roadway capacity and public transportation) can be developed to serve ultimate buildout, however there is very little indication that this can occur in the near future. Without limits on the rate of growth, development without adequate infrastructure will result in significant adverse impacts to coastal resources, including water quality, public access, and the availability of priority visitor serving uses.

The most compelling examples of this include transportation services (roads and transit) and wastewater transmission (Intertie Pipeline System [IPS]). As discussed in Section 6.1.2, Highways 1 and 92 are already at capacity and will only get worse in the future. As discussed in Section 6.1.4, numerous water quality violations have occurred from sewer overflows in wet weather due to the limited capacity of the IPS. Each new home adds additional impervious surface to the landscape, increasing loads on the IPS system, and each new home adds cars to the already constrained Highways.

Currently, the certified LCP limits Midcoast residential growth to 125 units per year. Affordable housing is exempt from this growth limit. In their action on the LCP Update, the County determined that the 125 unit per year growth rate had the potential to overburden infrastructure and disrupt community quality of life, and that a 40% reduction in the growth rate would lower the burden on infrastructure and meet the objective for gradual, paced Midcoast growth, while reasonably facilitating infill housing. Therefore, the County is proposing to reduce the LCP growth rate from 125 units per year to 75 units per year, as shown in Exhibit 1 (County exhibit F). 75 units per year is approximately a 2% growth rate (based on population).

Over the past 28 years (1981 – 2008), the Midcoast has grown at an average of 49 units per year, and has exceeded 75 only three times (1987 = 133 units, 1988 = 101 units, and 1998 = 81 units) (see Figure 6.1.5-1 below). Over the past five years, the average has decreased to 38 units per year. Based on actual growth rate, one can see that both the existing and proposed growth rates are set too high to have any real effect at limiting growth, which limits the ability of infrastructure to “catch up” with development.

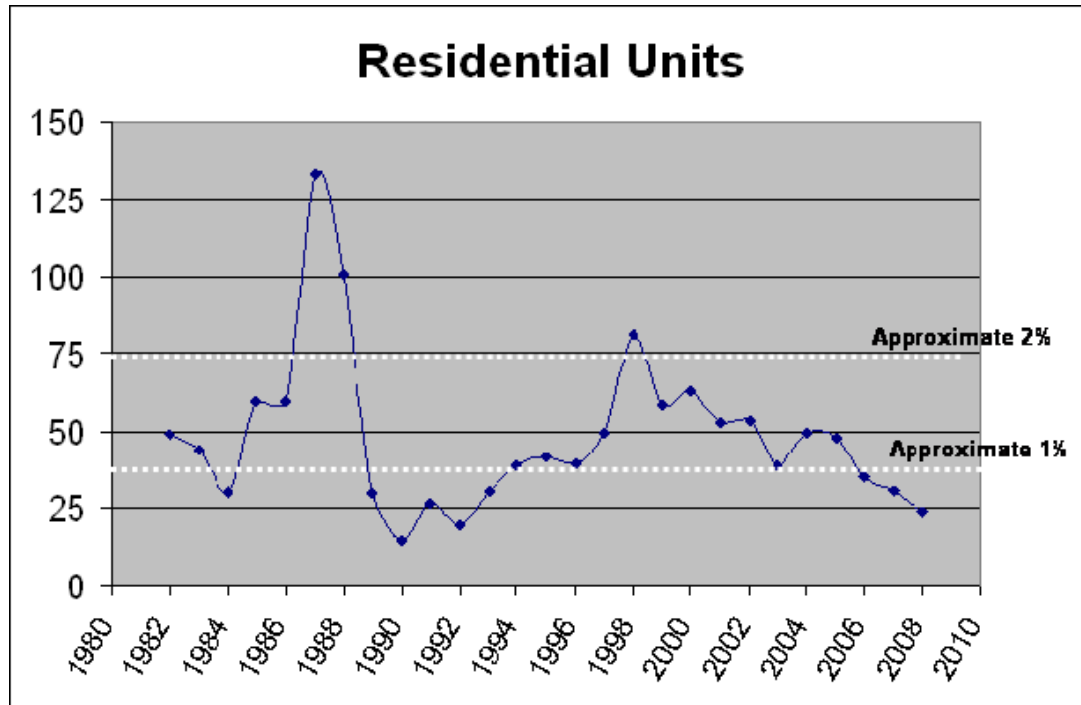
The City of Half Moon Bay is in a near identical situation to the unincorporated Urban Midcoast in terms of infrastructure constraints. They both contribute to the wet weather flow problem, use the same distribution system and the same treatment plant, use CCWD water and use the same road system. In 1999, the voters of Half Moon Bay passed Measure D, an ordinance limiting growth to 1% of the population. This measure was established to “protect the public health, safety and welfare of residents of Half Moon Bay; to provide for development which is orderly, sustainable, and fiscally responsible; to respond to the worsening traffic situation; and to protect the City’s unique scenic and rural coastal character...” Indeed, in 2004, the San Mateo County Planning Commission recommended to the Board of Supervisors that the growth rate be reduced to 1% “in recognition of existing utility and transportation infrastructure constraints.”

The Commission finds that the proposed 2% or 75 unit per year growth rate is inconsistent with Coastal Act Sections 30250, 30252, 30254, and 30210 because it would not slow growth to a rate that will allow transportation, wastewater transmission, and water supply capacity to adequately serve development, thereby causing significant adverse cumulative impacts to coastal resources. Further, the proposed growth rate allows for booms in housing expansions that can't be responded to with the constrained infrastructure capacity. Therefore, the proposed LCPA must be denied. However, if the LCP is modified to incorporate a 1% of population growth rate until these constraints are addressed, the LCP would be consistent with the Coastal Act.

Therefore the Commission imposes suggested modifications to LUP Policy 1.22 (see Section 2), lowering the growth rate to 1% of population. The Commission notes that a 1% growth rate is also the rate the City of Half Moon Bay has identified as reasonable given its limited infrastructure, so growth will more likely be equally distributed in county and city portions of the urban Midcoast. Currently, 1% of the San Mateo County

population equals approximately 39 units per year. The suggested modification also requires that the 1% growth rate shall remain in effect until such time that the County incorporates a comprehensive transportation management plan into the LCP, facilities are constructed that adequately address sewer wet weather overflows and water quality issues, and a new growth rate is approved by the Commission as an LCPA. Only as modified can the LCP be found consistent with Sections 30250, 30252, 30254 and 30210 of the Coastal Act.

Figure 6.1.5-1: Growth Rate 1981-2008



New Development and Public Services Conclusion

The proposed LCP Update is not fully consistent with Coastal Act policies 30250, 30254, 30222, and 30223 related to transportation capacity, water supply and transmission, and sewer treatment and transmission and must be denied as submitted. However, if modified as suggested herein, the LCP Update will be consistent with the 30250, 30254, 30222, and 30223 of the Coastal Act.

6.2. Public Works

Section 30254 of the Coastal Act States:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain

a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

The existing certified San Mateo County LCP regulates public works facilities to ensure that expanded facilities do not induce growth and are designed and limited to accommodate needs generated by development or uses permitted consistent with the certified LCP and Coastal Act Policy 30254. To this end, Chapter 2 of the certified LUP contains several policies requiring that public works facilities be developed in phase with each other (e.g. water supply, sewage disposal, and transportation systems [roads/transit]), that facilities not expand in capacity beyond the permitted build-out in the certified LCP, and that adequate capacities be reserved for priority uses. The intent of these policies is to ensure that the expansion of public works facilities do not induce growth beyond what is permissible in the LCP, and beyond that which can be handled by other public works facilities such as roads and transit.

These LUP public works policies also speak to the *amount* of public works expansion allowed for what is termed “Phase I.” According to these LCP policies, Phase I development public works must not exceed both the total amount of development which would be served by the Phase I sewer capacity that had been allocated to the Midcoast at the time the LCP was certified (~1985) (2.0 million gallons per day) and the proportion of buildout allowed by the Phase I sewage treatment allocations permit for specific areas of the County (Montara, El Granada, HMB). The public works policies reflect the situation in 1985 when the original LCP was certified, that sewage disposal and treatment on the Midcoast was lacking, and therefore phasing policies were instituted to ensure that development of other public works facilities (e.g. water and transportation) not outpace that which the sewage disposal system could handle (i.e. the Phase I sewage treatment allocations permit).

At the time the LCP was certified, the Midcoast was in Phase I with respect to sewer capacity, reflecting the limited capacity of the sewer capacity of 2.0 mgd. In 1994, the Commission approved a coastal development permit (#1-94-111) to expand the wastewater treatment plant (Sewer Authority Mid-Coastside [SAM]) from 2 million gallons per day (mgd) to 4 mgd. The Commission found that the existing plant was undersized to accommodate peak flows, and had been in violation of Regional Water Quality Control Board standards for releasing untreated wastewater. The Commission also found that a larger plant was most protective of coastal resources, while not exceeding build-out levels allowable under the San Mateo County and Half Moon Bay LCPs. In fact the existing treatment plant was sized to accommodate full build out of the LCP. Therefore, since the sewer capacity was expanded, the Midcoast area is no longer in Phase I, as defined specifically by LUP Policies 2.9, 2.25, and 2.28. In reality,

while the Midcoast is no longer in Phase I in terms of its sewage treatment, other public works facilities, including highway capacity, public transit, water supply, stormwater drainage, and the IPS sewage transmission lines (during wet weather) have not caught up with the capacity provided with the treatment plant. In other words, these other facilities are inadequate to serve existing levels of development, let alone full buildout, and they are “out of phase” with the capacity of the SAM sewage treatment plant.

Sections 6.1.3, 6.1.2, and 6.1.4 describe in detail the current status of available water supply in the urban areas within MWSD and CCWD service areas, the state of traffic problems (level of service) along Highways 1 and 92, the adequacy of public transit (busses/shuttles) as an alternative option for commuters and the public, and the water quality problems and hazards created as a result of failures in the IPS to convey wet weather flows (sewage). In relative degrees of inadequacy, traffic and transit capacity are currently the least able to handle existing levels of development, and have the added impact of affecting public access to the coast. One of the most seriously constrained public services in the Midcoast is roadway capacity. The Commission expressed its concerns over traffic congestion in the region and its impacts on the public’s ability to access the coast through several permit approvals. In the Pacific Ridge (CDP No. A-1-HMB-99-022) and Beachwood (CDP No. A-2-HMB-01-011) subdivisions in Half Moon Bay, the Commission required the project proponents to implement a lot retirement program to avoid cumulative traffic impacts by ensuring that the development will not result in net increases to the amount of residential development at buildout. In dealing specifically with the CDP issued for CCWD’s El Granada Pipeline Replacement project, the Commission limited CCWD’s ability to expand its capacity to when level of service (LOS) on Highways 1 and 92 reach standards deemed acceptable by both Half Moon Bay’s as well as the County’s LCP. Specifically, Special Condition 4d of the CDP states:

No increase in water supply or distribution capacity shall be permitted within the CCWD Service District in excess of the Phase I limitations specified in 4.A. above, unless the existing or probable future capacity of other related infrastructure, including but not limited to the San Mateo County Mid-Coast and City of Half Moon Bay regional transportation system, is sufficient to adequately serve the level of development that would be supported by the proposed increase in water supply and/or distribution capacity. Adequate level of service for Highways 1 and 92 shall be defined, at minimum, as Level of Service (LOS) C except during the peak two-hour commuting period and the ten-day average peak recreational hour when LOS E is acceptable, unless the permittee must abide by a stricter standard that is required under the applicable LCP at the time that such permit application is considered.

The Commission recognizes that to adequately serve estimated buildout, expansion to these public works are, and will be necessary (along with the traffic mitigation and other land use controls). The LCP Public Works Chapter 2 is outdated and ill equipped to address the changed realities in public works on the Midcoast, because it centers

around what was the immediate need in the 80s to expand the sewage treatment plant.³² The County has proposed some changes to Chapter 2, the traffic mitigation policy, water reallocation policy, and changes to the water and sewer demand and priority allocations tables, (see County exhibits B, C, H) and findings Section 6.1), but they do not comprehensively update the chapter to today's public works realities. Therefore, the proposed LCP is inconsistent with Sections 30254, 30250 of the Coastal Act. Suggested modifications are needed to bring Chapter 2 up to date, more user friendly, and to provide clear enforceable standards for any expansion of or new public works facility. Therefore, the Commission imposes Suggested Modifications to Chapter 2 policies of the LUP (see Section 2). These policies ensure that public works facilities are subject to various standards to assure that the capacity of the new source is not growth inducing so as to adversely impact coastal resources or otherwise be out of phase with other existing public service capacities. To ensure consistency with Section 30254 of the Coastal Act and to reflect the intent of previous Commission actions, the suggested modifications specifically limit future capacity increases to both the Midcoast's public water supply and distribution system and the sewer treatment expansion system until such time that the region's transportation system is capable of providing adequate service to support growth provided by the remaining capacity of the water districts, primarily connections remaining from CCWD's Phase I Crystal Springs Project. An exception is provided to the limitations on capacity increases to allow existing residences on wells to connect to public water and to allow projects designed to correct existing problems associated with wet weather flows in the sewage/wastewater transmission lines.

Public Works Conclusion

The proposed LCP Update is not fully consistent with Coastal Act policies 30254 related to phasing of public works facilities and must be denied as submitted. However, if modified as suggested herein, the LCP Update will be consistent with the public works policies of the Coastal Act.

6.3. PUBLIC ACCESS AND RECREATION

Coastal Act Sections 30210 through 30214 and 30220 through 30224 specifically protect public access and recreation:

Section 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but*

³² The Commission notes that sewage treatment and transmission capacity is still lacking, as described in Section 6.1.4, but that Chapter 2 does not place the system in proper context with the current status of other public works.

not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212(a). *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
- (2) adequate access exists nearby, or,*
- (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Section 30212.5. *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...*

Section 30214(a). *The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*

- (1) Topographic and geologic site characteristics.*
- (2) The capacity of the site to sustain use and at what level of intensity.*
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*
- (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future*

demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Consistency Analysis

The County proposes to update the LUP with respect to its trails policy, Highway One pedestrian access, and the future use of the Devil's Slide Bypass property that is no longer needed for Highway One (see Exhibit 1, County Exhibits I, J, K, and P). The proposed amendments include changes to trails policies that apply outside of the urban Mid Coast area (i.e. rural areas of San Mateo's coastal zone).

The proposed changes would enhance various parts of the LCP's public access components. However, the amendments do not fully address certain public access concerns that must be addressed through this update in order to assure that public access in San Mateo County is maximized to the fullest extent, consistent with the Coastal Act policies cited above. In addition, since the County's proposed changes were drafted, new circumstances have arisen, such as increased attention to the planning needs for the California Coastal Trail and the beginning of construction of the Devil's Slide tunnel project for Highway One. Therefore, numerous modifications are suggested to bring the amendment into full conformance with the Coastal Act.

California Coastal Trail

The current County LCP incorporates the overall Coastal Act policies that mandate the provision and protection of public access opportunities. However, it needs to be updated both with specific trail references and policies to assure adequate designation and development of the California Coastal Trail (CCT). When completed, the CCT will provide not only access along the coast via a strand of trails parallel to the shoreline, but will also link both existing and future vertical access points to the coast. Therefore, in order to implement the Coastal Act mandate to maximize public access to and along the coast, the LCP must be modified to incorporate a CCT element. Proposed policy 10.37(A) provides parameters for future development of the CCT and direction to the County to pursue a planning grant to facilitate implementation of the CCT (see modified County Exhibit P).

Of particular note, the suggested CCT planning standards specify that the trail should be sited and designed to be located along or as close to the shoreline where physically and aesthetically feasible. Where it is not feasible to locate the trail along the shoreline due to natural landforms or legally authorized development that prevents passage at all times, inland bypass trail segments located as close to the shoreline as possible should be used. The suggested modifications also instruct that shoreline trail segments that may not be passable at all times should provide inland alternative routes. Finally, modifications are suggested to identify any segments that necessarily must be placed within Caltrans right-of way, so that the trail may be developed in a manner to assure

adequate separation between the trail and the highway and mitigate other impacts due to proximity to the highway.

Minor updates also are needed for LUP policies 11.13 and 11.27 to reference the California Coastal Trail and to update references to other trail segments in the County that have been developed (County Exhibit J).

Devil's Slide Bypass

The County has proposed a new policy to address planning for and future potential use of the Caltrans' Devil's Slide Bypass Alignment within the Montara area (see County Exhibit I). This includes designating the alignment as a Linear Park and Trail for public access use. Since the County adopted its policy, though, considerable progress has been made on the authorization and construction of the Devil's Slide tunnel. The completion of the bridge component of the Devil's Slide project was recently celebrated and Caltrans projects that the tunnel will be open by 2011. Thus, it is now a virtual certainty that the alternative Bypass alignment will not be needed for future highway construction through Montara.

Therefore, to assure consistency with Coastal Act requirements to maximize public access, modifications are suggested that would re-designate and rezone this public right-of-way land of the alignment to open space and linear park and trail through this update (see Section 2). In addition, while designating the Bypass alignment for public access is an important objective, there also is a need to undertake careful planning and evaluation of potential trail alignments, the need and location for support facilities, sensitive resources and mitigation strategies for future trail development, maintenance and retention of existing roads and other utilities, etc. Therefore, a new policy, 11.31, is suggested so the County pursues grant funding to support trail planning and development in the new corridor. The policy also specifies various trail planning standards that should be considered through the planning process.

Highway One and Public Access

The Commission has been working closely with Caltrans in recent years to assure that opportunities for public access improvements in the Highway 1 corridor are planned and developed to both provide optimum public access and to address the needs of the highway corridor. The County proposes updates to the LCP to provide for enhanced coordination with Caltrans. Minor suggested modifications are needed to assure that this coordination addresses all aspects of public access planning, including CCT development. For example, policy language is suggested to promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path parallel to Highway 1 within the right-of way consistent with the California Coastal Trail (CCT) Plan (Policy 10.37.A) and within the Caltrans right-of-way when no other preferable CCT alignment is available (see modified County Exhibit K).

Public Road Transfers and Public Access

County LUP Policy 11.26(h) provides that no highway, County road or street right-of-way will be transferred out of public ownership unless it has first been evaluated for its

utility as part of the CCT or other public access, and is found to have no reasonable potential for such use. Since the LUP was first certified, the Coastal Act has been amended to include a specific requirement for the transfer of state lands between the first public road and the sea, in order to assure that the potential public access opportunities of such lands is fully protected. Among other things Coastal Act section 30609.5 provides that:

. . .no state land that is located between the first public road and the sea, with an existing or potential public accessway to or from the sea, or that the commission has formally designated as part of the California Coastal Trail, shall be transferred or sold by the state to any private entity unless the state retains a permanent property interest in the land adequate to provide public access to or along the sea. In any transfer or sale of real property by a state agency to a private entity or person pursuant to this section, the instrument of conveyance created by the state shall require that the private entity or person or the entity or person's successors or assigns manage the property in such a way as to ensure that existing or potential public access is not diminished

Section 30609.5 also provides direction that the Department of Parks and Recreation or the State Coastal Conservancy may transfer such property if one of the following findings is made:

- (1) The state has retained or will retain, as a condition of the transfer or sale, permanent property interests on the land providing public access to or along the sea.*
- (2) Equivalent or greater public access to the same beach or shoreline area is provided for than would be feasible if the land were to remain in state ownership.*
- (3) The land to be transferred or sold is an environmentally sensitive area with natural resources that would be adversely impacted by public use, and the state will retain permanent property interests in the land that may be necessary to protect, or otherwise provide for the permanent protection of, those resources prior to or as a condition of the transfer or sale.*
- (4) The land to be transferred or sold has neither existing nor potential public accessway to the sea.*

In addition to the provisions of section 30609.5, the Commission is aware that public roads and rights-of-way may be proposed for transfer or abandonment from time to time and that this may impact existing or potential public access opportunities to and along the shoreline. It is important that such transfers of public land or rights protect and maximize public access consistent with the Coastal Act. Therefore, a modification is suggested that requires that any such transfer of a public road or right-of-way out of public ownership that may provide such public access shall require a coastal development permit appealable to the Coastal Commission. In addition, new language is suggested to incorporate the requirements of Coastal Act 30609.5 into the LCP.

Conclusion

The County LCP Update is not fully consistent with Coastal Act policies and must be denied as submitted. However, if modified as suggested herein, the amended LCP will be consistent with the Chapter 3 policies of the Coastal Act.

6.4. WATER QUALITY

The Coastal Act requires the protection of water quality:

Section 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.

Section 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The County proposes to add a new water quality policy 1.35 and Appendix to address water quality (see Exhibit 1, County Exhibit M). The policy and Appendix require new development to comply with minimum requirements of the County's existing Stormwater Pollution Prevention Program (STOPPP). The County also proposes to add new requirements for impervious surfaces and winter grading to each zone district of the Mid-coast and to update the grading regulations to include the winter grading limitation (Exhibit 2).

Consistency Analysis

The water quality update proposed by the County relies on minimum standards of an existing water quality program (STOPPP). While this program includes important policies and programs to address water quality, including various Best Management Practices (BMPs), the STOPPP program itself has not been submitted to the Commission for certification. In addition, because it has not been submitted, the Commission is not able to review whether the STOPPP program is fully consistent with the Coastal Act requirements, as implemented through the Commission's water quality program, to protect coastal water quality. Therefore, the proposed update cannot be approved as submitted.

To address this concern, the Commission suggests modifications that would incorporate various water quality policies and BMP requirements directly into the LUP as policies 1.35 through 1.41. Commission staff have developed these policies in direct coordination with the County and staff of the Regional Water Quality Control Board to harmonize the requirements of the Commission, RWQCB and the County with respect to water quality protection. As modified, the Commission finds that the San Mateo County LCP submittal is consistent with Coastal Act sections 30230 and 30231.

With respect to the proposed additions to the various zoning sections that apply in the Mid-Coast, the proposed limitation on winter grading (i.e. no grading between October 15 and April 15 unless specifically exempted) conforms with and is adequate to carry out the LUP as it would be amended above. Concerning impervious surface coverage, the LUP as proposed for modification would require that impervious surfaces be minimized. The County proposes to limit the maximum impervious surface, other than buildings, in various zone districts to 10% of the parcel size. In some cases they have specified maximum coverages, such as in the S-94 District. Providing a maximum coverage for non-building impervious surface coverage will help to implement the LUP requirements to minimize impervious surfaces. In conjunction with other BMPs that would be required by the LUP as suggested for modification, the amendment will conform with, and be adequate to carry out the LUP.

6.5. RESOLVING POLICY CONFLICTS

The County proposes to add Policy 1.3 to the LCP that would allow potential conflicts between one more LCP policies to be resolved in “a manner which on balance is most protective of significant coastal resources” (see Exhibit 1, County Exhibit Q). As discussed below, this proposed policy is not consistent with the Coastal Act and must be deleted.³³

A fundamental purpose of the Coastal Act is to assure that new development in the coastal zone is consistent with the Chapter 3 resource protection policies of the Act. One of the primary Coastal Act mechanisms for achieving this is the implementation of Local Coastal Programs (LCPs), which local governments must submit to the Commission for certification pursuant to Chapter 6 of the Coastal Act. LCPs consist of a land use plan (LUP), and zoning ordinances, maps, and other implementing actions (an Implementation Plan or IP). Coastal Act section 30510 requires that local governments make a specific finding that an LCP submitted to the Commission “is intended to be carried out in a manner fully in conformity with [the Coastal Act]. Importantly, Coastal Act section 30512(c) further requires that the provisions of an LUP certified by the Commission be in conformity with the policies of Chapter 3:

The 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 (commencing with Section 30200).

³³ Commission staff previously advised the County in September of 2004 that such a policy could not be certified (see Exhibit 14).

Coastal Act Section 30200(a) also specifies that unless specifically provided elsewhere, “the policies of [Chapter 3] shall constitute the standards by which the adequacy of local coastal programs, as provided in Chapter 6 (commencing with Section 30500), . . . are determined.” Pursuant to Coastal Act Section 30513, an LCP’s zoning ordinances, maps, and other implementing actions (the IP) must conform with, and be adequate to carry out, the land use plan and thus, by extension, Chapter 3.

Once certified, the authority to approve coastal development permits is delegated to local governments for those areas of the coastal zone outside of the Commission’s retained jurisdiction.³⁴ A local government may then approve a coastal development permit if it finds that a proposed development is in conformity with the certified local coastal program.³⁵ Because an LUP must be in conformity with Chapter 3 of the Coastal Act, and an IP must conform with the LUP, a locally-approved development that is conformity with the LCP should be consistent with the broad resource protection policies of Chapter 3.³⁶

As summarized above, the proposed new LCP policy would allow the County of San Mateo to resolve any potential conflicts between LCP provisions in a manner that on balance was most protective of significant coastal resources. This policy, though, is not consistent with Coastal Act for several reasons. First, Coastal Act sections 30512 and 30513 clearly establish that the resource protection and other policies of Chapter 3 of the Act are the only basis for evaluating and certifying LUP policies and, by extension, IPs. Thus, the proposed conflict resolution policy must have a basis in Chapter 3 to be found consistent with the Coastal Act. Significantly, although Section 30200(b), contained within Chapter 3, expressly references resolution of conflicts between the policies of Chapter 3, there is no general conflict resolution or balancing standard in Chapter 3 that would require or otherwise allow the incorporation of such conflict resolution in an LCP. Further, to the extent that Chapter 3 may contemplate potential conflicts between the policy objectives of Chapter 3, such conflicts are limited to policies that contain specific statutory directives or affirmative mandates.

More fundamentally, the proposed policy also is not consistent with the Coastal Act because it does not conform to the Act’s specific elaboration of when conflict resolution is appropriate. Chapter 3 does contemplate that conflicts between Chapter 3 policies may occur. Section 30200(b) provides:

(b) Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such

³⁴ PRC 30519(a). The Commission retains permitting jurisdiction on tidelands, submerged lands, and public trust lands, whether filled or unfilled, lying within the coastal zone (PRC 30519(b); 30600(b)(2)).

³⁵ PRC 30604(b).

³⁶ There may be particular circumstances where subsequent Coastal Act amendments, case law, or other changed circumstances result in an inconsistency between certain provisions of an LCP or their application to specific facts, and Chapter 3.

conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.

Coastal Act section 30007.5 states, in relevant part:

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources....

These sections recognize that conflicts may occur between one or more policies of the Coastal Act (Division 20 of the Public Resources Code) and more specifically, between the policies of Chapter 3. The first important requirement of this allowance for conflict resolution to recognize, though, is that it is specifically limited to conflicts between Coastal Act Chapter 3 policies.³⁷ There is no authorization for conflict resolution between the certified policies of an LCP. Indeed, by design LCPs are required to be certified as consistent with Chapter 3, and thus they should not contain internal inconsistencies or conflicts that would undermine their ability to adequately carry out Chapter 3.³⁸

In addition, local governments typically do not directly implement Division 20 and the policies of Chapter 3. Thus, the primary mode of conflict resolution contemplated by the Coastal Act is that the Coastal Commission itself may be required to resolve policy conflicts in a manner that is most protective of coastal resources when it is implementing the various provisions of the Coastal Act. That said, section 30200(b) does clearly indicate that local governments may invoke section 30007.5 also, but only when implementing the policies of the Coastal Act such that a conflict between Chapter 3 policies is identified. This allowance is provided for those circumstances where a local government may be implementing the policies of Chapter 3 directly; for example, prior to LCP certification and pursuant to section 30601(b) and 30620.5; or pursuant to 30520(a), which addresses circumstances where a court may stay the implementation of an LCP but coastal development permits may still be issued by a local government. In such cases, the local government is issuing coastal development permits, but the standard of review is Chapter 3, not the provisions of an LCP. For example, the City of Los Angeles issues coastal development permits pursuant to sections 30601(b) and 30620.5, but it does so with Chapter 3 as the standard of review, not under a certified LCP.

In addition to the fact that the Coastal Act does not authorize the use of conflict resolution between LCP policies, the Commission also observes that Section 30007.5 strictly limits the invocation of conflict resolution through balancing to cases where there

³⁷ The Commission interprets section 30007.5 as applying to conflicts that may arise when applying the substantive development policies of Chapter 3 of Division 20, as specified in section 30200(b).

³⁸ It is important, therefore, that the policies of an LCP are well crafted and anticipate, to the extent possible, potential conflicts between Chapter 3 policies as applied in the local jurisdiction, at the time of certification of the policies.

is an actual “conflict” between policies of the Coastal Act. Thus, this section may only be invoked in those relatively infrequent cases when there is a specific conflict entailed by the application of two Chapter 3 policies to the facts of a case. This means that requiring a development to be consistent with one Chapter 3 policy would result in an unavoidable inconsistency with another Chapter 3 policy. The clear intent of section 30007.5 thus is to carefully limit the use of discretionary “balancing” -- an intent that would be undermined by the unrestricted application of conflict resolution to LCP policies that is contemplated by the proposed San Mateo County LCP amendment.³⁹

Finally, the Commission understands that from time to time local governments may encounter situations where certified LCP policies are in conflict, or do not provide for development that may not have been anticipated by the LCP as first certified. In such situations, the conflict or other unanticipated issue must be resolved by the Commission through an LCP amendment. Once the Commission reviews the proposed LCP amendment against the Chapter 3 policies of the Coastal Act and provides within the LCP the specific resolution of any conflict between application of the Chapter 3 policies of the Coastal Act to proposed development through the LCP amendment process, the local government can then implement the Commission’s specific resolution of the conflict when acting on a local coastal development permit application. For example, this is the procedure that the County and Commission agreed to and followed to resolve the Coastal Act policy conflict presented by the Devil’s Slide tunnel project. In that case, the conflict raised by application of the Coastal Act wetland and sensitive habitat protection policies on the one hand and the public access policies on the other hand was resolved by the Commission through an amendment to the LCP and the Commission’s resolution of that conflict was specifically incorporated into the provisions of the certified LCP. Once the Commission’s resolution of the conflict in application of the Chapter 3 policies of the Coastal Act to the Devil’s Slide tunnel project was incorporated into the LCP, the County could then approve the tunnel project consistent with the provisions of its certified LCP.

In conclusion, because the Coastal Act only authorizes the resolution of conflicts between the application of Chapter 3 policies and does not provide for the delegation of the Commission’s policy conflict resolution authority to a local government after certification of its LCP, proposed LCP Policy 1.3 is inconsistent with Section 30200 of the Coastal Act and must be denied. Therefore, the Commission imposes suggested Modification 5, deleting proposed LCP Policy 1.3.

7. IMPLEMENTATION PLAN FINDINGS AND DECLARATIONS

7.1. BURNHAM STRIP

The County proposes to enact the new El Granada Gateway (EG) zoning district and change the zoning designation for the area called the “Burnham Strip” from Community Open Space Conservation (COSC) to EG (Exhibit 2). The EG district would allow a

³⁹ Consistent with this intent, the Commission has a long history of strictly limiting its use of 30007.5 to clear cases where one Chapter 3 policy cannot be achieved if another is met.

number of community and park-oriented uses and unlike the current certified COSC zoning, would not allow single family residences.

The legal standard of review for a zoning or implementation plan amendment is the certified Land Use Plan (LUP). The zoning change must adequately conform to and carry out the provisions of the LUP. In this case, the Burnham Strip is designated Open Space in the LUP, and further designated as “park” in the certified Montara-Moss Beach-El Granada Community Plan.

The parks and recreation policies of the certified Montara-Moss Beach-El Granada Community Plan specify the need for local parks (including mini parks and tot lots on suitable vacant parcels) and a community center, and stipulate that school playgrounds should be used for active recreation such as baseball, tennis, swimming, etc.

The proposed uses in the new El Granada Gateway district are all conditional and include: community centers, interpretive centers, libraries, linear parks and trails, open field cultivation of plants and flowers for ornamental purposes, outdoor art centers, outdoor athletic facilities, outdoor recreation areas, parks, temporary outdoor performing arts centers, temporary outdoor sales, temporary outdoor showgrounds and exhibition facilities, urban roadside stands, and vegetative stormwater treatment systems.

Many of these uses are consistent with the Open Space/Park designation. Urban Roadside Stands, which are defined as “structures in urban areas of either portable or permanent construction used for the sale of produce and other goods and merchandise, are not consistent with the Open Space/Park designation because it is broadly defined and could potentially include a permanent commercial structure, which is an inconsistent with the uses in the Open Space/Park designation. The Commission notes that if one wanted to sell produce or other goods, one could do so under the “temporary outdoor sales” use, which emphasizes that structures would be temporary and therefore the Open Space/Park attributes of the Burnham Strip would be preserved.

Therefore, the Commission imposes suggested modifications to the El Granada Gateway District language, specifically striking the Urban Roadside Stand and Outdoor Athletic Facilities allowed uses. In addition, the Commission adds the following allowable conditional uses: Public Parking for Surfer’s Beach, Public Restrooms and Showers, Public Pedestrian Trails and Bicycle Trails. These suggested uses are consistent with the Open Space/Park designation because they encourage and support public recreation and they are visitor serving, both of which are priority pursuant to LUP Policy 11.5.

The Commission also imposes as a suggested modification that “realignment of Highway 1” be added as an allowable conditional use in the El Granada Gateway District. In this particular location in El Granada, Highway 1 cuts very close to the shoreline adjacent to the popular Surfer’s Beach. The shoreline is currently armored to protect Highway 1 from coastal erosion. Given the potential for sea level rise due to global warming, it is important to plan for the potential accelerated erosion of this area

that may further threaten Highway 1 and adjacent structures. Planned retreat of these structures should be provided for where feasible.

Certified LUP Policy 9.11 requires development to be located in areas where beach erosion hazards are minimal and where no additional shoreline protection is needed. Certified LUP Policy 9.12(b) only allows protection of roadway facilities that provide public access to beaches *when alternative routes are not feasible*. The Commission has found that “managed retreat” is a less environmentally damaging alternative to shoreline armoring. In areas where retreat is feasible, i.e. near open, undeveloped lands such as the Burnham Strip, managed retreat of Highway 1 should be encouraged and in some cases, required. Allowing Highway 1 to be relocated inland and onto the Burnham Strip area if needed is consistent with these requirements. Only as modified, would the proposed El Granada Gateway district conform with or be adequate to carry out the certified LUP.

8. California Environmental Quality Act

Section 21080.9 of the California Public Resources Code – within the California Environmental Quality Act (CEQA) – exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program. Therefore, local governments are not required to prepare an EIR in support of their proposed LCP amendments, although the Commission can and does use any environmental information that the local government submits in support of its proposed LCPA. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be the functional equivalent of the environmental review required by CEQA, pursuant to CEQA Section 21080.5. Therefore the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required, in approving an LCP amendment submittal, to find that the approval of the proposed LCP, as amended, does conform with CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13542(a), 13540(f), and 13555(b).

The County's LCP Amendment consists of a Land Use Plan amendment (LUP) and an Implementation Plan (IP) amendment. The Commission incorporates its findings on Coastal Act and land use plan conformity into this CEQA finding as it is set forth in full. The LUP amendment as originally submitted cannot be found to be consistent with the Coastal Act with respect to locating and planning new development, public works, priority uses, public access, water quality, and conflict resolution. The Implementation Plan amendment as originally submitted does not conform with and is not adequate to

carry out the policies of the certified LUP with respect to the Open Space/Park designation, public recreation and visitor serving policies, and hazards policies.

The Commission, therefore, has suggested modifications to bring the Land Use Plan into full conformance with the Coastal Act and the Implementation Plan amendment into full conformance with the certified Land Use Plan (See sections 2 and 3). As modified, the Commission finds that approval of the LCP amendment will not result in significant adverse environmental impacts under the meaning of the California Environmental Quality Act. Absent the incorporation of these suggested modifications to effectively mitigate potential resource impacts, such a finding could not be made.

The Commission finds that the Local Coastal Program Amendment, as modified, will not result in significant unmitigated adverse environmental impacts under the meaning of the CEQA. Further, future individual projects would require coastal development permits, issued by the County of San Mateo, and in the case of areas of original jurisdiction, by the Coastal Commission. Throughout the coastal zone, specific impacts to coastal resources resulting from individual development projects are assessed through the coastal development 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 under the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts.

EXHIBIT "A"

TABLE 1

Original Buildout Estimate (1980)

<u>TABLE 1</u>		
<u>ESTIMATED BUILDOUT OF THE LAND USE PLAN</u>		
	Total Existing and Potential Dwelling Units	Estimated Maximum Potential Population
MIDCOAST	7,500	19,700
Urban	(6,200)	(14,900)
Rural	(1,300) ¹	(3,900)
HALF MOON BAY	--	13,500 – 15,000
SOUTH COAST	2,000	7,000
Pescadero	(200)	--
San Gregorio	(40)	--
Rural	(1,746) ¹	--
TOTAL		38,800 – 40,800
¹ Assumes one density credit for all prime agricultural soils of 40 acres or more on a parcel.		

Updated Buildout Estimate (2006)

The following table represents an updated estimate of residential buildout for the Midcoast LCP Update Project Area, as shown on Map 1.3. Buildout is the planned endpoint in a community's growth when land that has been designated for development has been developed, i.e. the sum of all units allowed under existing LCP policy. The methodology involved counting individual parcels and determining development potential according to the Land Use Plan. The buildout estimate and the LCP policies on which it is based are not entitlements and do not guarantee that any proposed development will be approved.

<u>R-1 Zoning District</u>	<u>4,804</u> <u>units</u>
<u>R-3 Zoning District</u>	<u>443</u> <u>units</u>
<u>R-3-A Zoning District</u>	<u>513</u> <u>units</u>
<u>RM-CZ and PAD Zoning Districts</u>	<u>160</u> <u>units</u>
<u>C-1 and CCR Zoning Districts</u>	<u>99-495</u> <u>units</u>
<u>Second Units</u>	<u>466</u> <u>units</u>
<u>Caretaker's Quarters</u>	<u>45</u> <u>units</u>
<u>El Granada Mobile Home Park</u>	<u>227</u> <u>units</u>
<u>TOTAL</u>	<u>6,757-7,153</u> <u>units</u>

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EXHIBIT "B"

MAP 1.3

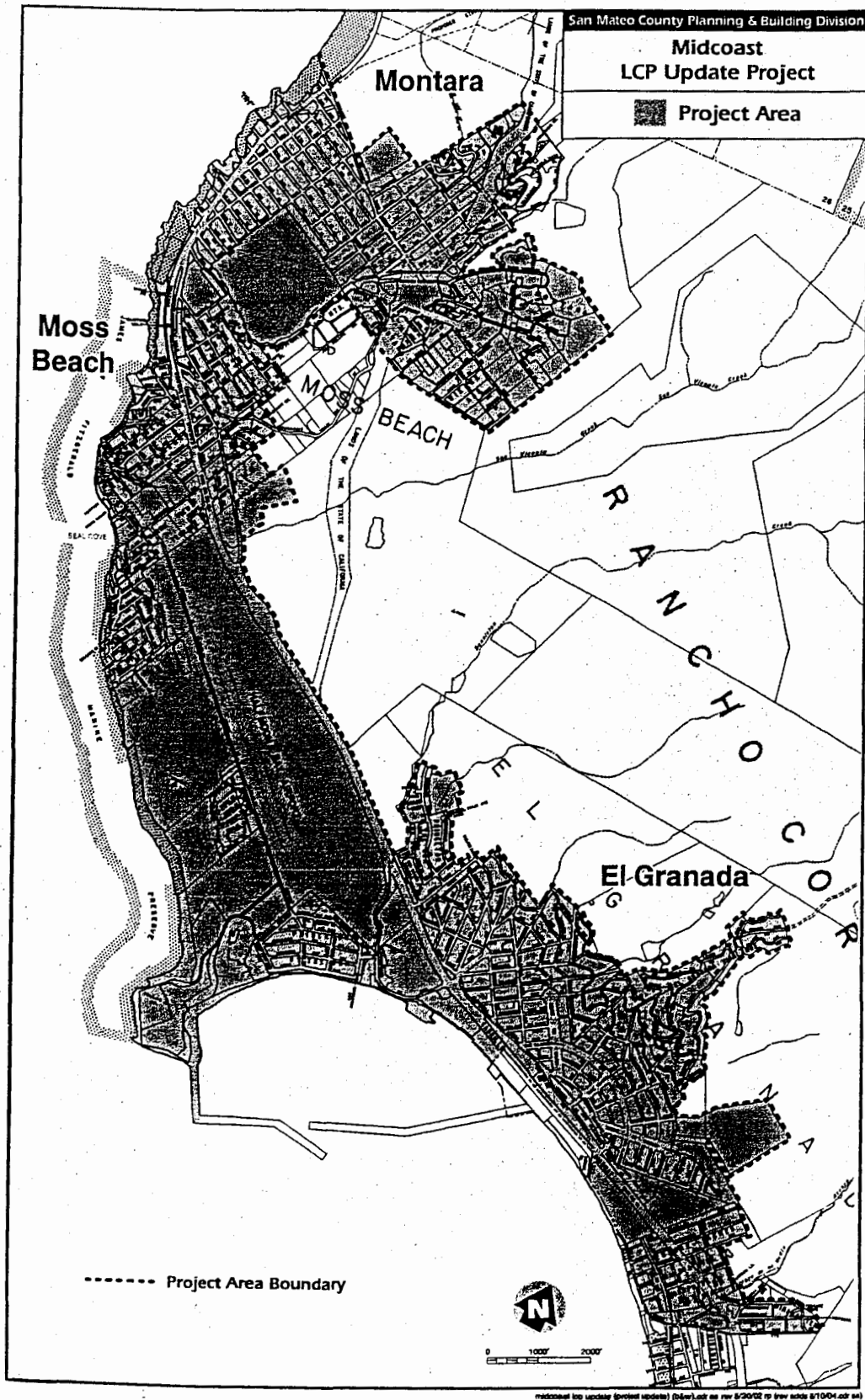


EXHIBIT "C"

TABLE 2.3

a. Original Sewage Generation Estimate (1980)

<p align="center">TABLE 2.3 ESTIMATE OF SEWAGE GENERATION FROM BUILDOUT OF LOCAL COASTAL PROGRAM LAND USE PLAN MONTARA SANITARY DISTRICT</p>				
Land Use	Number of Acres	Number of People	Sewage Generation Factor¹	Sewage Generation (GPD)
MONTARA-MOSS BEACH				
<u>RESIDENTIAL²</u>				
Developed ³	--	3,607		252,490-360,700
Single-Family	--	(3,523)	70-100 g/d/c	
Multi-Family ⁷	--	(84)	70-100 g/d/c	
Undeveloped	--	3,825		267,750-382,500
Single-Family	--	(3,549)	70-100 g/d/c	
Multi-Family	--	(276)	70-100 g/d/c	
<u>COMMERCIAL⁴</u>				
Developed	1.05	--		1,580
Retail	(0.40)	--	2,000 gal/acre	(800)
Recreation	(0.65)	--	1,200 gal/acre	(780)
Undeveloped	11.14	--		21,870
Retail	(10.32)	--	2,000 gal/acre	(20,640)
Recreation	(0.82)	--	1,500 gal/acre	(1,230)
<u>INDUSTRIAL⁴</u>				
Developed	--	--		--
Marine Related	--	--		--
General	--	--		--
Undeveloped	42.60	--		--
Marine Related	(0.00)	--		--
General	(42.60)	--	1,250 gal/acre	53,250

<u>PUBLIC RECREATION</u>				
Parks and Beaches	--	405 ⁵		4,080 ⁶
TOTAL				601,020-823,980

NOTES:

1. Unless otherwise indicated, sewage generation factors are based on Resources Engineering and Management's Draft Phase II Report - Granada Sanitary District Master Plan Study, March, 1979.
2. The Midcoast Buildout in the Locating and Planning New Development Component is the source for the number of dwelling units and household size which is: Single-Family - 2.6 and Multiple-Family - 2.1 persons per household.
3. Based on assumption that 99% of the existing 180,000 gpd Montara Sanitary District flows are generated by developed residences. A 4% increase was added to the existing flows for increasing sewage generation at buildout.
4. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan.
5. Based on the number of projected annual visitors to Montara State Beach divided by 365 to estimate an average day.
6. Based on estimates of sewage generation for beach and tourist restrooms developed by Williams, Kuebelbeck and Associates, Inc., for the Environmental Impact Statement on the Pillar Point Project.
7. This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 299 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one-bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.

b. Updated Sewage Generation Estimate (2006)

The following is an estimate of Midcoast sewage generation at buildout, which includes the Montara Water and Sanitary District component. The wastewater treatment provider for the unincorporated Midcoast is Sewer Authority Mid-Coastside (SAM), serving the Montara Water and Sanitary District and Granada Sanitary District. Residential sewage treatment demand in the Sewer Authority Mid-Coastside service area for 2001 was approximately 66.8 gallons per day per person. The sewage treatment demand for Midcoast non-residential uses is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The estimated Midcoast residential buildout to be served by sewers is as follows:

<u>R-1 zoned areas</u>	<u>4,804 units</u>
<u>R-3 zoned areas</u>	<u>443 units</u>
<u>R-3-A zoned areas</u>	<u>513 units</u>
<u>C-1 and CCR Zoning Districts</u>	<u>99-495 units</u>
<u>Second Units</u>	<u>466 units</u>
<u>Caretaker's Quarters</u>	<u>45 units</u>
<u>Mobile Home Park</u>	<u>227 units</u>
<u>TOTAL</u>	<u>6,597-6,993 units</u> *
* <u>Excludes 160 units on RM-CZ and PAD zoned Midcoast parcels; most of which are assumed will not connect to a sewage treatment facility.</u>	

For the purposes of this study, the estimated residential buildout is 6,993 units.

Census 2000 showed average Midcoast household size as 2.78 persons per household. Based on the residential sewage treatment demand figure above (66.8 gdp), the estimated sewer treatment capacity needed to serve Midcoast residential buildout is 1.30 million gallons per day.

Non-Residential Uses

The area designated for non-residential sewage treatment demanding uses in the Midcoast is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>24</u>
<u>Commercial Recreation (CCR)</u>	<u>45</u>
<u>Waterfront (W)</u>	<u>39</u>
<u>Light Industrial (M-1)</u>	<u>47</u>
<u>Institutional</u>	<u>49</u>

Based on the non-residential sewage treatment demand figures above, the sewage treatment capacity needed to serve non-residential uses at buildout is as follows:

<u>Land Use/Zoning</u>	<u>Gallons per Day</u>
<u>Neighborhood Commercial (C-1)</u>	<u>48,000</u>
<u>Commercial Recreation (CCR)</u>	<u>67,500</u>
<u>Waterfront (W)</u>	<u>78,000</u>
<u>Light Industrial (M-1)</u>	<u>94,000</u>
<u>Institutional</u>	<u>24,500</u>
<u>TOTAL</u>	<u>311,000</u>

The sewage treatment capacity needed to serve non-residential buildout is 0.31 million gallons per day.

Combined Residential and Non-Residential Uses at Buildout

The total sewage treatment capacity needed to serve combined residential and non-residential Midcoast buildout is 1.61 million gallons per day.

TABLE 2.4**a. Original Sewage Generation Estimate (1980)**

TABLE 2.4 ESTIMATE OF SEWAGE GENERATION FROM BUILDOUT OF LAND USE PLAN GRANADA SANITARY DISTRICT				
Land Use	Number of Acres	Number of People	Sewage Generation Factor¹	Sewage Generation (GPD)
EL GRANADA-PRINCETON				
<u>RESIDENTIAL²</u>				
Developed	--	3,400	70-100 g/d/c	238,000-340,000
Single-Family	--	--		
Multi-Family	--	--		
Undeveloped	--	5,193	70-100 g/d/c	363,500-519,300
Single-Family ⁹	--	(4,042)		
Multi-Family	--	(1,151)		
<u>COMMERCIAL³</u>				
Developed	6.90	--		11,680
Retail	(4.25)	--	2,000 gal/acre	(8,500)
Recreation ⁴	(2.65)	--	1,200 gal/acre	(3,180)
Undeveloped	57.20	--		93,150
Retail	(14.70)	--	2,000 gal/acre	(29,400)
Recreation ⁴	(42.50)	--	1,500 gal/acre	(63,750)
<u>INDUSTRIAL</u>				
Developed ⁵	11.00	--		20,980
Marine Related	(11.00)	--	2,000 gal/acre	(20,980)
General	--	--		--
Undeveloped ³	29.29	--		58,580
Marine Related	(29.29)	--	2,000 gal/acre	(58,580)
General	--	--		--
<u>ESSENTIAL PUBLIC SERVICES¹⁰</u>				
Essential Public Services	--	--		5,125

<u>PUBLIC RECREATION</u>				
Parks and Beaches	--	318 ⁶	10 gal/day/capita ⁷	3,180
SUBTOTAL	--	--		786,975- 1,044,765
INCORPORATED SECTION OF HALF MOON BAY ⁸				
<u>RESIDENTIAL</u> ²				
Developed Single-Family	--	660	70-100 g/d/c	46,200-66,000
Undeveloped Single-Family	--	798	70-100 g/d/c	55,860-79,800
<u>COMMERCIAL</u>				
Developed Retail	1.00	--	2,000 gal/acre	2,000
Undeveloped Retail	5.00	--	2,000 gal/acre	10,000
SUBTOTAL	--	--		114,060- 157,800
TOTAL				901,035- 1,202,565

NOTES:

1. Unless otherwise indicated, sewage generation factors are based on Resources Engineering and Management's Draft Phase II Report - Granada Sanitary District Master Plan Study, March, 1979.
2. The Midcoast Buildout in the Locating and Planning New Development Component is the source for the number of dwelling units and household size which is: Single-Family - 2.6 and Multiple-Family - 2.1 persons per household.
3. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan. These figures, as revised in 1991, do not include roads.
4. Based on estimates of sewage generation for commercial recreation developed by Williams, Kuebelbeck and Associates, Inc., for the Environmental Impact Statement on the Pillar Point Project.
5. Figure on acreage of developed industrial from the Resources Engineering and Management's Draft Phase I Report - Granada Sanitary District Master Plan Study, January, 1979.
6. Based on the number of projected annual visitors to the Fitzgerald Marine Reserve divided by 365 to estimate an average day.

7. Based on the estimates of sewage generation for beach and tourist restrooms developed by Williams, Kuebelbeck and Associates, Inc., for the Environmental Impact Statement on the Pillar Point Project.
8. Based on estimates of buildout for the part of Half Moon Bay included in the Granada Sanitary District which were contained in Resources Engineering and Management's Draft Phase I Report - Granada Sanitary District Master Plan Study.
9. This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 350 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one-bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.
10. Essential public services include the following uses: Emergency Facilities, Correctional Facilities, Transportation Facilities (public), Utility Facilities, Hospitals, Skilled Nursing Facilities, Intermediate Care Facilities, Libraries, Community Centers, Elementary and Secondary Schools, Institutional Day Care Facilities for Children (Day Care Centers as defined by State law), Adults and the Elderly, Institutional Full-Time Care Facilities for Children and Adults, and Institutional Shared Housing Facilities for the Elderly. These services must be provided by a public agency or private non-profit or government-funded (partially or fully) purveyor to be considered an essential public service. The reserve capacity allocated to these priority uses may not be shared by any associated, non-priority use and must be forfeited when the priority use is discontinued.

b. Updated Sewage Generation Estimate (2006)

See Table 2.3 for estimated Midcoast sewage generation at buildout, which includes the Granada Sanitary District component.

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EXHIBIT "D"

TABLE 2.9

a. Original Water Consumption Estimate (1980)

<p>TABLE 2.9 ESTIMATE OF WATER CONSUMPTION DEMAND FROM BUILDOUT OF LAND USE PLAN CITIZENS UTILITY COMPANY</p>				
Land Use	Number of Acres ¹	Number of People	Water Generation Factor	Water Generation (GPD)
<u>MONTARA-MOSS BEACH</u>				
<u>RESIDENTIAL</u>				
Developed	--	3,607	93-134 g/d/c	335,550-483,300
Single-Family	--	(3,523)		--
Multi-Family	--	(84)		--
Undeveloped	--	3,825	93-134 g/d/c	355,700-512,600
Single-Family ⁶	--	(3,549)		--
Multi-Family	--	(276)		--
<u>COMMERCIAL²</u>				
Developed	1.05	--		2,000
Retail	(0.40)	--	2,000 gal/acre	(1,000)
Recreation	(0.65)	--	1,500 gal/acre	(1,000)
Undeveloped	11.14	--		27,400
Retail	(10.32)	--	2,500 gal/acre	(25,800)
Recreation	(0.82)	--	1,900 gal/acre	(1,600)
<u>INDUSTRIAL²</u>				
Undeveloped	42.60	--		85,200
Marine Related	(0.00)	--		--
General	(42.60)	--	2,000 gal/acre	(85,200)
<u>PUBLIC RECREATION²</u>				
Parks and Beaches	--	408 ³	11.5 gal/day/capita	4,700

<u>FLORICULTURE</u>	--	--		40,000 ⁴
Developed	--	--		(20,000)
Expansion	--	--	100% increase	(20,000)
<u>INSTITUTIONS⁵</u>				
Developed	--	--		13,600
TOTAL				864,100- 1,168,000

NOTES:

1. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan.
2. Water generation factors for commercial, industrial and public recreation uses derived from estimates of sewage generation in the sewer section of this component and the estimates of the relation between sewage generation and water consumption by Williams, Kuebelbeck and Associates, Inc., in the Pillar Point Harbor Project Environmental Impact Report. A 15% system loss is included.
3. Based on an estimate of average daily visitors to Montara State Beach at buildout.
4. Estimate of CUC existing floricultural usage, projected to expand 100% at buildout.
5. Institutions include schools and convalescent homes. School equals about 1,200 gpd (Farallone). The rest is a convalescent home. Expansion at buildout assumes a 35% increase for schools, assuming a probable year-round system with the potential to accommodate about 35% more children than the system now serves.
6. This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 299 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one-bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.

b. **Updated Water Consumption Estimate (2006)**

Montara Water and Sanitary District

The following is an estimate of water consumption at buildout for Midcoast properties served by the Montara Water and Sanitary District (MWSD). Based on 2001 and 2002 Midcoast water consumption data, annual average residential water consumption is assumed to be 87 gallons per day per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The portion of Midcoast residential buildout expected to be served by a water supply utility is 6,993 units. Census 2000 showed average Midcoast household size as 2.78 persons per household. Based on the residential water consumption figure above (87 gdp), the estimated water supply capacity needed to serve Midcoast residential buildout is 1.69 million gallons per day (annual average consumption).

Utility service area maps show that MWSD serves approximately 47.4% of the Midcoast water supply area. Therefore, the water supply capacity needed for the Montara Water and Sanitary District to serve residential buildout is 0.80 million gallons per day (annual average) and 1.44 million gallons per day (peak day).

Non-Residential Uses

The acreage of non-residential water consuming uses served is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>9</u>
<u>Commercial Recreation (CCR)</u>	<u>4</u>
<u>Waterfront (W)</u>	<u>8</u>
<u>Light Industrial (M-1)</u>	<u>47</u>
<u>Institutional</u>	<u>31</u>

Based on the non-residential water consumption figures above, the water supply capacity needed for MWSD to serve each non-residential use at buildout is as follows:

<u>Land Use/Zoning</u>	<u>Gallons Per Day</u>
<u>Neighborhood Commercial (C-1)</u>	<u>18,000</u>
<u>Commercial Recreation (CCR)</u>	<u>6,000</u>
<u>Waterfront (W)</u>	<u>20,000</u>
<u>Light Industrial (M-1)</u>	<u>94,000</u>
<u>Institutional</u>	<u>15,500</u>
<u>TOTAL</u>	<u>153,500</u>

Combined Residential and Non-Residential Demand at Buildout

The total annual average water supply capacity needed for the Montara Water and Sanitary District to serve combined residential and non-residential buildout is 0.95 million gallons per day.

The total peak day water supply capacity needed for the Montara Water and Sanitary District to serve combined residential and non-residential buildout is 1.72 million gallons per day.

TABLE 2.10**a. Original Water Consumption Estimate (1980)**

TABLE 2.10 ESTIMATE OF WATER CONSUMPTION DEMAND FROM BUILDOUT OF LAND USE PLAN COASTSIDE COUNTY WATER DISTRICT WITHIN COUNTY JURISDICTION				
Land Use	Number of Acres	Number of People	Water Generation Factor	Water Generation (GPD)
EL GRANADA-PRINCETON				
<u>RESIDENTIAL</u>				
Developed	--	3,400	93-134 g/d/c	316,200-455,600
Single-Family	--	--		--
Multi-Family	--	--		--
Undeveloped	--	5,193	93-134 g/d/c	482,900-695,900
Single-Family ⁶	--	(4,042)		
Multi-Family	--	(1,151)		
<u>COMMERCIAL</u> ^{1, 2}				
Developed	6.90	--		14,600
Retail	(4.25)	--	2,500 gal/acre	(10,600)
Recreation	(2.65)	--	1,500 gal/acre	(4,000)
Undeveloped	57.20	--		148,580
Retail	(14.70)	--	4,700 gal/acre	(68,100)
Recreation	(42.50)	--	1,900 gal/acre	(80,750)
<u>INDUSTRIAL</u> ^{1, 2}				
Developed	11.00	--		27,500
Marine Related	(11.00)	--	2,500 gal/acre	(27,500)
General	(0.00)	--		--
Undeveloped	29.29	--		73,225
Marine Related	(29.29)	--	2,500 gal/acre	(73,225)
General	(0.00)	--		--

<u>ESSENTIAL PUBLIC SERVICES</u>				
Developed ⁵	--	--		1,700
Undeveloped	--	--		6,425
<u>PUBLIC RECREATION²</u>				
Parks and Beaches	--	318 ³	11.5 gal/day/capita	3,700
<u>FLORICULTURE⁴</u>	--	--		230,000
Developed	--	--		(60,000)
Expansion	--	--		(170,000)
TOTAL				1,306,100- 1,658,500

NOTES:

1. Commercial and industrial acreages based on planimeter measurements of the LCP Land Use Plan. These figures, as revised in 1991, do not include roads.
2. Water generation factors for commercial, industrial and public recreation uses derived from estimates of sewage generation in the sewer section of this component and the estimates of the relation between sewage generation and water consumption by Williams, Kuebelbeck and Associates, Inc., in the Pillar Point Harbor Project Environmental Impact Report. A 15% system loss is included.
3. Based on an estimate of average daily visitors to Fitzgerald Marine Reserve at buildout.
4. Floricultural water usage is estimated as follows:

<u>Developed</u>	(.2 mgd) 60,000 gpd 140,000 gpd	CCWD actual 1978 floricultural usage. CCWD County areas (30% of actual). Half Moon Bay (70% of actual).
<u>Expansion</u>	50,000 gpd	Water usage by existing Pilarcitos Valley floriculturalists now relying on creek and well water.
	120,000 gpd	100% expansion of existing floricultural use at buildout.

5. El Granada School projected to expand its existing consumption (1,300 gpd at the time of LCP adoption) by 35% at buildout because of a probable year-round system with the potential to accommodate about 35% more children.

6. This table reflects the second units that are permitted in R-1 Coastal Zoning Districts. It is estimated that 350 persons would be housed in second units located in this area based on a household size estimate of 1.410 persons per second unit as derived using standards for a one-bedroom duplex from the U.S. Department of Commerce and Housing and Urban Development, Annual Housing Survey, 1977.
7. Essential public services include the following uses: Emergency Facilities, Correctional Facilities, Transportation Facilities (public), Utility Facilities, Hospitals, Skilled Nursing Facilities, Intermediate Care Facilities, Libraries, Community Centers, Elementary and Secondary Schools, Institutional Day Care Facilities for Children (Day Care Centers as defined by State law), Adults and the Elderly, Institutional Full-Time Care Facilities for Children and Adults, and Institutional Shared Housing Facilities for the Elderly. These services must be provided by a public agency or private non-profit or government-funded (partially or fully) purveyor to be considered an essential public service. The reserve capacity allocated to these priority uses may not be shared by any associated, non-priority use and must be forfeited when the priority use is discontinued.

b. Updated Water Consumption Estimate (2006)

Coastside County Water District

The following is an estimate of water consumption at buildout for Midcoast properties served by the Coastside County Water District (CCWD). Based on 2001 and 2002 Midcoast water consumption data, annual average residential water consumption is assumed to be 87 gallons per day per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

<u>Neighborhood Commercial (C-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Commercial Recreation (CCR)</u>	<u>1,500 gallons per acre per day</u>
<u>Waterfront (W)</u>	<u>2,000 gallons per acre per day</u>
<u>Light Industrial (M-1)</u>	<u>2,000 gallons per acre per day</u>
<u>Institutional</u>	<u>500 gallons per acre per day</u>

Residential Use

The portion of Midcoast residential buildout expected to be served by a water supply utility is 6,993 units. Census 2000 showed average Midcoast household size as 2.78 persons/household. Based on the residential water consumption figure above (87 gdp), the estimated water supply capacity needed to serve Midcoast residential buildout is 1.69 million gallons per day (annual average consumption).

Utility service area maps show that CCWD serves approximately 52.6% of the Midcoast water supply area. Therefore, the water supply capacity needed for the Coastside County Water District to serve residential buildout is 0.89 million gallons per day (annual average) and 1.60 million gallons per day (peak day).

Non-Residential Uses

The acreage of non-residential water consuming uses is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>15</u>
<u>Commercial Recreation (CCR)</u>	<u>41</u>
<u>Waterfront (W)</u>	<u>31</u>
<u>Institutional</u>	<u>18</u>
<u>Agriculture (Floriculture) (PAD)</u>	(see below)

Based on the non-residential water consumption figures above, the water supply capacity needed for CCWD to serve each non-residential use at buildout is as follows:

<u>Land Use/Zoning</u>	<u>Acres</u>
<u>Neighborhood Commercial (C-1)</u>	<u>30,000</u>
<u>Commercial Recreation (CCR)</u>	<u>61,500</u>
<u>Waterfront (W)</u>	<u>77,500</u>
<u>Institutional</u>	<u>9,000</u>
<u>Agriculture (Floriculture) (PAD)</u>	<u>170,000</u>
<u>TOTAL</u>	<u>348,000</u>

Combined Residential and Non-Residential Demand at Buildout

The total annual average water supply capacity needed for the Coastside County Water District to serve combined residential and non-residential buildout is 1.24 million gallons per day.

The total peak day water supply capacity needed for the Coastside County Water District to serve combined residential and non-residential buildout is 2.23 million gallons per day.

EXHIBIT “E”

2.8 Reservation of Capacity for Priority Land Uses

- a. Reserve public works capacity for land uses given priority by the Local Coastal Program as shown on Table 2.7 and Table 2.17. All priority land uses shall exclusively rely on public sewer and water services.
- b. For each public works development phase, reserve capacity adequate to allow priority land uses to develop to the buildout allowed by that phase.
- c. Under the following circumstances, allow public agencies and utilities to reallocate capacity to non-priority land uses: (1) when landowners refuse to pay the assessment fees for public services to serve priority land uses because they desire to keep their land vacant or develop a non-priority land use allowed on the site by the Local Coastal Program, and (2) when a landowner, in response to a written inquiry by a public agency or utility, indicates in writing that he/she does not plan to develop his/her land as a priority land use and will not be using any reserved capacity during a certain phase. The public agency or utility shall calculate the capacity needed to serve the remaining priority land uses. Reserved capacity that is not required for the remaining priority land uses may be reallocated to non-priority land uses after the public agency has gained the approval of the Planning Commission. Before approving the reallocation, the Planning Commission shall make the finding, in writing, that the remaining reserved capacity will be adequate to serve the remaining priority land uses. The reservation of capacity for priority land uses shall be increased during the next phase to compensate priority land uses for this reallocation. At least 50% of the priority land uses planned in each phase must be provided capacity for; that capacity may not be allocated to the next phase.
- d. Allow Coastside County Water District and Montara Water and Sanitary District to allocate priority capacity in accordance with Table 2.17 equivalent to ten standard size (5/8 inch diameter) service connections (approximately 2,710 gallons per day total) in order to provide municipal water service to residential dwellings which are connected to the public sanitary sewer system, when such a connection is necessary to avert a substantial hardship caused by the failure of a private well serving the dwelling in production quantity or quality as certified by the Director of the Department of Environmental Health Division. For purposes of this policy, “substantial hardship” shall not include any failure which can be remedied by repair or replacement of well equipment or facilities, or relocation of a well on a parcel. Whether substantial hardship exists shall be determined by the Community Development Director Planning Director, following consultation with the Director of Environmental Health and the General Manager of the Coastside County Water District serving water district.

In order to minimize the reduction in water reserved for Coastal Act priority land uses, applications for reallocated water shall include a Water Fixture Retrofit Plan to replace existing water fixtures of the residence applying for the connection with water conserving fixtures. This plan must be reviewed and approved by the ~~Coastside Community Water District~~ General Manager of the serving water district prior to the establishment of the connection, and contain the following:

- (1) A list of all existing fixtures to be retrofitted and their present associated water flow (e.g., gallons/second);
- (2) A list of all proposed fixtures to be installed and their associated water flow;
- (3) The estimated annual water savings resulting from the proposed retrofit, showing all calculations and assumptions; and
- (4) A leak detection test; all leaks shall be repaired, but such repairs shall not be calculated in the estimates of savings.

~~The Coastside Community Water District~~ inspection personnel of the serving water district shall inspect the water fixtures prior to and following the retrofit to confirm compliance with the approved plan and proper installation.

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TABLE 2.17

AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES¹
MONTARA WATER AND SEWER DISTRICT CITIZENS UTILITY DISTRICT (MONTARA/MOSS BEACH)

ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
<u>Coastal Act Priorities</u>				
Marine Related Industrial	--	--	--	--
Commercial Recreation	.57 acres	1,100	.82 acres	1,230
Public Recreation	282 persons	3,200	408 persons	4,080
Floriculture		13,800		20,000 <u>10,000</u>
<u>Essential Public Services²</u>				<u>5,000</u>
<u>Local Coastal Program Priorities</u>				
Specific Developments on Designated Sites Containing Affordable Housing (1) North Moss Beach Site (11 acres)	148	64,380	148	35,816 to 51,504
<u>Other Affordable Housing</u>			<u>20</u>	<u>5,000</u>
Total Water Capacity for Priority Land Uses		82,480		61,126 to 76,814
Percent of Total Water Capacity for Priority Land Uses		10.6%		5.4 to 9.2%
Percent of Buildout Allowed by Phase		50 to 69%		100%
Total Water Capacity		778,800		836,300 to 1,128,700

TABLE 2.17 (continued)

**AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES¹
COASTSIDE COUNTY WATER DISTRICT (COUNTY JURISDICTION)**

ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
<u>Coastal Act Priorities</u>				
Marine Related Industrial	22.85 acres	55,770	29.29 acres	71,870
Commercial Recreation	33.15 acres	61,630	42.50 acres	79,395
Public Recreation	248 persons	2,900	318 persons	3,700
Floriculture		179,400		230,000 <u>220,000</u>
Essential Public Services ²		7,700		9,135 <u>14,135</u>
<u>Local Coastal Program Priorities</u>				
Specific Developments on Designated Sites Containing Affordable Housing (1) North El Granada Site (6 acres) (2) South Moss Beach Site (12.5 acres)	104	39,936	322	77,924 to 112,056
<u>Other Affordable Housing</u>			20	<u>5,000</u>
Consolidated Lots in Miramar	55	20,900	70	16,900 to 24,400
Historic Structures ³ (1) Johnston House	1	1,480	1	1,480

TABLE 2.17 (continued)				
AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES ¹ COASTSIDE COUNTY WATER DISTRICT (COUNTY JURISDICTION)				
ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
Total Water Capacity for Priority Land Uses		369,716		490,404 to 532,036
Percent of Total Water Capacity for Priority Land Uses		29.4%		30.4 to 41.8%
Percent of Buildout Allowed by Phase		59 to 78%		100%
Total Water Capacity		1,257,000		1,273,600 to 1,611,600

NOTES:

- Capacity reserved for additional priority land use development. Does not include existing, developed priority land uses at time of LCP adoption.
- Essential public services include the following uses: Emergency Facilities, Correctional Facilities, Transportation Facilities (public), Utility Facilities, Hospitals, Skilled Nursing Facilities, Intermediate Care Facilities, Libraries, Community Centers, Elementary and Secondary Schools, Institutional Day Care Facilities for Children (Day Care Centers as defined by State law), Adults and the Elderly, Institutional Full-Time Care Facilities for Children and Adults, Institutional Shared Housing Facilities for the Elderly and One-Family Dwellings with Failed Domestic Wells. These services must be provided by a public agency or private non-profit or government-funded (partially or fully) purveyor to be considered an essential public service. The reserve capacity allocated to these priority uses may not be shared by any associated, non-priority use and must be forfeited when the priority use is discontinued.

12,710 gallons/day are reserved for One-Family Dwellings with Failed Domestic Wells. This reservation was calculated by reserving capacity for ten (10) One-Family Dwellings, each consuming 274 gallons/day of water. This reservation is allocated as follows:

Coastside County Water District – 7,710 gallons/day (30 units)
Montara Water and Sanitary District – 5,000 gallons/day (20 units)
- In order to qualify for priority, historic structures must meet the criteria contained under LCP Policy 2.37.c(b).

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EXHIBIT "F"

1.22 Timing of New Housing Development in the Midcoast

- a. In order to ensure that roads, utilities, schools and other community infrastructure public works are not overburdened by rapid residential growth, require that the following limitations on building permits granted in the Midcoast for the construction of residences, other than affordable housing, be applied beginning in the first calendar year after LCP certification: limit the number of new dwelling units built in the urban Midcoast to 75 units each calendar year.
- b. New dwelling units include each new single-family residential unit, each new unit in a multiple-family residential development, each new unit in mixed-use development, and each new caretaker quarter.
- c. New dwelling units do not include affordable housing units, i.e. subject to income and cost/rent restrictions, and second dwelling units.
- d. The number of new dwelling units built each year means that number of units for which building permits have been issued authorizing construction to commence. The date of building permit issuance does not relate to the date of building permit application.
- e. This annual limit on residential units is not an entitlement, i.e. it does not guarantee that any proposed development will be approved.
- a. 125 per year until Phase I sewer and significant new water facilities have both been provided, unless the County Board of Supervisors makes the finding that water or other public works have insufficient capacity, consistent with the protection of sensitive habitats, to accommodate additional growth (see Policy 7.20).
- b. 125 in the years following the provision of Phase I sewer and significant new water facilities, unless the County Board of Supervisors makes the finding that water, schools and other public works have sufficient capacity to accommodate additional growth. In any year that the Board makes this finding, up to 200 building permits may be granted. The exact number of building permits shall be determined by the Board at the time the finding is made.

EXHIBIT "H"

2.51 Traffic Mitigation

In the Midcoast LCP Update Project Area, as shown on Map 1.3, require Transportation Demand Management (TDM) measures for new development which generates a net increase of more than 50 peak hour trips per hour at any time during the a.m. or p.m. peak period. TDM measures can include establishing a shuttle service, subsidizing transit for employees, charging for parking, establishing a carpool or vanpooling program, having a compressed work week, providing bicycle storage facilities and showers, or establishing a day care program.

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(5/4/06)

EXHIBIT "I"

2.50 Route 1 and Route 92 Phase I Capacity Limits

- a. On Route 92, limit Phase I improvements to: (1) slow vehicle lanes on uphill grades, and (2) the following operational and safety improvements within the existing alignment or lands immediately adjacent: elimination of sharp curves, lane widening, wider shoulders to allow passage for emergency vehicles and signals at major intersections.
- b. On Route 1, limit Phase I improvements to: (1) slow vehicle lanes on uphill grades and the following operational and safety improvements within the existing alignment or lands immediately adjacent: elimination of sharp curves, lane widening, wider shoulders to allow passage for emergency vehicles and signals at major intersections; and (2) construction of a tunnel for motorized vehicles only behind Devil's Slide through San Pedro Mountain. The tunnel design shall be consistent with (a) Coastal Act limits restricting Route 1 to a two-lane scenic highway, and (b) minimum State and federal tunnel standards. A separate trail for pedestrians and bicycles shall be provided outside the tunnel as specified in Policy 2.56a.
- c. When CalTrans determines that the original Devil's Slide Bypass Alignment, also know as the "Adopted Alignment," between Sunshine Valley Road and McNee Ranch State Park, is no longer needed for highway purposes, i.e. as a right-of-way, the County will:
 - (1) Designate the former right-of-way as a Linear Park and Trail.
 - (2) Revise the zoning of the former right-of-way to implement the Linear Park and Trail designation.
 - (3) Permit existing roads which cross the former right-of-way to remain.
 - (4) Permit water supply source and distribution facilities within the former right-of-way.

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(6/6/06)

EXHIBIT "J"

11.13 Trails

- a. The County Trails Plan establishes a trails program for the Coastal Zone with the objective of: (1) connecting major shoreline to inland park and recreation facilities and trails, and (2) linking existing and proposed recreation facilities along the coast.

- b. Designate the following as Local Coastal Program trails:

- (1) Coastal Trail as delineated by the State Coastal Conservancy.
~~Proposed Pacific Ocean Corridor Trail of the State Department of Parks and Recreation.~~

- (2) Other LCP trails proposals:

- (a) Montara Mountain Gulch Trail connecting Point Montara Lighthouse to the Gregorio Trail between Montara State Beach and San Pedro Park near the McNee Ranch.

- (b) Pilarcitos, Scarper View, Midcoast Foothill, and Old San Pedro Road Trails, as shown in the County Trails Plan.

When the County Trails Plan is amended, the Scarper View Trail could be more precisely described as located on Mirada Surf West, Mirada Surf East, Quarry Park, and other publicly owned properties.

(b)

- (c) Half Moon Bay to Huddart Park Trail connecting Half Moon Bay State Beach near via Higgins Road to the Gregorio Trail from Huddart County Park.

(c)

- (d) Purisima Creek to Huddart County Park Trail connecting from Route 1 near via Purisima Creek Road to the Gregorio Trail from Huddart County Park.

(d)

- (e) Martin's Beach to Huddart County Park Trail connecting from Martin's Beach via the Lobitos Creek cut-off and Tunitas Creek Road to Huddart County Park.

- (e)
- (f) San Gregorio State Beach to Town of Pescadero Trail connecting San Gregorio State Beach to the communities of San Gregorio and Pescadero via La Honda Road and Stage Road.
- (f)
- (g) Gazos Creek Coastal Access to Butano State Park Trail connecting Gazos Creek Coastal Access to Butano State Park via Gazos Creek Access Road.

(3) Trails offered by property owners for public use.

11.27 Improvement, Expansion and Maintenance of Public Recreation

- a. Continue to provide for the improvement, expansion and maintenance of the Fitzgerald Marine Reserve and San Pedro Valley Park.
- b. Support efforts to add the Devil's Slide bypass roadway alignment to adjoining park units, including, but not limited to, the Golden Gate National Recreation Area.
- b.
- c. Explore developing a contractual agreement with the State Department of Parks and Recreation which would allow the County to maintain and operate State-owned recreation areas with reimbursement for these expenses by the State Department of Parks and Recreation.
- e.
- d. Undertake the development and maintenance of ~~Gregorio/Murphy~~ and LCP proposed trails, including the Coastal Trail, with reimbursement for these activities by the State of California to the greatest extent possible.
- d.
- e. Collect in-lieu fees and contribute these and other minor funds to the appropriate County fund including, but not limited to, the Midcoast Parks Development Fund administered by the Parks and Recreation Division. ~~County's general funds and u~~Use these funds to: (1) develop County public recreation facilities, including trails, and (2) provide matching funds for State and federal recreation programs in accordance with the priorities in Policy 11.23.
- e.
- f. Sign major public recreation areas and commercial recreation areas consistent with Policy 11.16.

EXHIBIT "K"

2.56 Improvements for Bicycle and Pedestrian Trails

- a. Require, if funds are available, that CalTrans provide adjacent or separate facilities for bicycle and pedestrian trails in accordance with the policies of the Recreation and Visitor-Serving Facilities Component and the County Bikeways Plan. If a tunnel is constructed behind Devil's Slide, require as part of the project that CalTrans construct a bicycle and pedestrian trail outside the tunnel.
- b. Require, as a minimum, that CalTrans provide adequate right-of-way on new or expanded roadways to allow the future development of bicycle and pedestrian trails in accordance with the policies of the Recreation and Visitor-Servicing Facilities Component and the County Bikeways Plan.
- c. Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path parallel to Highway 1 within the right-of-way.
- d. Through coordination with CalTrans, promote the development of above and below ground pedestrian crossings at the Midcoast locations along Highway 1 shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment – Map 3.
- e. When warranted by the size of Highway 1 projects in the Midcoast, require that CalTrans:
 - (1) Develop a pedestrian/bicycle/multi-purpose path parallel to the portion of Highway 1 where the project is located, and/or
 - (2) At locations shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment, develop an above or below ground pedestrian crossing.

11.26 Requirements for Trails and Recreational Development

- a. Require the dedication by public agencies of trail easements along the routes of the Gregorio/Murphy and LCP Trails Program, including the Pacific Ocean Corridor Trail after submission by the State Department of Parks and Recreation of an acceptable alignment.
- b. Require some provision for public recreation for each development permit for a land division within the Coastal Zone. Require either: (1) the dedication of trail easements when the division affects land along the routes of Gregorio/Murphy and LCP Trails Program trails, including the Pacific

Ocean Corridor Trail, after submission by the State Department of Parks and Recreation of an acceptable alignment, or (2) the payment of in-lieu fees in areas outside a trail corridor. Base the amount of the land to be dedicated or the fees to be paid on a graduated scale related to the size, type, and adverse impact on the development of open space recreational opportunities or coastal access.

- c. Require CalTrans, as a condition of granting development permits for expansion of State roads for improvements for bicycles in the Coastal Zone, to provide adequate right-of-way and construct bikeways in conformance with the standards and types of bikeway construction contained in the County's Bikeways Plan.
- d. Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path parallel to Highway 1 within the right-of-way.
- e. Through coordination with CalTrans, promote the development of above and below ground pedestrian crossings at the Midcoast locations along Highway 1 shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment – Map 3.
- f. When warranted by the size of Highway 1 projects in the Midcoast, require that CalTrans:
 - (1) Develop a pedestrian/bicycle/multi-purpose path parallel to the portion of Highway 1 where the project is located, and/or
 - (2) At locations shown as "Proposed Safe Crossing" in the Midcoast Recreational Needs Assessment, develop an above or below ground pedestrian crossing.

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EXHIBIT "L"

3.17. Incentives for Midcoast Affordable Housing

Provide the following incentives for voluntary development of affordable housing units on Midcoast parcels other than the designated housing sites:

- a. Any property that is (1) developed with an affordable (very low, low or moderate income) housing unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County, and (2) located in an urban Midcoast zoning district where residential units are permitted, may receive reserved water supply capacity to the extent authorized by LCP Tables 2.7 and 2.17, respectively.
- b. In addition, any substandard lot smaller than 4,500 sq. ft. in area and not in common ownership with contiguous lots that is (1) developed with an affordable (very low, low or moderate income) housing unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County, and (2) located in a Midcoast residential zoning district, shall be entitled to:
 - (1) Up to 200 sq. ft. of covered parking floor area that is not counted toward the applicable building floor area limit; and
 - (2) One required parking space may be provided uncovered.

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EXHIBIT "M"

- 1.35 All new land use development and activities shall comply with the requirements of the existing Countywide Stormwater Pollution Prevention Program (STOPPP), including best management practices and performance standards. The minimum STOPPP requirements are shown in the Appendix that is a part of this component.

APPENDIX

MINIMUM STORMWATER POLLUTION PREVENTION PROGRAM REQUIREMENTS

1. All New Development

All new development, including remodeling of existing buildings, shall comply with the following minimum requirements:

- a. Avoid or minimize and mitigate the potential adverse impacts to water quality from new development by using pre-construction, during construction, and post-construction best management practices.
- b. Prevent the flow of liquid building materials and wastes onto impervious surfaces and into storm drains and waterways.
- c. Prevent construction equipment, building materials and piles of soil from contact with rain using plastic sheeting or other temporary cover, and contact with stormwater using berms, ditches, and other methods.
- d. Contain vehicle and equipment cleaning, storage, maintenance, and refuse and recycling areas to prevent runoff from discharging into the storm drain system.
- e. Clean up leaks and spills immediately to prevent soil and groundwater contamination, contact with paved surfaces, and discharge into the storm drain system.
- f. Use silt ponds, berms and other techniques to trap sediment, spilled liquids and other pollutants.
- g. Employ site planning and construction methods to reduce the need for pesticides and contaminants, and prevent contact with stormwater.

2. New Development that Alters the Land

In addition to the requirements listed in 1. above, new development, construction or other activities that disturb or otherwise alter the land shall comply with the following minimum requirements:

- a. Where the potential for significant erosion from construction activities exists, prepare and implement an erosion and sediment control plan that includes effective erosion and sediment control measures.
- b. Protect sensitive areas, minimize changes to the natural topography, and avoid removing existing vegetation unless absolutely necessary.

- c. Protect undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers, filters, dikes, mulching and other measures as appropriate.
- d. Reduce the amount of impervious surface areas, and use permeable pavement where feasible.
- e. Reduce the amount of runoff crossing construction sites by constructing berms, swales and dikes and diverting drainage ditches. Use berms or temporary check dams to reduce the velocity of stormwater runoff.
- f. Use landscaping to collect, detain and filter surface runoff, and design landscaping to minimize the use of irrigation, fertilizers and pesticides.
- g. Prevent erosion and trap sedimentation onsite using sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, and storm drain inlet protection.
- h. Control erosion on slopes by seeding and planting vegetation, and using hay bales, temporary drainage swales, silt fences and berms.
- i. Restrict land clearing, earth moving, and excavation and grading activities to during dry weather, i.e., between April 15th and October 15th of each year.
- j. Separate construction sites from storm drains with berms and filters, stabilize denuded areas, and maintain erosion and sedimentation controls during wet weather, i.e., between October 15th and April 15th of each year.
- k. Provide for ongoing operation and maintenance of installed stormwater treatment measures.
- l. As applicable based on project size, secure a Construction Activity Stormwater General Permit from the San Francisco Bay Area Regional Water Quality Control Board.

3. Specific New Development, Uses or Activities

In addition to the requirements listed in 1. and 2. above, new development, uses or activities in the following categories shall comply with specific STOPPP stormwater pollution prevention requirements.

- a. Heavy Equipment Operation
- b. Earth Moving Activities
- c. Roadwork and Paving
- d. Applying Concrete/Mortar
- e. Applying Paint, Solvents and Adhesives

- f. Swimming Pools, Spa and Fountains
- g. Landscaping/Gardens
- h. Parking Garages
- i. Outdoor Equipment/Materials Storage
- j. Refuse Areas
- k. Vehicle/Equipment Cleaning, Repair and Maintenance
- l. Fuel Dispensing Areas
- m. Loading Docks
- n. Food Service Equipment Cleaning
- o. Pesticide/Fertilizer Application

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EXHIBIT "P"

10.41 Lead Agency Major Shoreline Access Provider

Encourage the State Department of Parks and Recreation to continue assuming the a major role responsibility for in the acquisition, development, and maintenance of public shoreline access along the coast.

10.44 Major Shoreline Access Facilitator

Encourage the State Coastal Conservancy to continue assuming a major role in funding and facilitating the acquisition, development, and maintenance of public shoreline access along the coast.

10.49 San Mateo County Harbor District

Encourage the San Mateo County Harbor District to continue its efforts developing and maintaining public shoreline access on the District's coastal properties.

10.50 National Park Service

Encourage the National Park Service to acquire, develop, and maintain public shoreline access on coastal land in the Golden Gate National Recreation Area.

11.24 Priorities for the Expenditure of Public Funds

- a. Establish the following priorities for the expenditure of public funds on public recreation and visitor-serving facilities, based on the level of existing development and need:
 - (1) Improve and maintain existing public recreation areas in the Midcoast.
 - (2) Develop and maintain necessary visitor-serving facilities, such as rest areas, public restrooms, drinking water, campgrounds, within existing public recreation areas.
 - (3) Expand recreational opportunities through the provision of trails and youth hostels.
 - (4) Acquire and develop for recreational use lands which are adjacent to and would expand the size of existing publicly owned recreation areas.
 - (5) Acquire and develop for recreational use lands which would introduce a public recreation area into a section of the Coastal Zone where no public recreation areas now exist.

- (6) Acquire and develop lands designated as community parks.
- b. Use the following priorities when expending County funds for trails:
 - (1) Implement the Coastal Trail. ~~Gregorio Trails Program as adopted by the County Board of Supervisors.~~
 - (2) Implement the other Local Coastal Program trails proposals. identified in LCP Policy 11.13.
- c. Regularly reassess these priorities as new public recreation and visitor-serving facilities development takes place in the Coastal Zone.
- d. Encourage low cost facilities in privately developed visitor-serving facilities, particularly hotels and motels.

11.25 Requirement that State Parks Development Conform to the Local Coastal Program

- a. Require that the State Department of Parks and Recreation, as part of any application for a Coastal Development Permit, and in addition to any other submittals required, submit a long-range plan for any park unit proposed for improvement which includes: (1) the development plan, including the location of all proposed structures, parking areas, trails, recreation facilities and any proposed alterations of the natural environment, (2) a map of sensitive habitats and lands which are needed for the protection and vital functioning of sensitive habitats and (3) evidence of how agriculture has been considered in the planning of each park unit by (a) demonstrating how the Department will continue or renew the maximum amount of prime agricultural land and other lands suitable for agriculture in agricultural production within each park unit and (b) providing site specific justifications, which are consistent with the criteria for conversion in the Agriculture Component, for converting prime agricultural land or other lands suitable for agriculture to non-agricultural use, and (4) any capital outlay projects proposed for the subsequent one-year period.
- b. Require, prior to granting a development permit to the State Department of Parks and Recreation, that the development and the long-range park unit plan be found consistent with the certified Local Coastal Program, or with a public works plan approved by the California Coastal Commission.
- ~~c. Encourage the State Department of Parks and Recreation to specify an alignment for the Pacific Ocean Corridor Trail, including design and locational requirements. This alignment should include trails along Route 1 proposed in the Shoreline Access Component and shall be shown in each applicable park unit long-range plan.~~

11.28 Role of the State Department of Parks and Recreation

- a. Designate the State Department of Parks and Recreation as the primary agency for the acquisition, development and maintenance of public recreation and visitor-serving facilities in the Coastal Zone.
- b. Encourage the Department to contribute the major portion of funds for the development, expansion and maintenance of public recreation and visitor-serving facilities in accordance with the priorities and policies of this component.
- c. Encourage ~~Designate~~ the State Department of Parks and Recreation ~~as the agency to develop and maintain segments of the Coastal Trail on State-owned property the Pacific Ocean Corridor Trail,~~ in conjunction with the shoreline access trails.
- d. Consider the possibility of having the County undertake the maintenance of the facilities with reimbursed funds.

11.29 Role of the State Coastal Conservancy

- a. Request the State Coastal Conservancy to contribute funds to acquire land or interests in land in the areas surrounding public beaches, parks and nature preserves when private development would clearly damage the resource values of the public land.
- b. Support and facilitate the efforts of the State Coastal Conservancy to coordinate the development of the Coastal Trail, including delineation of the Coastal Trail alignment.&&

11.30 Encourage San Mateo County Harbor District

Encourage the San Mateo County Harbor District to continue its efforts providing public recreation and visitor-serving facilities on the District's coastal properties, including provision of shoreline access and trails.

11.31 Encourage National Park Service

Encourage the National Park Service to provide public recreation and visitor-serving facilities on coastal land in the Golden Gate National Recreation Area, including provision of shoreline access and trails.

EXHIBIT "Q"

1.3 Resolving Policy Conflicts

Where conflicts occur between one or more LCP policies, resolve them in a manner which on balance is the most protective of significant coastal resources. This provision does not affect nor limit the Coastal Commission's authority under Public Resources Code Section 30007.5.

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EXHIBIT "R"

- 1.5b Permit in urban areas land uses designated on the LCP Land Use Plan Maps and conditional uses up to the densities specified in Tables 1.2 and 1.3. The use and amount of development allowed on a parcel, including parcels in areas designated "General Open Space," "Agriculture," or "Public Recreation-Community Park" on the General Plan Land Use Map within the urban boundary in the Coastal Zone, shall be limited to the uses and to the amount, density and size of development permitted by the Local Coastal Program, including the density credit requirements of Policy 1.8c and Table 1.3.

*1.7 Designation of Rural Areas

Designate as rural those lands shown outside the urban/rural boundary on the ~~Local Coastal Program~~ LCP Land Use Plan Maps, in effect on March 25, 1986, that were designated Agriculture, General Open Space, Timber Preserve, or Public Recreation on that date.

- 1.8b Permit in rural areas land uses designated on the ~~Local Coastal Program~~ LCP Land Use Plan Maps, and conditional uses up to the densities specified in Tables 1.2 and 1.3.

- 1.9a In rural areas, designated as General Open Space on the LCP Land Use Plan Maps, require the applicant for a land division, as a condition of approval, to grant to the County (and the County to accept) a conservation/open space easement containing a covenant, running with the land in perpetuity, which limits the use of the land covered by the easement to uses consistent with open space (as defined in the California Open Space Lands Act of 1972 on January 1, 1980).

- 1.12b Permit in rural service centers the land uses designated on the LCP Land Use Plan Maps and at densities specified in Tables 1.2 and 1.3.

1.15 Land Uses and Development Densities in Rural Residential Areas

Permit in rural residential areas the land use designated on the LCP Land Use Plan Maps and at densities specified in Tables 1.2 and 1.3.

1.16 Definition and Establishment of Urban/Rural Boundary

Define urban/rural boundary as a stable line separating urban areas and rural service centers from rural areas in the Coastal Zone and establish this line on the LCP Land Use Plan Maps.

1.20 Lot Consolidation

According to the densities shown on the LCP Land Use Plan Maps, consolidate contiguous lots, held in the same ownership, in residential subdivisions in Seal Cove to minimize risks to life and property and in Miramar to protect coastal views and scenic coastal areas.

1.33 Land Use and Development Density for Farm Labor Housing Areas

Permit, in Farm Labor Housing areas, the land uses designated on the LCP Land Use Plan Map and at densities specified in Table 1.2.

*TABLE 1.3

MAXIMUM DENSITY CREDITS

In the rural areas of the Coastal Zone designated on the LCP Land Use Plan Map: Agriculture, Open Space, or Timber Production ~~which are zoned Planned Agricultural District, Resource Management/Coastal Zone, or Timberland Preserve/Coastal Zone~~, determine the maximum number of density credits to which any legal parcel is entitled by using the method of calculation shown below, and further defined by the Planned Agriculture, Resource Management-Coastal Zone, and Timberland Preserve-Coastal Zone Zoning District regulations. All legal parcels shall accumulate at least one density credit. Except as provided in Policy 5.11, the sum of the density credits on parcels created by a land division shall not exceed the total credits on the original parcels or parcels divided.

A. Prime Agricultural Lands

One density credit per 160 acres for that portion of a parcel which is prime agricultural land as defined in Policy 5.1 (i.e., the number of acres of Prime Agricultural Land divided by 160).

B. Lands With Landslide Susceptibility

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

C. Land With Slope 50% or Greater

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

D. Remote Lands

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

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

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

F. Land Within Rift Zones or Active Faults

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

G. Lands Within 100-Year Floodplain

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

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

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

I. Land Within Agricultural Preserves or Exclusive Agricultural Districts

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

J. All Other Lands

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

K. Bonus Density Credit for New Water Storage Capacity

One bonus density credit shall be allowed for each 24.5 acre feet of new water storage capacity demonstrated to be needed and developed for agricultural cultivation or livestock. Water from this storage may be used only for agricultural purposes. These bonus credits may be used on site or transferred to another parcel. However, none of the credits may be used on prime agricultural lands or in scenic corridors. Use of the credits shall be subject to Planning Commission approval in accordance with the provisions of this and other County ordinances.

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

2.22a Require, as a condition of granting a permit for expansion of sewage treatment facilities, that sanitary sewer connections be limited to the urban areas and rural residential areas as shown on the LCP Land Use Plan Map. Exclude property located outside the urban boundary and rural residential areas from assessment for sewage treatment facilities by SAM or its member agencies.

2.22d If it is impossible for the County Environmental Health Division or another agency to assume responsibility for monitoring septic tanks, maintain existing sewer district boundaries and divide districts into rural and urban zones. Accordingly,

- (1) Make the boundaries of the urban zone, where sanitary sewer connections are provided, correspond to the urban areas and rural residential areas, as shown on the LCP Land Use Plan Map.
- (2) Restrict the activities in the rural zone to monitoring and inspecting septic tanks. Prohibit sanitary sewer connections in this rural zone.
- (3) Adjust the sewer district fees in the rural zone to reflect the lower level of service and minimize growth inducement.

2.23 Locating Sites for Sewage Treatment Plants

- a. Designate the existing site of the Montara Treatment Plant as Institutional on the LCP Land Use Plan Map. Allow a sewage treatment plant or pumping station to be constructed there. If SAM or its member utility, the

Montara Sanitary District, does not use this site for expanded or additional sewage treatment facilities, change the site's designation to general open space on the LCP Land Use Plan Map.

- b. Reserve public pedestrian access on the seaward side of this Montara site and connect it to proposed trails at both ends consistent with the policies of the Shoreline Access Component.
- c. Designate a site, approximately 2 to 3 acres in size, north of California Avenue near Yale Avenue on the property of the Half Moon Bay Airport, as Institutional on the LCP Land Use Plan Map. Allow a sewage treatment plant or pumping station to be constructed there subject to FAA approval. If Granada Sanitary District does not use this site for expanded or additional sewage treatment, change the site's designation to Transportation on the LCP Land Use Plan Map.

3.14a Midcoast: Locate affordable housing in the following locations:

- (1) All designated affordable housing sites in the urban area (within the urban boundary) defined in the Locating and Planning New Development Component.
- (2) Other affordable housing within the urban boundary, or Elsewhere in the urban area, where affordable housing units specified in LCP Policies 3.18, 3.19, 3.20 and 3.21 are permitted, including mobile homes, second units, and affordable units derived from density bonus provisions.
- (3) In the rural area (outside the urban boundary), affordable housing units as specified in LCP Policies 3.22 and 3.23.

4.3a Prospect drilling and production of oil and gas wells may be permitted by oil and gas well permit on parcels designated on the LCP Land Use Plan Map: Open Space, Timber Production, Agriculture, or General Industrial in the following zones: Resource Management (RM), Timber Preserve Zone (TPZ), Planned Agricultural District (PAD), Heavy Industrial (M-2), Agricultural (A-1), and Exclusive Agricultural (A-2). Unless acceptable mitigation measures to the maximum feasible extent can be undertaken, prohibit wells and appurtenant facilities from locating in scenic corridors, hazardous areas, and recreation areas. Prohibit wells on prime agricultural soils and in sensitive habitats.

*5.2 Designation of Prime Agricultural Lands

Designate any parcel which contains prime agricultural lands as Agriculture on the Local Coastal Program Land Use Plan Map, subject to the following exceptions: State Park lands existing as of the date of Local Coastal Program certification, ~~urban areas~~, rural service centers, and solid waste disposal sites necessary for the health, safety, and welfare of the County.

*5.4 Designation of Lands Suitable for Agriculture

Designate any parcel, which contains other lands suitable for agriculture, as Agriculture on the Local Coastal Program Land Use Plan Map, subject to the following exceptions: ~~urban areas~~, rural service centers, State Park lands existing as of the date of Land Use Plan certification, and solid waste disposal sites necessary for the health, safety and welfare of the County.

6.2 Appropriate Location for Aquaculture

Permit aquaculture on parcels designated on the LCP Land Use Plan Map: General Industrial, Open Space, or Agriculture in the Light Industrial, Resource Management, and Planned Agricultural Districts. The Department of Fish and Game may also identify appropriate sites for aquaculture facilities consistent with Section 30411(c) of the Public Resources Code.

7.12 Permitted Uses in Buffer Zones

Within buffer zones, permit only the following uses: (1) uses permitted in riparian corridors, (2) residential uses on existing legal building sites, set back 20 feet from the limit of riparian vegetation, only if no feasible alternative exists, and only if no other building site on the parcel exists, (3) on parcels designated on the LCP Land Use Plan Map: Agriculture, Open Space, or Timber Production in Planned Agricultural, Resource Management and Timber Preserve Districts, residential structures or impervious surfaces only if no feasible alternative exists, (4) crop growing and grazing consistent with Policy 7.9, (5) timbering in "streamside corridors" as defined and controlled by State and County regulations for timber harvesting, and (6) no new residential parcels shall be created whose only building site is in the buffer area.

7.13 Performance Standards in Buffer Zones

Require uses permitted in buffer zones to: (1) minimize removal of vegetation, (2) conform to natural topography to minimize erosion potential, (3) make provisions (i.e., catch basins) to keep runoff and sedimentation from exceeding pre-development levels, (4) replant where appropriate with native and non-invasive exotics, (5) prevent discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor, (6) remove vegetation in or adjacent to manmade agricultural ponds if the life of the pond is endangered, (7) allow dredging in or adjacent to manmade ponds if the San Mateo County Resource Conservation District certified that siltation imperils continued use of the pond for agricultural water storage and supply, and (8) limit the sound emitted from require motorized machinery to be kept to less than 45 dBA at any riparian buffer zone wetland boundary except for farm machinery and motorboats.

7.34 Permit Conditions

In addition to the conditions set forth in Policy 7.5, require, prior to permit issuance, that a qualified biologist prepare a report which defines the requirements of rare and endangered organisms. At minimum, require the report to:

- a. Discuss:
 - (1) Animal food, water, nesting or denning sites and reproduction, predation and migration requirements, and
 - (2) Plants life histories and soils, climate and geographic requirements.
- b. Include a map depicting the locations of plants or animals and/or their habitats.
- c. Demonstrate that any development will ~~must~~ not impact the functional capacity of the habitat.
- d. Recommend mitigation if development is permitted within or adjacent to identified habitats.

7.36 San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*)

- a. Prevent any development where there is known to be a riparian or wetland location for the San Francisco garter snake with the following exceptions: (1) existing manmade impoundments smaller than one-half acre in surface, and (2) existing manmade impoundments greater than one-half acre in surface providing mitigation measures are taken to prevent disruption of no more than one half of the snake's known habitat in that location in accordance with recommendations from the State Department of Fish and Game.
- b. Require developers to make sufficiently detailed analyses of any construction which could impair the potential or existing migration routes of the San Francisco garter snake. Such analyses will determine appropriate mitigation measures to be taken to provide for appropriate migration corridors.

7.37 San Francisco Tree Lupine Moth (*Grapholitha edwardsiana*)

Prevent the loss of any large populations (more than 100 plants in a 1/10-acre area) of tree lupine within 1 mile of the coastline.

7.38 Brackish Water Snail (*Tryonia imitator*)

- a. Prevent any development which can have a deleterious effect on the California brackish water snail, including any dredging of its known or potential habitat.
- b. Encourage the State Department of Parks and Recreation to manage Pescadero Marsh in such a manner as to enhance the habitat for the California brackish water snail.

7.39 Sea Otter (*Enhydra lutris nerensis*)

Encourage the appropriate agency to protect, monitor, and enhance sea otter habitats. In the development of mariculture facilities, encourage appropriate State and federal agencies to seek measures to protect them from predation by the sea otter.

7.40 Globose Dune Beetle (*Coleus globosus*)

- a. Assess, monitor, and contain the spread of dune grass.
- b. Provide roped-off trails for public access to the beach with the explanation of the dune beetle and its surrounding habitat.

7.47 Elephant Seal (*Mirounga angustirostris*)

- a. Encourage affected public agencies to control access to areas where elephant seals congregate.
- b. Enforce trespass laws to restrict access to areas where elephant seals congregate especially during mating, breeding, and molting season.

7.48 Monterey Pine (*Pinus radiata*)

- a. Require any development to keep to a minimum the number of native Monterey pine cut in the natural pine habitat near the San Mateo-Santa Cruz County line.
- b. Allow the commercial cutting of Monterey pine if it: (1) perpetuates the long-term viability of stands, (2) prevents environmental degradation, and (3) protects the viewshed within the Cabrillo Highway Scenic Corridor.
- c. To preserve the productivity of prime agricultural soils, encourage the control of invasive Monterey pine onto the soils.

7.49 California Wild Strawberry (*Fragaria californica*)

Require any development, within one-half mile of the coast, to mitigate against the destruction of any California wild strawberry in one of the following ways:

- a. Prevent any development, trampling, or other destructive activity which would destroy the plant, or
- b. After determining specifically if the plants involved are of particular value, successfully transplant them or have them successfully transplanted to some other suitable site. Determination of the importance of the plants can only be made by a professional doing work in strawberry breeding.

7.50 Champion Monterey Cypress (*Cupressus macrocarpa*)

Declare the Champion Monterey Cypress Tree a Class I Heritage Tree.

8.5 Location of Development

On rural lands and urban parcels larger than 20,000 sq. ft.:

- a. Require that new development be located on a portion of a parcel where the development (1) is least visible from State and County Scenic Roads, (2) is least likely to significantly impact views from public viewpoints, and (3) is consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5.

Public viewpoints include, but are not limited to, coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

This provision does not apply to enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150% of the pre-existing floor area, or 2,000 sq. ft., whichever is greater.

This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation on the parcel. In such cases, agricultural development shall use appropriate building materials, colors, landscaping and screening to eliminate or minimize the visual impact of the development.

- b. Require, including by clustering if necessary, that new parcels have building sites that are not visible from State and County Scenic Roads and will not significantly impact views from other public viewpoints. If the

entire property being subdivided is visible from State and County Scenic Roads or other public viewpoints, then require that new parcels have building sites that minimize visibility from those roads and other public viewpoints.

8.6 Streams, Wetlands, and Estuaries

- a. Set back development from the edge of streams and other natural waterways a sufficient distance to preserve the visual character of the waterway.
- b. Prohibit structural development which will adversely affect the visual quality of perennial streams and associated riparian habitat, except for those permitted by Sensitive Habitats Component Policies.
- c. Retain the open natural visual appearance of estuaries and their surrounding beaches.
- d. Retain wetlands intact except for public accessways designed to respect the visual and ecological fragility of the area and adjacent land, in accordance with the Sensitive Habitats Component policies.

8.14 Definition of Rural

Define rural as lands indicated on the LCP Land Use Plan Map for rural use.

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ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 20, "S-17" DISTRICT, TO (1) REVISE SECTION 6300.2.5 TO GRANT FLOOR AREA ADJUSTMENTS FOR SUBSTANDARD LOT AFFORDABLE HOUSING DEVELOPMENT OR VOLUNTARY LOT MERGER; (2) ADD SECTION 6300.2.7 TO ESTABLISH IMPERVIOUS SURFACE LIMIT CRITERIA; AND (3) ADD SECTION 6300.2.11 TO ESTABLISH WINTER GRADING CRITERIA

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.2.5 is hereby revised to read as follows:

SECTION 6300.2.5. BUILDING FLOOR AREA.

- a. The maximum building floor area shall be established according to the following table, except as provided by subsection b.

Parcel Size	Maximum Building Floor Area
2,500 - 4,749 sq. ft., or less than 45 feet parcel width	0.48 (parcel size)
4,750 - 4,999 sq. ft.	$0.53 - ((5,000 - \text{parcel size}) \times 0.0002) \times \text{parcel size}$
5,000 - 11,698 sq. ft.	0.53 (parcel size)
More than 11,698 sq. ft.	6,200 sq. ft.

The maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a building site. Maximum building floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

- b. Up to 200 sq. ft. of covered parking floor area shall not be counted toward the limitations set forth in subsection a. for any substandard lot that is (1) smaller than 4,500 sq. ft. in area, (2) not in common ownership with contiguous lots, and

(3) developed with an affordable (very low, low, or moderate income) single-family residential unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County.

- c. In addition to the limitations set forth in subsection a., permit 250 sq. ft. bonus building floor area for any parcel whose substandard lots are voluntarily merged in accordance with the provisions of San Mateo County Board of Supervisors' Resolution No. (Exhibit "G") during the "voluntary merger period" described therein.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.2.7 is hereby added to read as follows:

7. Impervious Surface Area

The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size (not to exceed 1,170 sq. ft. for residential uses). Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director for select development upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. The applicant shall submit a professionally prepared site plan showing topography, drainage and calculations which demonstrates this finding can be made. The exception provision applies to:

- a. Non-residential development, and
- b. Residential development, only if the Community Development Director determines that the exception is necessary for compliance with site planning and design requirements.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.2.11 is hereby added to read as follows:

11. Winter Grading

Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and

exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 20 is hereby amended to renumber Sections 6300.2.6-6300.2.9 to 6300.2.7-6300.2.10.

SECTION 5. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 6. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(10/25/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 20, "S-94" DISTRICT, TO (1) REVISE SECTION 6300.9.11.60 TO GRANT FLOOR AREA ADJUSTMENTS FOR SUBSTANDARD LOT AFFORDABLE HOUSING DEVELOPMENT OR VOLUNTARY LOT MERGER; (2) ADD SECTION 6300.9.11.70 TO ESTABLISH IMPERVIOUS SURFACE LIMIT CRITERIA; AND (3) ADD SECTION 6300.9.110 TO ESTABLISH WINTER GRADING CRITERIA

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.9.11.60 is hereby revised to read as follows:

SECTION 6300.9.11.60. BUILDING FLOOR AREA.

- a. The maximum building floor area shall be established according to the following table, except as provided by subsection b.

Parcel Size	Maximum Building Floor Area
2,500 - 4,749 sq. ft., or less than 45 feet parcel width	0.48 (parcel size)
4,750 - 4,999 sq. ft.	$0.53 - ((5,000 - \text{parcel size}) \times 0.0002) \times \text{parcel size}$
5,000 - 11,698 sq. ft.	0.53 (parcel size)
More than 11,698 sq. ft.	6,200 sq. ft.

The maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a building site. Maximum building floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

- b. Up to 200 sq. ft. of covered parking floor area shall not be counted toward the limitations set forth in subsection a. for any substandard lot that is (1) smaller than 4,500 sq. ft. in area, (2) not in common ownership with contiguous lots, and

(3) developed with an affordable (very low, low, or moderate income) single-family residential unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County.

- c. In addition to the limitations set forth in Subsection a., permit 250 sq. ft. bonus building floor area for any parcel whose substandard lots are voluntarily merged in accordance with the provisions of San Mateo County Board of Supervisors' Resolution No. _____ (Exhibit "G") during the "voluntary merger period" described therein.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.9.11.70 is hereby added to read as follows:

SECTION 6300.9.11.70. IMPERVIOUS SURFACE AREA. The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size (not to exceed 1,170 sq. ft. for residential uses). Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director for select development upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. The applicant shall submit a professionally prepared site plan showing topography, drainage, and calculations which demonstrates this finding can be made. The exception provision applies to:

1. Non-residential development, and
2. Residential development, only if the Planning Director determines that the exception is necessary for compliance with site planning and design requirements.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.9.11.110 is hereby added to read as follows:

SECTION 6300.9.11.110. WINTER GRADING. Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 20 is hereby amended to renumber Sections 6300.9.11.70 - 6300.9.11.90 to 6300.9.11.80 – 6300.9.11.100.

SECTION 5. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 6. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(10/25/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 20, "S-105" DISTRICT, TO (1) REVISE SECTION 6300.14.50 TO GRANT FLOOR AREA ADJUSTMENTS FOR SUBSTANDARD LOT AFFORDABLE HOUSING DEVELOPMENT OR VOLUNTARY LOT MERGER; (2) ADD SECTION 6300.14.60 TO ESTABLISH IMPERVIOUS SURFACE LIMIT CRITERIA; AND (3) ADD SECTION 6300.14.100 TO ESTABLISH WINTER GRADING CRITERIA

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.14.50 is hereby revised to read as follows:

SECTION 6300.14.50. BUILDING FLOOR AREA.

- a. The maximum building floor area shall be established according to the following table, except as provided by subsection b.

Parcel Size	Maximum Building Floor Area
2,500 - 4,749 sq. ft., or less than 45 feet parcel width	0.48 (parcel size)
More than 11,698 sq. ft.	6,200 sq. ft.

The maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a building site. Maximum building floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

- b. Up to 200 sq. ft. of covered parking floor area shall not be counted toward the limitations set forth in subsection a. for any substandard lot that is (1) smaller than 4,500 sq. ft. in area, (2) not in common ownership with contiguous lots, and (3) developed with an affordable (very low, low, or moderate income) single-family residential unit, i.e., subject to income and cost/rent restriction contracts with San

Mateo County.

- c. In addition to the limitations set forth in subsection a., permit 250 sq. ft. bonus building floor area for any parcel whose substandard lots are voluntarily merged in accordance with the provisions of San Mateo County Board of Supervisors' Resolution No. (Exhibit "G") during the "voluntary merger period" described therein.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.9.60 is hereby added to read as follows:

SECTION 6300.14.60. IMPERVIOUS SURFACE AREA. The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size (not to exceed 1,170 sq. ft. for residential uses). Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director for select development upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. The applicant shall submit a professionally prepared site plan showing topography, drainage, and calculations which demonstrates this finding can be made. The exception provision applies to:

- a. Non-residential development, and
- b. Residential development, only if the Planning Director determines that the exception is necessary for compliance with site planning and design requirements.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.14.100 is hereby added to read as follows:

SECTION 6300.14.100. WINTER GRADING. Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 20 is hereby amended to renumber Sections 6300.14.60 - 6300.14.80 to 6300.14.70 – 6300.14.90.

SECTION 5. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 6. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(10/25/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

*** * * * ***

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 15, NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT, TO (1) REVISE SECTION 6251 TO RESTRICT RESIDENTIAL USES TO ABOVE THE GROUND FLOOR IN THE MIDCOAST LCP UPDATE PROJECT AREA; (2) ADD SECTION 6253 TO ENACT AN IMPERVIOUS SURFACE LIMIT FOR THE PROJECT AREA; (3) ADD SECTION 6254 TO ENACT WINTER GRADING CRITERIA FOR THE PROJECT AREA; AND (4) ADD APPENDIX SHOWING THE PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 15, Section 6251 is hereby amended to read as follows:

SECTION 6251. USES PERMITTED.

- (a) A use permit as provided in Chapter 24 of this Part shall be required for the following uses:
1. Hospitals, rest homes, sanitariums, clinics.
 2. Philanthropic and charitable institutions.
 3. Automobile courts.
 4. Hotels.
 5. Any residential use, including accessory buildings and uses, except as further restricted by subsection (b). The Planning Director may, on a case-by-case basis, exempt accessory buildings and uses from the use permit requirement.
 6. Large collection facilities for recyclable materials.

- (b) Residential dwelling units in the Midcoast LCP Update Project Area, as delineated on the map that is part of this Chapter, shall be located above the first floor of the main building on the parcel. The floor area of the dwelling units shall not exceed the floor area of the commercial uses occupying the building, except as permitted by subsection (c).
- (c) The floor area of the dwelling units may exceed the floor area of the commercial uses occupying the building only when the additional floor area is developed as affordable (very low, low or moderate income) housing, subject to income and cost/rent restriction contracts with San Mateo County.
- (d) The following retail stores, shops, or businesses:
- (b)
1. Automobile service stations for only the sale of gasoline, oil, and new accessories, including washing and lubrication services. Used tires accepted in trade on the premises may be resold.
 2. Bakeries but not including the wholesale baking or bakery goods to be sold off the premises.
 3. Banks.
 4. Bars.
 5. Barber shops.
 6. Beauty parlors.
 7. Book or stationary stores.
 8. Clothes cleaning agency or pressing establishment.
 9. Confectionery stores.
 10. Conservatories for instruction in music and the arts.
 11. Dressmaking or millinery.
 12. Drug store.
 13. Dry goods or notion store.
 14. Florist or gift shop.
 15. Grocery, fruit or vegetable store.

16. Hardware or electric appliance store.
17. Jewelry store.
18. Laundry agency.
19. Meat market or delicatessen store.
20. Offices, business or professional.
21. Photographic or camera store.
22. Restaurant, tea room, or cafe.
23. Shoe store or shoe repair store.
24. Tailor, clothing or wearing apparel.
25. Theaters.
26. Dry cleaning establishments using self-service coin operated machines.
27. Bowling alleys.
28. Massage establishments.
29. Maintenance and operation of up to five electronic amusement devices, provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.
30. Reverse vending machines.
31. Small collection facilities for recyclable materials, subject to obtaining a building permit, provided there is no additional mechanical processing equipment on site, that collection facilities shall not be located within 30 feet of any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between containers and residential use, that there is no decrease in traffic or pedestrian circulation or the required number of on-site parking spaces for the primary use, and all litter and loose debris shall be removed on a daily basis.
32. Pet sales and/or grooming establishments.

33. Limited keeping of pets.

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

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

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

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

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 15, Section 6253 is hereby added to read as follows:

SECTION 6253. MIDCOAST IMPERVIOUS SURFACE AREA. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. The applicant shall submit a professionally prepared site plan showing topography, drainage, and calculations which demonstrates this finding can be made.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 15, Section 6254 is hereby added to read as follows:

SECTION 6254. MIDCOAST WINTER GRADING. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 15, Appendix is hereby added to include a map of the Midcoast LCP Update Project Area as follows:

APPENDIX

MIDCOAST LCP UPDATE PROJECT AREA

SECTION 5. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 6. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(6/26/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 20, SECTION 6300, S DISTRICT REGULATIONS, TO REVISE SECTION 6300 TO CHANGE THE HEIGHT AND FRONT SETBACK LIMITS OF BUILDINGS ON PARCELS ZONED C-1/S-3 IN THE MIDCOAST LCP UPDATE PROJECT AREA AND ADD APPENDIX SHOWING THE PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300 is hereby amended to read as follows:

SECTION 6300. REGULATIONS FOR "S" DISTRICTS. In any District with which is combined any "S" District, the following regulations as specified for the respective "S" Districts shall apply:

TABLE 1									
District	Minimum Building Site		Minimum Lot Area Per Dwelling Unit (Sq. Ft.)	Minimum Yards Required			Maximum Height Permitted		Maximum Coverage Permitted (%)
	Average Width (Ft.)	Minimum Area (Ft.)		Front (Ft.)	Side (Ft.)	Rear (Ft.)	Stories	Ft.	
S-1	50	5,000	500	20	5	20	3	36	50
S-2	50	5,000	1,000	20	5	20	3	36	50
S-3	50	5,000	1,250	20 ³	5	20	3 ³	36 ³	50
S-4	50	5,000	1,650	20	5	20	3	36	50
S-5	50	5,000	2,500	20	5	20	3	36	50
S-6	50	5,000	3,500	20	5	20	3	36	50
S-7	50	5,000	5,000	20	5	20	3	36	50
S-8	50	7,500	7,500	20	5	20	3	36	40
S-9	50	10,000	10,000	20	10	20	3	36	30
S-10	75	20,000	20,000	20	10	20	3	36	25
S-11	100	1 – 5 ac. ¹	1 – 5 ac. ¹	50	20	20	3	36	15
S-12	175	2 1/2 – 5 ac. ¹	2 1/2 – 5 ac. ¹	50	20	20	3	36	10
S-13	250	5 ac. ¹	5 ac. ¹	50	20	20	3	36	10
S-17	— ²	— ²	— ²	— ²	— ²	— ²	— ²	— ²	— ²

TABLE 1

¹See Section 6300.1 for precise lot area requirements in S-11 and S-12 Districts.

²See Section 6300.2 for precise requirements in the S-17 District.

³For buildings on land zoned C-1/S-3 located in the Midcoast LCP Update Project Area, the following provisions shall apply:

(a) Buildings with No Residential Units

Maximum Height Permitted – 28 feet.

(b) Buildings with Residential Units – One of the following provisions shall apply, as determined by the property owner:

(1) Maximum Front Yard Required – None.

Maximum Height Permitted – 28 feet; or

(2) Maximum Front Yard Required – 20 feet.

Maximum Height Permitted – 32 feet.

Maximum coverage limitations shall apply to all structures except:

(a) Structures in C, H, M, or P Districts in which there are no dwelling facilities.

(b) Greenhouses, lathhouses, or other structures used exclusively for flower growing.

APPENDIX

MIDCOAST LCP UPDATE PROJECT AREA

SECTION 2. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 3. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 16.5, COASTSIDE COMMERCIAL RECREATION (CCR) DISTRICT, TO (1) ADD SECTION 6269.6 TO ENACT AN IMPERVIOUS SURFACE LIMIT; AND (2) ADD SECTION 6270.7 TO ENACT WINTER GRADING CRITERIA

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 16.5, Section 6269.6 is hereby amended to read as follows:

6. Impervious Surface Area

The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director for select development upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. The applicant shall submit a professionally prepared site plan showing topography, drainage and calculations which demonstrates this finding can be made.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 16.5, Section 6270.7 is hereby amended to read as follows:

7. Winter Grading

Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not

be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 16.5 is hereby amended to renumber Sections 6269.6-6269.8 to 6269.7-6269.9.

SECTION 4. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 5. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

GB:fc – GDBQ0476_WFQ.DOC (6/26/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 18.5, WATERFRONT (W) DISTRICT, TO (1) ADD SECTION 6288.0.4 TO ENACT AN IMPERVIOUS SURFACE LIMIT; (2) ADD SECTION 6289.1.5 TO ENACT WINTER GRADING CRITERIA; AND (3) REVISE SECTION 6289.2 TO INCREASE THE NUMBER OF CARETAKER'S QUARTERS PERMITTED AND ENACT A MINIMUM PARCEL AREA FOR CARETAKER'S QUARTERS

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 18.5, Section 6288.0.4 is hereby added to read as follows:

4. Impervious Surface Area

The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage and calculations which demonstrates this finding can be made.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 18.5, Section 6289.1.5 is hereby added to read as follows:

5. Winter Grading

Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been

established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 18.5, Section 6289.2 is hereby amended to read as follows:

SECTION 6289.2. ACCESSORY USES.

1. Caretaker's Quarters. A permanent accessory residential unit shall be permitted for the purposes of housing a caretaker employed on the site, providing that the total number of caretaker's quarters in the Waterfront (W) District does not exceed ~~twenty (20)~~ twenty-five (25) percent of the developed parcels in the district. Caretaker's quarters are subject to the following requirements:
 - a. Minimum Parcel Area. The minimum parcel area to establish a caretaker's quarters is 5,000 sq. ft., i.e., caretaker's quarters are prohibited on non-conforming parcels.
 - a.
 - b. Occupancy Requirements. The resident of the dwelling is to be the owner or lessee, or an employee of the owner or lessees of the site. The application for development of a caretaker's quarters shall include a developer's statement explaining the need for caretaker's quarters and responsibilities of the caretaker/resident.
 - b.
 - c. Development Standards. Caretaker's quarters must conform to all of the development standards of the primary zoning district, including minimum building site requirements. In addition, caretaker's quarters are subject to the following requirements:
 - (1) Establishment of Caretaker's Quarters. Caretaker's quarters must be built within the building of the primary use on the property.
 - (2) Maximum Unit Size. The floor area of a caretaker's unit may not exceed thirty-five (35) percent of the floor area of the main building up to a maximum of seven hundred and fifty (750) sq. ft.
 - (3) Setbacks. Setbacks for caretaker's quarters must conform to building code requirements.
 - (4) Trailers and Mobile Homes. Trailers and mobile homes for caretaker's residences are not permitted.

- (5) Acknowledgment of Land Use Priorities. A written statement will be obtained from each property owner at time of building permit for the caretaker's quarters, acknowledging that marine and general industrial uses are the primary land uses in the Waterfront (W) District, and residents of caretaker's quarters may be subject to inconveniences arising from the reasonable execution of such businesses.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 18.5 is hereby amended to renumber Sections 6288.0.4-6288.0.7 to 6288.0.5-6288.0.8.

SECTION 5. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 6. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

GDB:kcd - GDBQ0484_WKQ.DOC
(6/26/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 17, LIGHT INDUSTRIAL (M-1) DISTRICT, TO (1) ADD SECTION 6276 TO ENACT AN IMPERVIOUS SURFACE LIMIT FOR THE MIDCOAST UPDATE PROJECT AREA; (2) ADD SECTION 6277 TO ENACT WINTER GRADING CRITERIA FOR THE PROJECT AREA; AND (3) ADD APPENDIX SHOWING THE PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 17, Section 6276 is hereby amended to read as follows:

SECTION 6276. MIDCOAST IMPERVIOUS SURFACE AREA. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage, and calculations which demonstrates this finding can be made.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 17, Section 6277 is hereby amended to read as follows:

SECTION 6277. MIDCOAST WINTER GRADING. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 17, Appendix is hereby added to include a map of the Midcoast LCP Update Project Area as follows:

APPENDIX

MIDCOAST LCP UPDATE PROJECT AREA

SECTION 4. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 5. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(6/26/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE
(ZONING ANNEX) TO ADD CHAPTER 12.6 (SECTIONS 6229.0 TO 6229.4) WHICH
ENACTS EL GRANADA GATEWAY "EG" ZONING DISTRICT REGULATIONS**

The Board of Supervisors of the County of San Mateo, State of California,
ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division VI is hereby amended to
add Chapter 12.6, Sections 6229.0 to 6229.4, and thereby enacting the "EG" District
regulations, to read as follows:

SECTION 6229.0. REGULATIONS FOR "EG" DISTRICT. The following
regulations shall apply in the El Granada Gateway (EG) District.

SECTION 6229.1. PURPOSE. The purpose of the "EG" District is to provide
for low intensity development at the "Burnham Strip" in El Granada, which
preserves, to the greatest degree possible, the visual and open characteristics
of this property.

SECTION 6229.2. DEFINITIONS.

1. Community Centers

Facilities used by local citizens for civic activities, performances, presenta-
tions or other purposes.

2. Interpretive Centers

Facilities used for the education of the public with respect to natural,
historical and cultural environments and legacies.

3. Libraries

Facilities used for storage, exhibition and lending of various media
including, but not limited to, books, periodicals, documents, audio and
videotapes and visual art.

4. Linear Parks and Trails

Linear strips of land established for the purposes of walking, hiking, bicycling, horseback riding and boating, and comprising a natural or manmade linear resource such as stream drainage, bluff line, ridge, utility right-of-way, or service road.

5. Open Field Cultivation of Plants and Flowers for Ornamental Purposes

The cultivation, sale and distribution of seeds, flowers, plants, and/or trees of ornamental value that are grown in or on an open field, i.e., uncovered by any structure, such as a greenhouse.

6. Outdoor Art Centers

Outdoor facilities for the exhibition, study or creation of works of artistic value.

7. Outdoor Athletic Facilities

Outdoor facilities, associated grounds and accessory structures used for active recreation, including swimming pools, tennis courts, playing fields or similar uses.

8. Outdoor Recreation Areas

Outdoor areas used for a variety of outdoor recreational purposes, including areas that will provide for public use of natural and manmade water features, as well as for special recreation activities.

9. Parks

Areas of scenic and natural character where outdoor recreation opportunities and facilities may be provided for public convenience and enjoyment, and within which interpretive exhibits can be established.

10. Temporary Outdoor Performing Arts Centers

Outdoor areas used temporarily for the presentation of live musical, dance, dramatic or other artistic performances, involving portable facilities and equipment, e.g., movable stage sets, and seating.

11. Temporary Outdoor Sales

Outdoor areas used temporarily by multiple small commercial establishments which serve the general public, typically from portable stalls, in the outdoor sales of food, arts and crafts, or used manufactured goods, e.g., farmers markets, flea markets, art shows, and food and wine tastings.

12. Temporary Outdoor Showgrounds and Exhibition Facilities

Outdoor areas used temporarily for a variety of showground and exhibition activities, including rodeos, fairs, carnivals, and traveling shows, involving portable facilities and equipment.

13. Urban Roadside Stands

Structures in urban areas of either portable or permanent construction used for the sale of produce and other goods and merchandise.

14. Vegetative Stormwater Treatment Systems and Underground Storage Facilities

The installation of:

- a. Ground level vegetation devices to filter, reduce the velocity of, and/or absorb stormwater flow from off-site sources including, but not limited to the use of bio-filters, vegetated buffer strips and engineered wetlands, and/or
- b. Underground storage or detention facilities for stormwater from off-site sources.

SECTION 6229.3. USES PERMITTED. The following uses are permitted in the "EG" District subject to the issuance of a use permit, as provided in Chapter 24 of this part.

1. Community Centers

2. Interpretive Centers

3. Libraries

4. Linear Parks and Trails

5. Open Field Cultivation of Plants and Flowers for Ornamental Purposes

6. Outdoor Art Centers
7. Outdoor Athletic Facilities
8. Outdoor Recreation Areas
9. Parks
10. Temporary Outdoor Performing Arts Centers
11. Temporary Outdoor Sales
12. Temporary Outdoor Showgrounds and Exhibition Facilities
13. Urban Roadside Stands
14. Vegetative Stormwater Treatment Systems and Underground Storage Facilities

SECTION 6229.4. DEVELOPMENT CRITERIA AND STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area: 3.5 acres.
2. Maximum Building Height: 16 feet.
3. Minimum Building Setbacks

<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
<u>50 feet</u>	<u>20 feet</u>	<u>20 feet</u>

4. Maximum Parcel Coverage: Ten percent (10%) parcel size.

Maximum parcel coverage shall include all structures that are 18 inches or more above the ground.

5. Impervious Surface Area

The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage and calculations which demonstrates this finding can be made.

6. Landscaping

All building and structures shall be screened with sufficient landscaping to obscure and soften their appearance when viewed from Highway 1.

7. Signs

a. Prohibited Signs:

- (1) Signs having animated, moving, rotating, inflatable, or flashing parts.
- (2) Signs emitting intense and highly focused light, including beacons.
- (3) Off-premises signs, including billboards.

b. Number of Signs: One per use or establishment.

c. Maximum Sign Display Area: 20 sq. ft. on each sign face.

8. Winter Grading

Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 2. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 3. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

GB:fc – GDBQ0482_WFQ.DOC (10/25/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE
SECTION 6115 (ZONING MAPS) TO REZONE PARCELS AT THE "BURNHAM
STRIP" IN EL GRANADA FROM "COSC/DR" TO "EG/DR"**

The Board of Supervisors of the County of San Mateo, State of California,
ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 2, Section 6115 (Zoning Maps) is hereby amended to change the zoning for that area shown within the boundaries on the attached map identified as Exhibit "A" from "COSC/DR" to "EG/DR."

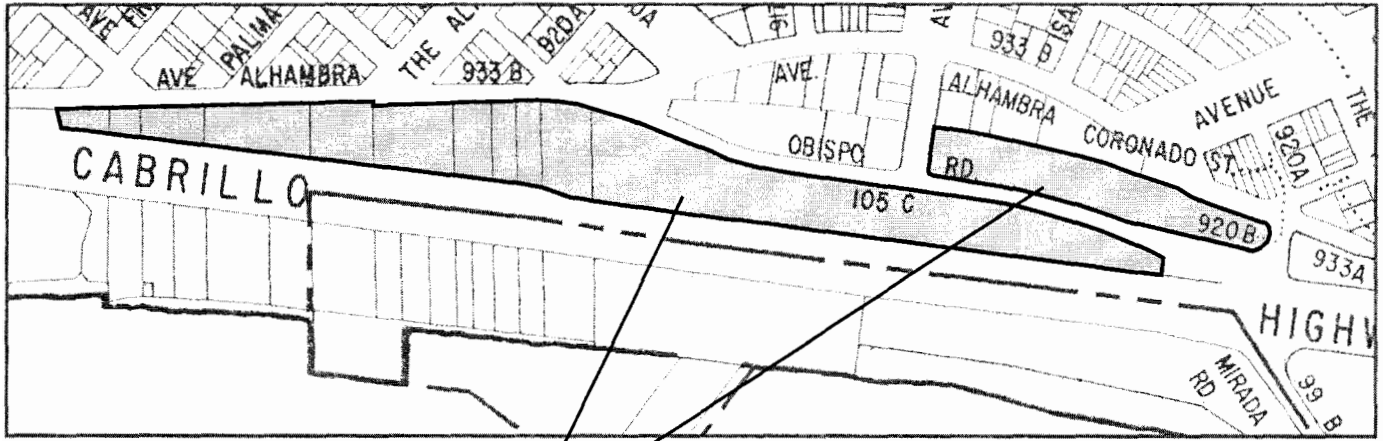
SECTION 2. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid;
or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 3. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

GB:fc – GDBQ0477_WFQ.DOC (10/31/06)

EXHIBIT "A"



COSC/DR to EG/DR

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 36, RESOURCE MANAGEMENT-COASTAL ZONE (RM-CZ) DISTRICT, TO (1) REVISE SECTION 6906A TO LOWER THE HEIGHT LIMIT FOR RESIDENTIAL BUILDINGS IN THE MIDCOAST PROJECT AREA; (2) ADD SECTION 6908C TO ENACT A MAXIMUM FLOOR AREA LIMIT FOR RESIDENTIAL BUILDINGS AND GRANT BONUS FLOOR AREA FOR VOLUNTARY LOT MERGER IN THE MIDCOAST PROJECT AREA; (3) ADD SECTION 6908D TO ENACT AN IMPERVIOUS SURFACE LIMIT FOR THE MIDCOAST PROJECT AREA; (4) ADD SECTION 6908E TO ESTABLISH WINTER GRADING CRITERIA FOR THE MIDCOAST PROJECT AREA; AND (5) ADD APPENDIX SHOWING THE MIDCOAST PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 36, Section 6908A is hereby amended to read as follows:

SECTION 6908A. MAXIMUM HEIGHT OF STRUCTURES. In the RM-CZ District, no residential or commercial structure shall exceed three stories or 36 feet in height except: (1) as allowed by use permit provisions in Chapter 22, Article 2, Section 6405 of the San Mateo County Ordinance Code, and (2) in the Midcoast LCP Update Project Area, as shown on the map that is part of this Chapter, no residential structure shall exceed 28 feet in height. If any portion of a structure is used for residential purposes, the height limit for the entire structure is 28 feet.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 36, Section 6908C is hereby added to read as follows:

SECTION 6908C. MIDCOAST RESIDENTIAL FLOOR AREA.

- a. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the maximum building floor area for residential uses shall be established according to the following table, except as provided by subsection b.

<u>Parcel Size</u>	<u>Maximum Building Floor Area</u>
<u>2,500 - 4,749 sq. ft., or less than 45 feet parcel width</u>	<u>0.48 (parcel size)</u>
<u>4,750 - 4,999 sq. ft.</u>	<u>0.53 - ((5,000-parcel size) x 0.0002) x parcel size</u>
<u>5,000 - 11,698 sq. ft.</u>	<u>0.53 (parcel size)</u>
<u>More than 11,698 sq. ft.</u>	<u>6,200 sq. ft.</u>

The maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel. If any portion of a building is used for residential purposes, the floor area of the entire building is included. Maximum building floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

- b. In addition to the limitations set forth in subsection a., permit 250 sq. ft. bonus building floor area for any parcel whose substandard lots are voluntarily merged in accordance with the provisions of San Mateo County Board of Supervisors' Resolution No. (Exhibit "G") during the "voluntary merger period" described therein.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 36, Section 6908D is hereby added to read as follows:

SECTION 6908D. MIDCOAST IMPERVIOUS SURFACE AREA. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage, and calculations which demonstrates this finding can be made. The exception provision applies to:

- (a) Non-residential development, and
- (b) Residential development, only if the Community Development Director determines that the exception is necessary for compliance with site planning and design requirements.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 36, Section 6908E is hereby added to read as follows:

SECTION 6908E. MIDCOAST WINTER GRADING. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 5. San Mateo County Ordinance Code, Division IV, Chapter 36, Appendix is hereby added to include a map of the Midcoast LCP Update Project Area as follows:

APPENDIX

MIDCOAST LCP UPDATE PROJECT AREA

SECTION 6. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 7. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

GDB:kcd - GDBQ0497_WKQ.DOC
(10/19/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 21A, PLANNED AGRICULTURAL (PAD) DISTRICT TO (1) REVISE SECTION 6358 TO LOWER THE HEIGHT LIMIT FOR RESIDENTIAL BUILDINGS IN THE MIDCOAST PROJECT AREA; (2) ADD SECTION 6360 TO ENACT A MAXIMUM FLOOR AREA LIMIT FOR RESIDENTIAL BUILDINGS IN THE MIDCOAST PROJECT AREA; (3) ADD SECTION 6361 TO ENACT AN IMPERVIOUS SURFACE LIMIT FOR THE MIDCOAST PROJECT AREA; (4) ADD SECTION 6362 TO ENACT WINTER GRADING CRITERIA FOR THE MIDCOAST PROJECT AREA; AND (5) ADD APPENDIX SHOWING THE MIDCOAST PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 21A, Section 6358 is hereby amended to read as follows:

SECTION 6358. MAXIMUM HEIGHT OF STRUCTURES. In the Planned Agricultural District, no residential or commercial structure shall exceed three stories or 36 feet in height, except: (1) as allowed by use permit provisions in Chapter 22, Article 2, Section 6405, of the San Mateo County Ordinance Code, and (2) in the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, no residential structure shall exceed 28 feet in height. If any portion of a structure is used for residential purposes, the height limit for the entire structure is 28 feet.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 21A, Section 6360 is hereby added to read as follows:

SECTION 6360. MIDCOAST RESIDENTIAL FLOOR AREA.

In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the maximum building floor area for residential uses shall be established according to the following table:

<u>Parcel Size</u>	<u>Maximum Building Floor Area</u>
2,500 - 4,749 sq. ft., or less than 45 feet parcel width	0.48 (parcel size)
4,750 - 4,999 sq. ft.	$0.53 - ((5,000 - \text{parcel size}) \times 0.0002) \times \text{parcel size}$
5,000 - 11,698 sq. ft.	0.53 (parcel size)
More than 11,698 sq. ft.	6,200 sq. ft.

The maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel. If any portion of a building is used for residential purposes, the floor area of the entire building is included. Maximum building floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 21A, Section 6361 is hereby added to read as follows:

SECTION 6361. MIDCOAST IMPERVIOUS SURFACE AREA. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director for select development upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage, and calculations which demonstrates this finding can be made. The exception provision applies to:

- A. Non-residential development, and
- B. Residential development, only if the Community Development Director determines that the exception is necessary for compliance with site planning and design requirements.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 21A, Section 6362 is hereby added to read as follows:

SECTION 6362. MIDCOAST WINTER GRADING. In the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 5. San Mateo County Ordinance Code, Division IV, Chapter 21A, is hereby added to include a map of the Midcoast LCP Update Project Area as follows:

APPENDIX

MIDCOAST LCP UPDATE PROJECT AREA

SECTION 6. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 7. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

GDB:kcd - GDBQ0496_WKQ.DOC
(10/19/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE
SECTION 6115 (ZONING MAPS) TO REZONE LAND NEAR MONTARA FROM
“RM-CZ” TO “RM-CZ/DR” AND FROM “PAD” TO “PAD/DR”**

The Board of Supervisors of the County of San Mateo, State of California,
ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division VI, Part One, Chapter 2, Section 6115 (Zoning Maps) is hereby amended to change the zoning from “RM-CZ” to “RM-CZ/DR” and from “PAD” to “PAD/DR” for the properties shown on the attached map identified as Exhibit “A.”

SECTION 2. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 3. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(7/5/06)

EXHIBIT “A”

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 28.1, DESIGN REVIEW (DR) DISTRICT, TO (1) REVISE SECTION 6565.1.A AND ADD SECTION 6565.1.B TO REQUIRE DESIGN REVIEW FOR ONLY RESIDENTIAL DEVELOPMENT ON PARCELS ZONED PAD AND RM-CZ IN THE MIDCOAST LCP UPDATE PROJECT AREA; (2) REVISE SECTION 6565.7 TO REQUIRE DESIGN REVIEW COMMITTEE REVIEW OF RESIDENTIAL DEVELOPMENT IN THE MIDCOAST PROJECT AREA; (3) ADD SECTION 6565.20(I) TO INCLUDE THE MIDCOAST DESIGN REVIEW GLOSSARY; AND (4) ADD SECTION 6565.75 SHOWING THE PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 28.1, Section 6565.1.A is hereby amended to read as follows:

- A. In any district which is combined with the "DR" District, the regulations of this Chapter shall apply, except as qualified by Section 6565.1.B.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 28.1, Section 6565.1.B is hereby added to read as follows:

- B. On parcels zoned Resource Management-Coastal Zone (RM-CZ) or Planned Agricultural District (PAD) located in the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter, the regulations of this Chapter shall apply only to residential development. If any portion of a structure is used for residential purposes, the entire structure is subject to Design Review.

SECTION 3. San Mateo County Ordinance Code, Division IV, Chapter 28.1, Section 6565.7.A is hereby amended to read as follows:

SECTION 6565.7. ACTION ON APPLICATION FOR DESIGN REVIEW.

- A. Review or action on an application for Design Review shall be taken by the Design Review Committee for projects located in the following communities:

1. Emerald Lake Hills and Oak Knoll Manor (areas zoned RH/DR only).

2. Palomar Park.
3. Devonshire.
4. Midcoast (~~areas zoned R-1~~ residential development only), i.e., single-family or multiple-family residential construction, including residential/commercial mixed-use development on parcels in the Midcoast LCP Update Project Area, as shown on the map that is part of this Chapter.

In all other areas within the Design Review District, review or action shall be by the Design Review Administrator.

SECTION 4. San Mateo County Ordinance Code, Division IV, Chapter 28.1, Section 6565.20(I) is hereby added to read as follows:

SECTION 6565.20(I). MIDCOAST DESIGN REVIEW GLOSSARY

1. **Arch** – A curved structural member typically spanning an opening such as a door, window or arcade.
2. **Ancillary** – Subordinate.
3. **Attic** – The area formed between the ceiling joists and rafters.
4. **Balcony** – A platform or deck projecting from the wall of a building above ground level, usually enclosed by a railing.
5. **Basement** – A level of a structure that is built either entirely below grade level (full basement) or partially below grade (daylight basement).
6. **Bench Mark** – A reference point used by surveyors to establish grades and construction heights.
7. **Breezeway** – A covered walkway with open sides between two different parts of a structure.
8. **Cantilever** – Projected construction, a structural member or beam that is supported at only one end.
9. **Compatible** – Capable of existing together in harmony.
10. **Complementary** – Producing effects in concert different from those produced separately; completing.

11. **Corbel** – A projection from a wall, sometimes supporting a load and sometimes for decorative effect.
12. **Cornice** – The exterior detail at the meeting of a wall and a roof overhang; a decorative molding at the intersection of a wall and a ceiling.
13. **Crawl Space** – The area between the floor joists and the ground, usually a space that is not tall enough to stand in; also referred to as under-floor area.
14. **Dormer** – A structure protruding through the plane of a sloping roof, usually with a window and its own smaller roof.
15. **Easement** – An area of land, usually deed restricted, that in most cases cannot be built upon because it provides access to a structure or to utilities such as power, water, or sewer lines.
16. **Eave** – The part of the roof that overhangs or projects from the wall of a building.
17. **Elevation** – A drawing that views a building from any of its sides; a vertical height above a reference point such as above sea level.
18. **Excavation** – The mechanical removal of earth material (County Ordinance Code Section 8601.24).
19. **Facade** – The face or front of a building.
20. **Fill** – A deposit of earth or waste material placed by artificial means (County Ordinance Code Section 8601.25).
21. **Floor Plan** – A drawing that shows the layout of a building, including the size, dimensions, and arrangement of the rooms.
22. **French Door** – Two doors, composed of small panes of glass set within rectangularly arrayed muntins, mounted within the two individual frames. Usually such doors open onto an outside terrace or porch.
23. **Grade** – The vertical location of the ground surface (County Ordinance Code Section 8601.27).
 - a. **Existing Grade** – The grade prior to or at the time of house construction/enlargement, providing that any prior grading on the site was approved by the County or occurred before 1960 when the County began regulating grading activities.

- b. **Finished Grade** – The final grade of the site that conforms to the approved plan (County Ordinance Code Section 8601.31).
24. **Grading** – Any excavating, filling or placement of earth materials or combination thereof (County Ordinance Code Section 8601.31).
25. **Half-Timber** – A frame construction method where spaces between wood members are filled with masonry.
26. **Mullion** – A horizontal or vertical divider between sections of a window.
27. **Neighborhood** – The area surrounding an existing or proposed home as described in Section 6565.20(B).
28. **Neighborhood Character** – The combination of qualities or features within a neighborhood that distinguishes it from other neighborhoods (see Section 6565.20(B)).
29. **Obscure Glass** – Glass that is not transparent.
30. **Ornamentation** – That which decorates or adorns; embellishment.
31. **Parapet** – A portion of wall that extends above the edge of the roof.
32. **Perspective** – A type of drawing that gives a 3D view of a building or space using specific viewpoints and vanishing points.
33. **Pitch** – The slope of a roof or other plane, often expressed as inches of rise per foot of run.
34. **Private View** – A range of vision from private property.
35. **Public View** – A range of vision from a public road or other public facility (see General Plan Policy 4.10).
36. **Rafters** – The sloping roof-frame members, typically wooden, that extend from the ridge to the eaves and establish the pitch of the roof. In Craftsman and Bungalow style buildings the ends of these, called “rafter tails” are often left exposed rather than boxed in by a soffit.
37. **Ridgeline** – The tops of hills or hillocks normally viewed against a background of other hills (see LCP Policy 8.7).
38. **Rendering** – An artistic process applied to drawings to add realism.

39. **Rooftop Deck** – A platform incorporated into or forming the roof of a lower story, typically accessed from within an upper story.
40. **Roof Styles:**
- a. **Flat** – A roof with a minimal roof pitch, usually about 1/8" per 12".
 - b. **Gable** – A type of roof with two sloping surfaces that intersect at the ridge of the structure.
 - c. **Gambrel** – A type of roof formed with two planes on each side. The lower pitch is steeper than the upper portion of the roof.
 - d. **Hip** – A roof shape with four sloping sides that intersect to form a pyramidal or elongated pyramidal shape.
 - e. **Mansard** – A four-sided, steep-sloped roof.
 - f. **Shed** – A roof with a single pitch.
41. **Sash** – Window framework that may be fixed or moveable.
42. **Scale** – A relative level or degree, or a proportion or relation between two things (see Section 6565.20(D)). Also, an instrument bearing ordered marks at fixed intervals used as a reference standard on measurement.
43. **Section (Cross Section)** – A type of drawing that cuts vertically through a building to show the interior and construction of a building.
44. **Sensitive Habitat** – (See LCP Policy 7.1.)
45. **Siding** – The narrow horizontal or vertical wooden boards that form the outer face of the walls in a traditional wood-frame building. Horizontal wooden siding types include shiplap and clapboard/weatherboard, while board-and-batten is the primary type of vertical siding. Shingles, whether of wood or composite material, are another siding type.
46. **Skyline** – The line where sky and land masses meet (see LCP Policy 8.7).
47. **Site Plan** – A drawing that shows the layout of a site including the topography, vegetation, surface water, etc., on a site.
48. **Split-Level** – A house that has two levels, one about a half a level above or below the other.

49. **Story** – A space in a building between the surface of any floor including a basement floor and the surface of the floor or roof next above but not including any attic or under floor area (Zoning Regulations Section 6102.73). Typically, a story is a major section of a house that sits directly above or below other floors, while a “floor level” may be at a greater or lower height than other floors, but does not sit directly above or below them.
50. **Stucco** – A material, usually composed of cement, sand, and lime, applied to exterior walls to form a hard, uniform covering that may be either smooth or textured.
51. **Trim** – A piece of material which finishes the edge of a surface or opening. It is usually made of a different material or color from the adjacent surface.
52. **Vaulted** – An inclined ceiling area.
53. **Veneer** – A thin outer covering or non-load bearing masonry face material.
54. **Window Types:**
- a. **Bay** – A rectangular, curved or polygonal window extending beyond the main wall of the building.
 - b. **Casement** – A window that is hinged on the side and opens in or out.
 - c. **Clerestory** – A window or group of windows which are placed above the normal window height.
 - d. **Double Hung** – A type of window in which the upper and lower halves slide past each other to provide an opening at the top or bottom of the window.
 - e. **Glider/Slider** – A window with two overlapping sashes that slide horizontally in tracks.
 - f. **Fanlight** – A window, often semicircular, over a door, with radiating muntins suggesting a fan.
 - g. **Louver(ed)** – A window with horizontal slats to allow for ventilation.
 - h. **Transom** – Horizontal window opening above a door or another window.

SECTION 5. San Mateo County Ordinance Code, Division IV, Chapter 28.1, Section 6565.75 is hereby added to include a map of the Midcoast LCP Update Project Area as follows:

SECTION 6565.75. MIDCOAST LCP UPDATE PROJECT AREA.

SECTION 6. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 7. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE CHAPTER 8, GRADING REGULATIONS, TO (1) REVISE SECTION 8605.6 TO INCLUDE WINTER GRADING CRITERIA FOR THE MIDCOAST LCP UPDATE PROJECT AREA, AND (2) ADD APPENDIX SHOWING THE PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division VII, Chapter 8, Section 8605.6 is hereby amended to read as follows:

SECTION 8605.6. TIME RESTRICTIONS.

a. Outside the Midcoast LCP Update Project Area

The period from October 15 to April 15 has been determined to be the period in which heavy rainfall normally occurs in the County. During said period, no land disturbing activity shall be authorized on any single site under a permit if the Community Development Director determines that such work will endanger the public health or safety or cause excessive erosion.

b. Within the Midcoast LCP Update Project Area

Within the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter:

Land disturbing activities shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and the Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 2. San Mateo County Ordinance Code, Division VI, Chapter 8, Appendix is hereby added to include a map of the Midcoast LCP Update Project Area as follows:

MIDCOAST LCP UPDATE PROJECT AREA



SECTION 3. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 4. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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(10/31/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 3, PARKING, TO (1) REVISE SECTION 6118 TO ALLOW ONE REQUIRED PARKING SPACE TO BE PROVIDED UNCOVERED FOR SELECT AFFORDABLE HOUSING DEVELOPMENT OR VOLUNTARY LOT MERGER IN THE MIDCOAST; AND (2) ADD APPENDIX SHOWING THE MIDCOAST PROJECT AREA MAP

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division IV, Chapter 3, Section 6118 is hereby amended to read as follows:

SECTION 6118. GENERAL REQUIREMENTS.

- (a) Size and Access: Each off-street parking space shall have an area of not less than 171 sq. ft. exclusive of access drives or aisles, and shall be of usable shape, location and condition. However, for housing developments granted a Density Bonus for Provision of Affordable or Rental Housing (see Section 6305), up to fifty (50) percent of the required off-street parking spaces may be 128 sq. ft. to accommodate compact cars. There shall be adequate provision for ingress and egress to all parking spaces.
- (b) Type and Location: Parking spaces required in connection with residential uses shall be provided in private garages, carports, or storage garages located on the same building site as the main building, except for the following which may be provided uncovered:
 - (1) Parking spaces required for single-family dwellings on parcels less than 3,500 sq. ft. located in the Midcoast.
 - (2) Not more than one parking space required for any substandard lot that is (a) smaller than 4,500 sq. ft. in area, (b) not in common ownership with contiguous lots, and (c) developed with an affordable (very low, low, or moderate income) single-family residential unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County.

- (3) Not more than one parking space required for any parcel whose substandard lots are voluntarily merged in accordance with the provisions of San Mateo County Board of Supervisors' Resolution No. 068386 (Exhibit "G") during the "voluntary merger period" described therein.

No required parking space shall be permitted within a required front yard unless:

- (1) The slope of the front half of the lot on which the parking occurs has at least one foot rise or fall in elevation for every 7 feet measured horizontally.
 - (2) It is an uncovered space serving a single-family dwelling on a parcel less than 3,500 sq. ft. in area located in the Midcoast.
 - (3) It is an uncovered space serving a substandard lot that is (a) smaller than 4,500 sq. ft. in area, (b) not in common ownership with contiguous lots, and (c) developed with an affordable (very low, low, or moderate income) single-family residential unit, i.e., subject to income and cost/rent restriction contracts with San Mateo County.
 - (4) It is an uncovered space serving a parcel whose substandard lots are voluntarily merged in accordance with the provisions of San Mateo County Board of Supervisors' Resolution No. 068386 (Exhibit "G") during the "voluntary merger period" described therein.
- (c) Parking spaces required in connection with uses permitted in "H," "C," or "M" Zones shall be provided in off-street parking areas located within 1,000 feet of the building such spaces are to serve.
- (d) Units of Measurement.
- (1) For the purpose of this Chapter, "Floor Area" in the case of offices, merchandising or service types of uses shall mean the gross floor area used, or intended to be used, for service to the public as customers, patrons, clients or patients, or as tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not include areas used principally for non-public purposes such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings, for toilet or restrooms, for utilities, or for dressing rooms, fitting or alteration rooms.
 - (2) In hospitals, bassinets shall not be counted as beds.

- (3) In stadia, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this part.
- (4) When units of measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.
- (e) Change in Use - Additions and Enlargement: Whenever in any building there is a change in use, or increase in floor area, or in the number of employees or other unit measurements specified hereinafter to indicate the number of required off-street parking spaces and such change or increase creates a need for an increase of more than ten (10) percent in the number of off-street parking spaces as determined by the tables in this Chapter, additional off-street parking spaces shall be provided on the basis of the increased requirements of the new use, or on the basis of the total increase in floor area or in the number of employees, or in other unit of measurement; provided, however, that in case a change in use creates a need for an increase of less than five (5) off-street parking spaces, no additional parking facilities shall be required.
- (f) Mixed Occupancies and Uses Not Specified: In the case of a use not specifically mentioned in paragraph (b) of this section, the requirements for off-street parking facilities for a use which is so mentioned and to which said use is similar shall apply. In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as hereinafter specified for joint use.
- (g) Collective Provision: Nothing in this Chapter shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses, provided that the total of such off-street parking spaces supplied collectively shall not be less than the sum of the requirements for the various uses computed separately.
- (h) Joint Use: Not more than fifty (50) percent of the off-street parking facilities required by this Chapter for a theater, bowling alley, dance hall, or an establishment for the sale and consumption on the premises of alcoholic beverages, food or refreshments, and up to one hundred (100) percent of such facilities required for a church or an auditorium incidental

to a public or parochial school, may be supplied by off-street parking facilities provided for other kinds of buildings or uses, as defined below, not normally open, used or operated during the principal operating hours of theaters, churches or the aforesaid establishments and not more than fifty (50) percent of the off-street parking facilities required by this Chapter for a building or use, as defined below, other than theaters, churches or the aforesaid establishments may be supplied by such facilities provided for theaters, churches, or the aforesaid establishments, provided that a properly drawn legal instrument is executed by the parties concerned for the joint use of the off-street parking facilities which instrument, duly approved as to form and manner of execution by the District Attorney, shall be filed with the application for a building permit.

Buildings or uses not normally open, used or operated during the principal operating hours of theaters, churches, or the aforesaid establishments are defined as banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, and manufacturing buildings and similar uses.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 3, Appendix is hereby added to include a map of the Midcoast LCP Update Project Area as shown on the following page.


















SECTION 3. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 4. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

Mid-Coast LCP Update Project

Legend

-  General Plan: VERY LOW DENSITY RESIDENTIAL Zoning: RM/CZ Maximum Density: One parcel per 40-160 acres/ One house per parcel.
-  General Plan: LOW DENSITY RESIDENTIAL Zoning: R-1/S-10 Minimum parcel size: 20,000 sq. ft. Maximum Density: One house per parcel.
-  General Plan: MEDIUM-LOW DENSITY RESIDENTIAL Zoning: R-1/S-9 Minimum Parcel Size: 10,000 sq. ft. Maximum Density: One house per parcel.
-  General Plan: MEDIUM DENSITY RESIDENTIAL Zoning: R-1/S-17 Minimum Parcel Size: 5,000 sq. ft. Maximum Density: One house per parcel.
-  General Plan: MEDIUM-HIGH DENSITY RESIDENTIAL Zoning: R-3-A (Affordable/ market housing mix) Minimum Parcel Size: None Maximum Density: One unit per 2,500 sq. ft. parcel area.
-  General Plan: HIGH DENSITY RESIDENTIAL Zoning: R-3 Minimum Parcel Size: 1,000 sq. ft. Maximum Density: One unit per 1,250 sq. ft. parcel area.
-  General Plan: INSTITUTIONAL Zoning: I-1 or RM/CZ Permitted Uses: Public/ civic facilities, e.g. schools, hospitals, community centers; Residential.
-  General Plan: NEIGHBORHOOD COMMERCIAL Zoning: C-1 Permitted Uses: Neighborhood serving trades and services; Residential (with use permit).
-  General Plan: COASTSIDE COMMERCIAL RECREATION Zoning: CCR Permitted Uses: Visitor serving facilities, e.g. restaurants and lodging; Residential (mixed use only).
-  General Plan: AIRPORT Zoning: M-1 Permitted Uses: Airport, light industrial.
-  General Plan: INDUSTRIAL Zoning: M-1 Permitted Uses: Light industrial, manufacturing and R&D Minimum parcel size: 5,000 sq. ft.
-  General Plan: INDUSTRIAL Zoning: W Permitted Uses: Waterfront/ marine industrial and light industrial Minimum parcel size: 5,000 sq. ft.
-  General Plan: PUBLIC RECREATION Zoning: RM/CZ Permitted Uses: Parks, recreation facilities, open space; Residential.
-  General Plan: OPEN SPACE Zoning: OSC Permitted Uses: Community open space, public recreation and commercial recreation; Residential Minimum parcel size: 1 acre.
-  General Plan: OPEN SPACE Zoning: RM/CZ Permitted Uses: Open space uses, recreation facilities; Residential Maximum Density: One parcel per 40-160 acres/ One house per parcel.
-  General Plan: AGRICULTURE Zoning: PAD Permitted Uses: Agriculture, open space compatible uses; Residential Maximum Density: One parcel per 40-160 acres/ One house per parcel.
-  AIRPORT OVERLAY (AO) DISTRICT

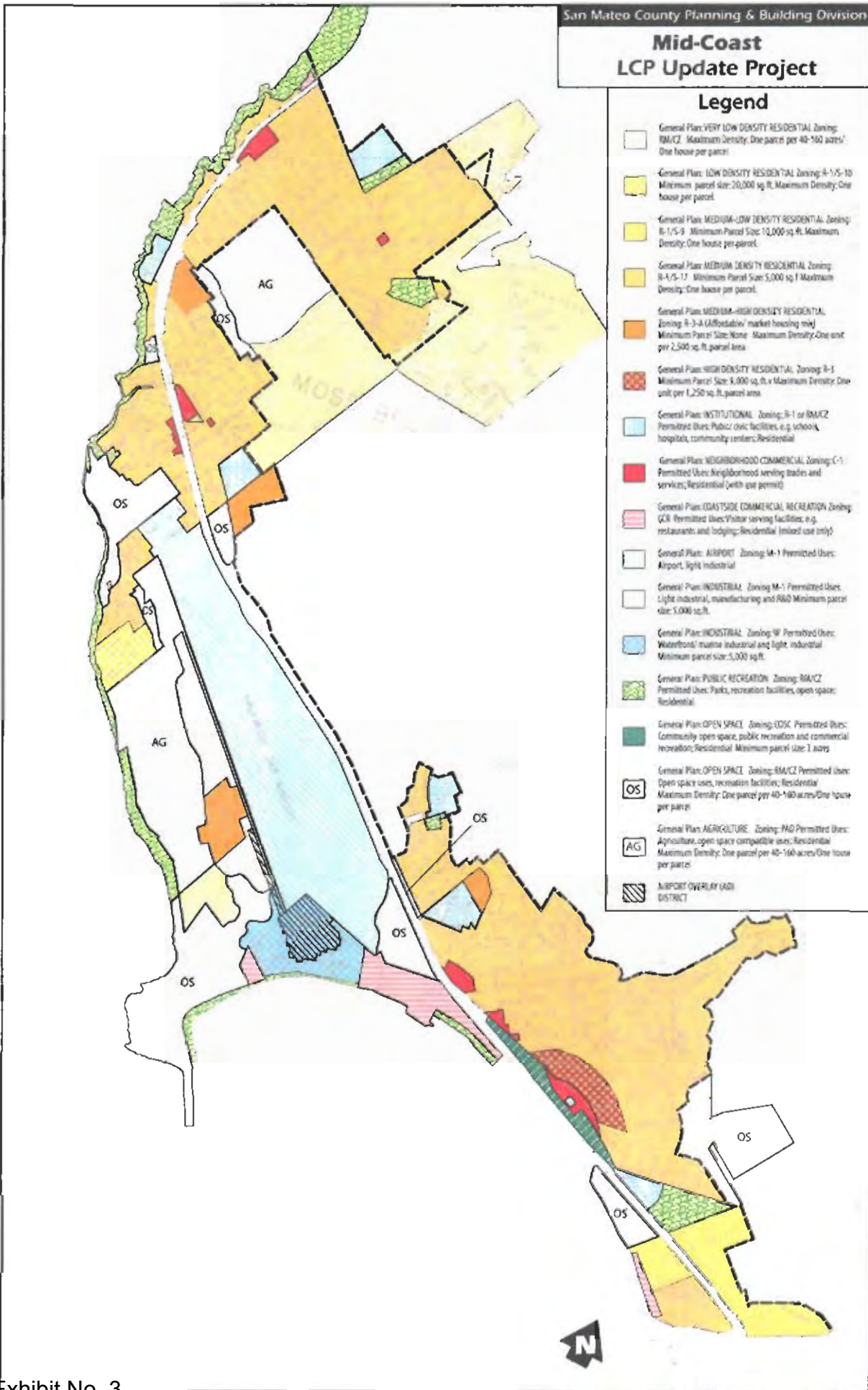


TABLE 1

ESTIMATE OF DWELLING UNITS AND POPULATION PERMITTED BY THE LAND USE PLAN


	EXISTING		PHASE I		BUILDOUT	
	Dwelling Units	Population	Dwelling Units	Population	Dwelling Units	Population
MID-COAST	2,775	7,675	4,100-4,700	11,500-12,700	6,728	16,485
Urban	(2,550)	(7,000)	(4,100-4,700)	(11,500-12,700)	(6,200)	(14,900)
Rural	(225)	(675)	-----	-----	(528)	(1,585)
HALF MOON BAY	2,240	6,900	5,000	12,000-13,000	5,500-6,500	13,500-15,000
SOUTH COAST	620	2,000	-----	-----	1,424	5,000
Pescadero	(143)	-----	-----	-----	(200)	-----
San Gregorio	-----	-----	-----	-----	(40)	-----
Rural	(477)	-----	-----	-----	(1,184)	-----
TOTAL	5,635	16,575	-----	-----	13,650-14,650	35,000-36,500

COUNTY OF SAN MATEO
PLANNING AND BUILDING DIVISION

Inter-Office Memorandum

Date: April 23, 1998

To: Planning Staff

From: Paul M. Koenig, Planning Director 

Subject: Board of Supervisors' Policy to Merge Substandard Lots at Time of Development

On March 24, 1998, the Board of Supervisors authorized staff to merge substandard lots located in R-1/ S-17 zoning district, in accordance with Subdivision Regulations Chapter 9, when such lots are less than 3,500 sq. ft. in area, and in common ownership with contiguous property, providing that the merger is initiated only at that time when an application has been received to construct, enlarge or demolish a house on the applicable properties.

This policy, effective thirty days after Board authorization, or April 23, 1998, establishes the operational procedures and parameters for the required lot merger process, as described below:

Definitions

For the purposes of this policy, the following definitions shall apply:

1. Lot A distinct unit of land created by an approved final subdivision map.
2. Parcel A unit of land that is separately numbered and taxed by the County Assessor.
3. Substandard Lot or Parcel Any lot or parcel that is less than 3,500 sq. ft. in area.

Criteria for Merger

The merger process required by this policy shall be applicable to proposed development in the R-1/ S-17 zoning district in the situations described below:

1. A new single-family dwelling that is proposed to be located either: (a) on a substandard lot or parcel that is contiguous and in common ownership with at least one other property, or (b) on property that is contiguous and in common ownership with adjoining properties that include at least one substandard lot or parcel.
2. An existing single-family dwelling that is proposed to be either enlarged, demolished, or converted to a permitted use, and such existing dwelling is located either: (a) on a substandard lot or parcel that is contiguous and in common ownership with an undeveloped property, or (b) on property that is contiguous and in common ownership with adjoining properties that include either (i) at least one undeveloped substandard lot or parcel or, (ii) a developed substandard lot or parcel next to an undeveloped property.

The illustrations on the following pages, and combinations thereof, identify typical property configurations subject to merger.

Timing and Fees

The merger process required by this policy shall be initiated only after a completed and signed application form for the Coastal Development Permit or Coastal Development Permit Exemption required for the applicable proposed development has been submitted to the County Planning and Building Division.

No fees shall be collected for the merger action required by this policy.

Parcel Size and Configuration After Merger

Substandard lots or parcels affected by this policy shall be merged into parcels that conform with the minimum parcel area requirements of the R-1/ S-17 zoning district, i.e., into parcels that are at least 5,000 sq. ft. in area where existing dwellings continue to conform with the required zoning development standards, including setbacks and parcel coverage.

In some instances, the substandard lots or parcels being merged in accordance with this policy would result in a parcel that is 10,000 sq. ft. or larger in area, and the size and dimensions of the underlying lots or parcels being merged preclude combination into two 5,000 sq. ft. or larger parcels. Should this situation exist, the affected property owner may apply for a Lot Line Adjustment, in lieu of required merger, to reconfigure the applicable properties such that resultant parcels are at least 5,000 sq. ft. in area. No fees shall be collected for a Lot Line Adjustment in lieu of the required merger.

The illustrations on the following pages, and combinations thereof, identify typical property configurations after merger.

Merger Process

The merger process required by this policy shall conform to the requirements of San Mateo County Subdivision Regulations-Chapter 9: Sections 7116-7123, attached and as summarized below:

1. Recording A Notice of Intention to Determine Status

Once the County determines that the provisions of this policy requires a merger action, a "Notice of Intention to Determine Status" is prepared, recorded, and simultaneously mailed to the affected property owner. This informs the property owner that the County has identified his or her property for possible merger. Property ownership status is determined as of the date that the "Notice of Intention to Determine Status" is recorded.

a. Voluntary Merger

Once the County records a "Notice of Intention to Determine Status," staff may suggest to the development proposal applicant that he or she submit a written request for voluntary merger, in accordance with Subdivision Regulations Section 7123. Voluntary merger would involve less processing steps than the County initiated merger process described below.

b. County Initiated Merger

Should the applicant not wish to request voluntary merger, a County initiated merger process would commence, in accordance with Subdivision Regulations Section 7119. This would involve the following steps:

(1) Hearing to Determine Status

The property owner may then request a hearing before the Planning Director. At the hearing, the property owner may present evidence to show that the property does not meet the criteria for merger.

(2) Merger Determination

At the conclusion of the hearing, the Planning Director decides if the property meets the criteria for merger. If so, a "Notice of Merger" is recorded. If not, a release of the "Notice of Intention to Determine Status" is recorded.

(3) Appeals

The property owner may appeal the Planning Director's decision to the Planning Commission, with further appeal possible to the Board of Supervisors.

Should the development proposal applicant withdraw his or her application for a Coastal Development Permit or Coastal Development Permit Exemption after the "Notice of Intention to Determine Status" is recorded, the merger process shall proceed as described above.

Minimize Techniques to Avoid Merger

Although owners who wish to avoid merger can segregate properties into separate ownership before the process is initiated, parcel merger still is an effective tool to reduce the number of substandard lots. To preserve its effectiveness, it shall be Planning and Building Division policy to deny or recommend denial of any Lot Line Adjustment request that has the effect of undermining or averting the merger requirements contained herein.

For example, staff shall deny or recommend denial of a Lot Line Adjustment request to reconfigure three undeveloped 2,500 sq. ft. lots into two 3,750 sq. ft. parcels, since the County will require merging these lots into one 7,500 sq. ft. parcel when subsequent development is proposed.

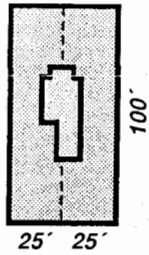
Grandfathering Provision

The provisions of this policy do not apply to proposed development for which a Coastal Development Permit or Coastal Development Permit Exemption application required for such development has been submitted to the County and determined to be complete before April 23, 1998, the effective date of this policy.

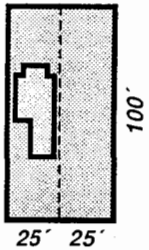
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Proposed New House Next to Undeveloped Land in Common Ownership

Before Merger

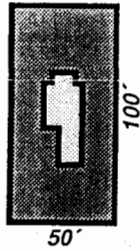


25' 25'

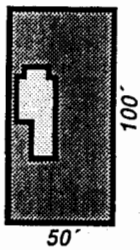


25' 25'

After Merger

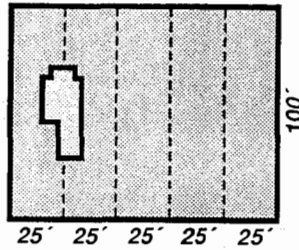


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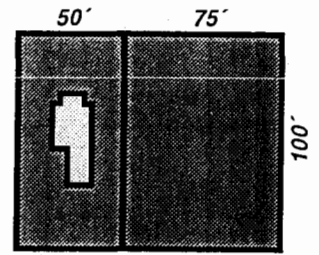
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Before Merger

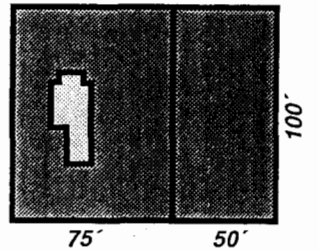


25' 25' 25' 25' 25'

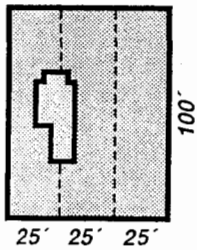
After Merger



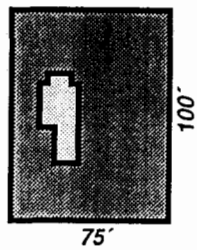
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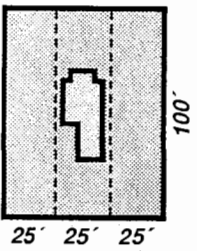
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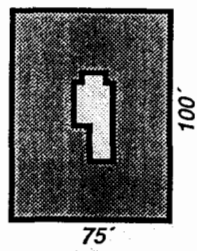
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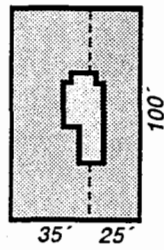
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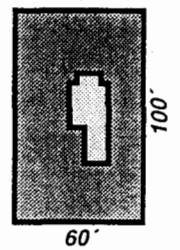
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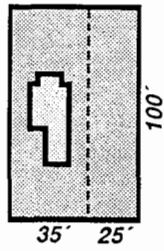
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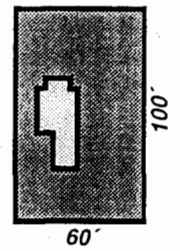
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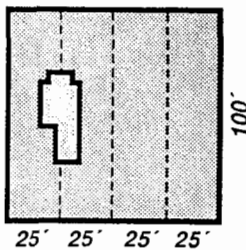
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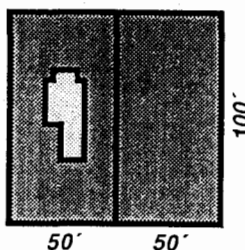
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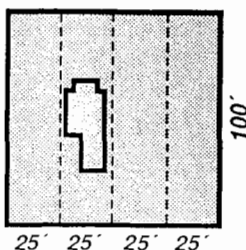
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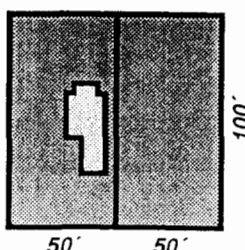
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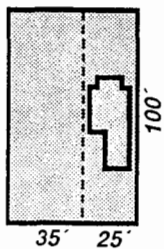
50' 50'



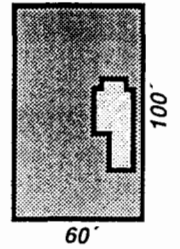
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50' 50'



35' 25'

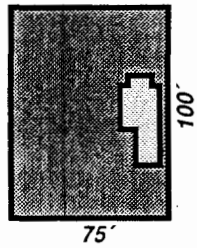
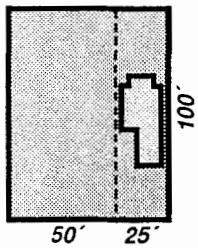
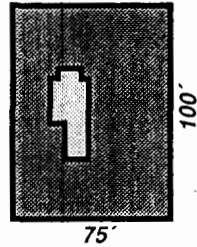
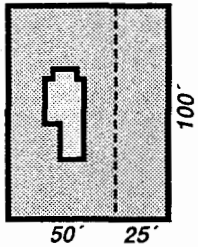
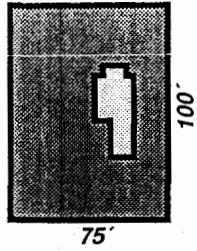
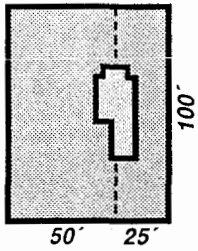


60'

Proposed New House Next to Undeveloped Land in Common Ownership

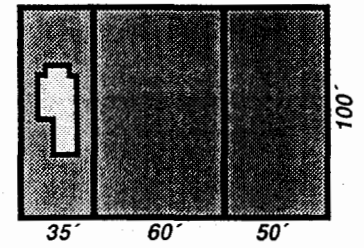
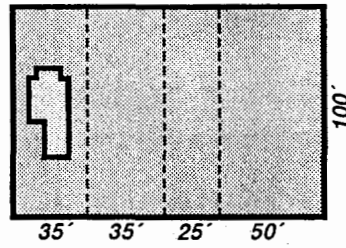
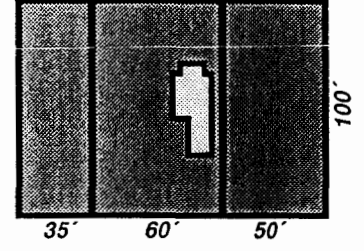
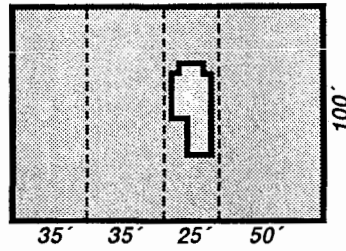
Before Merger

After Merger



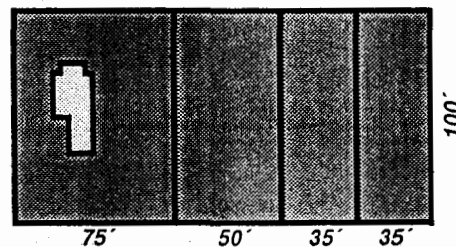
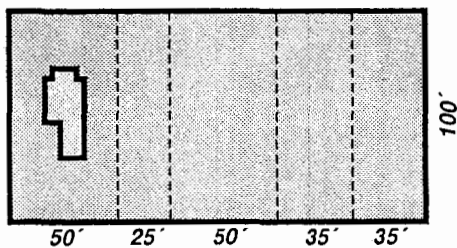
Before Merger

After Merger

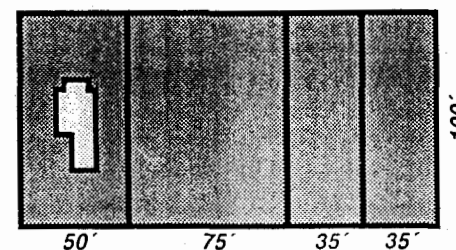


Before Merger

After Merger



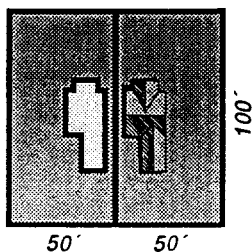
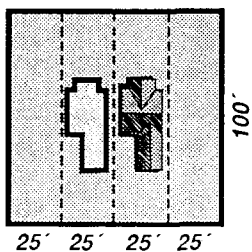
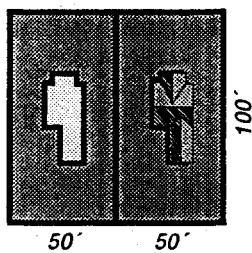
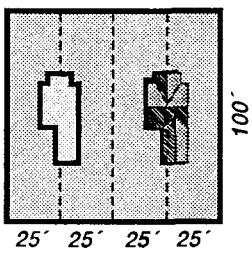
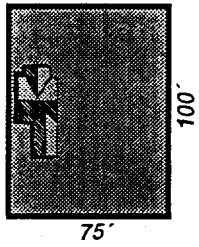
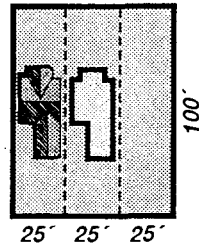
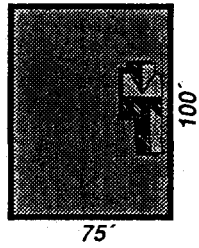
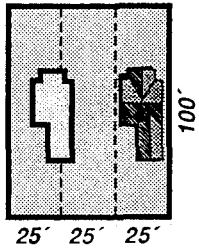
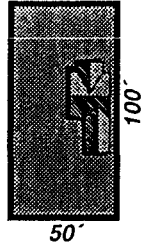
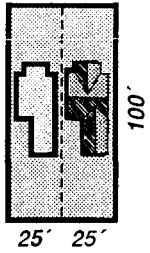
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Proposed New House Next to Developed Land in Common Ownership

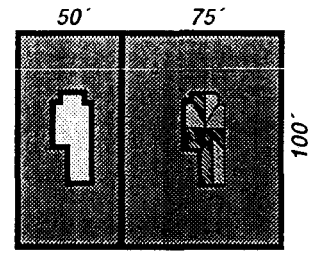
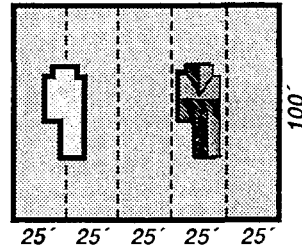
Before Merger

After Merger

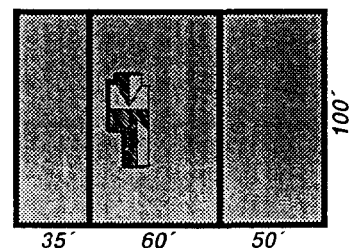
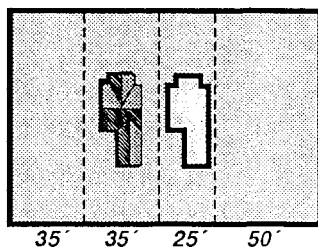
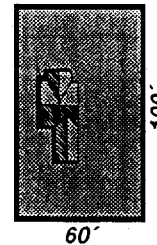
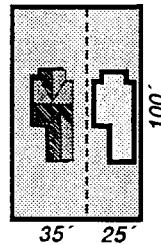
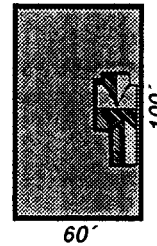
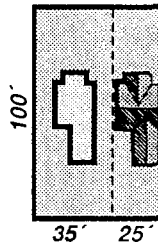
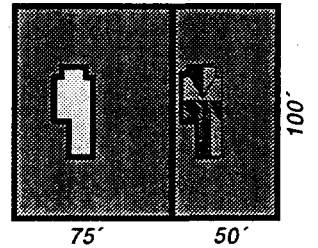


Before Merger

After Merger



or



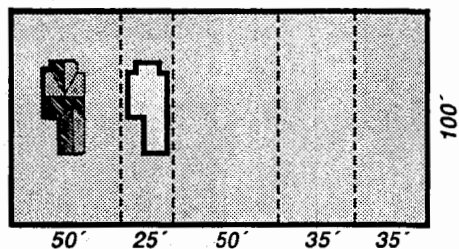
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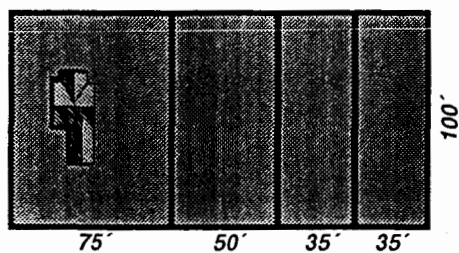
= Proposed House

Proposed New House Next to Developed Land in Common Ownership

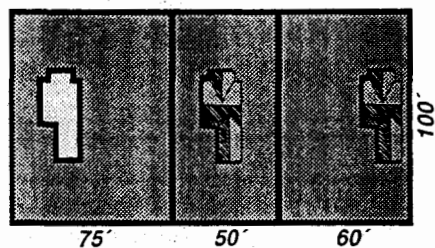
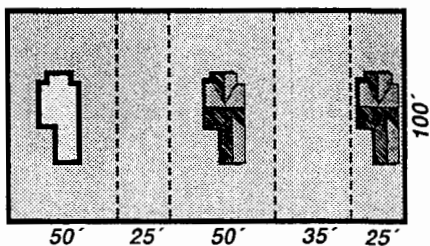
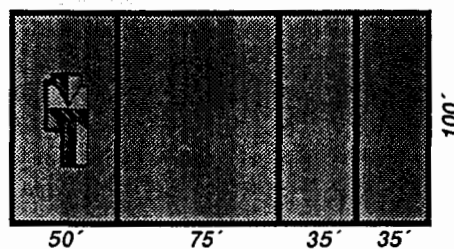
Before Merger



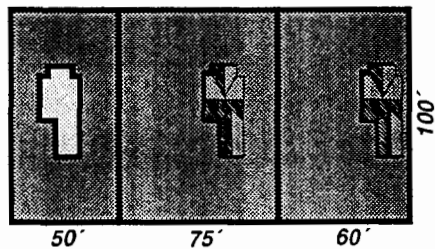
After Merger



or



or



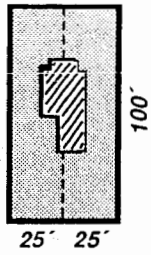
= Existing House



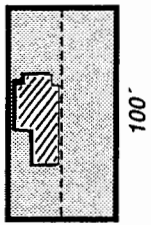
= Proposed House

Proposed Enlargement, Conversion or Demolition of an Existing House Next to Land in Common Ownership

Before Merger

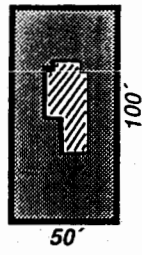


25' 25'

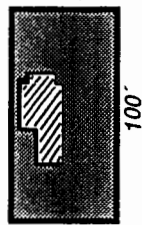


25' 25'

After Merger

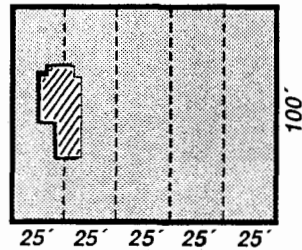


50'



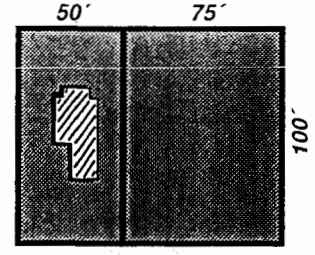
50'

Before Merger

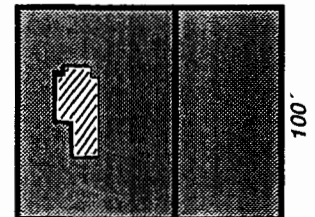


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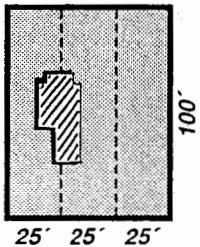
After Merger



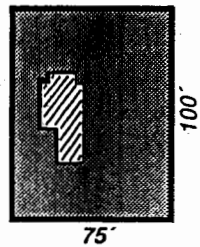
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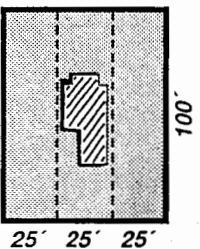
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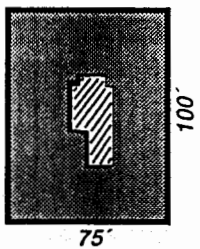
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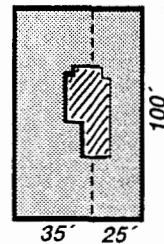
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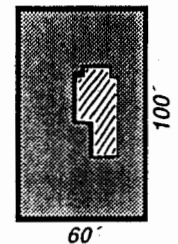
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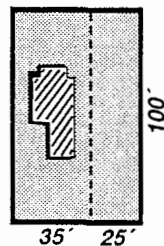
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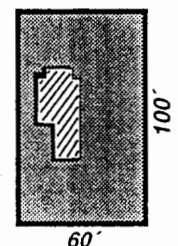
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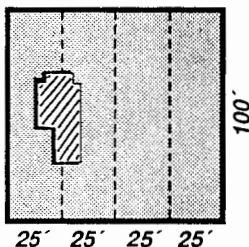
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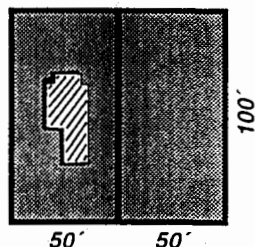
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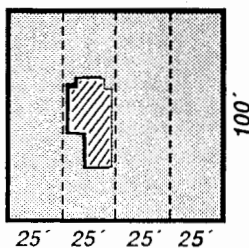
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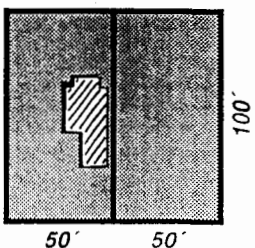
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50' 50'




25' 25' 25' 25'



50' 50'

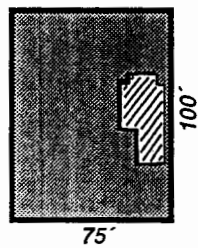
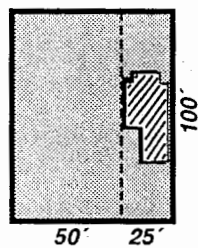
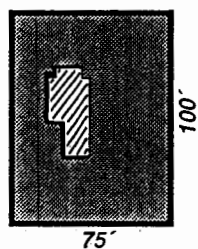
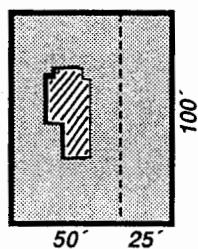
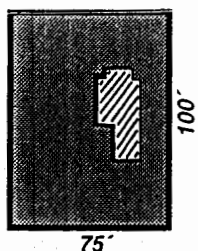
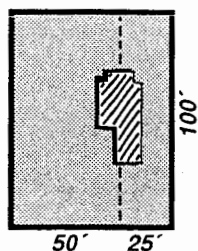
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Proposed Enlargement, Conversion or Demolition of an Existing House Next to Land in Common Ownership

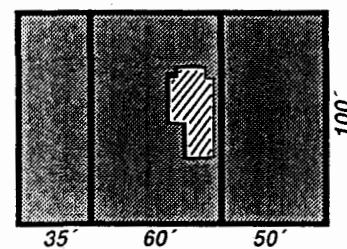
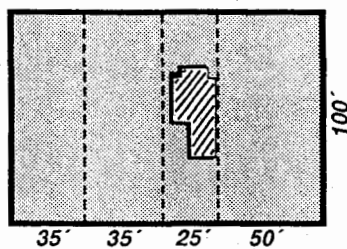
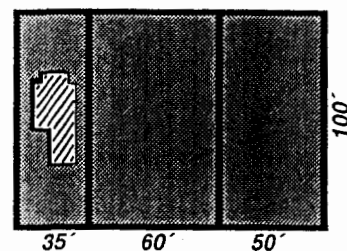
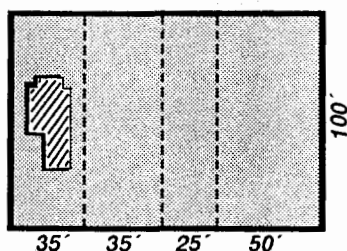
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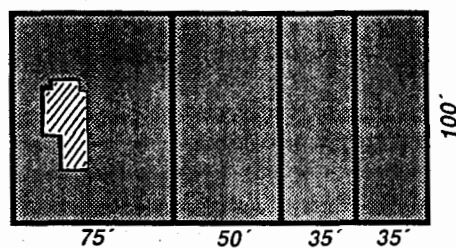
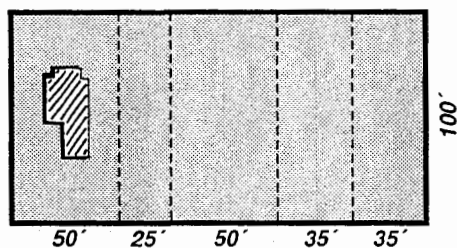
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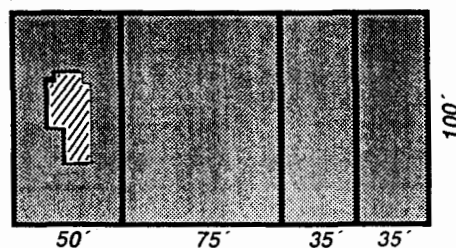



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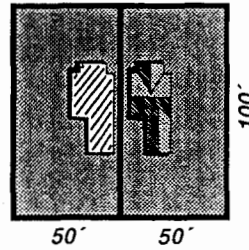
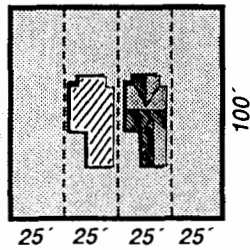
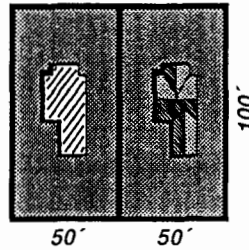
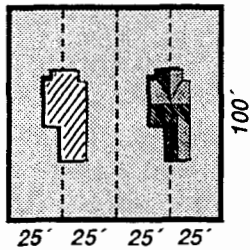
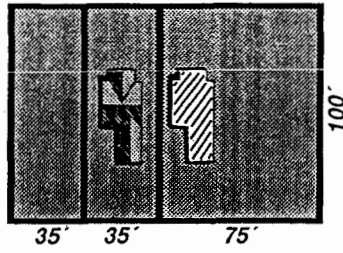
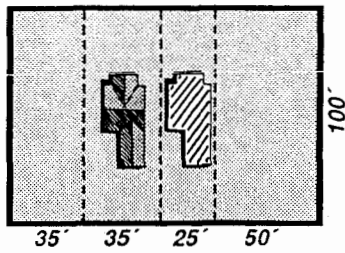
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proposed to be
enlarged, partially
converted, or demolished.

 = Existing House

Proposed Enlargement, Conversion or Demolition of an Existing House Next to Land in Common Ownership

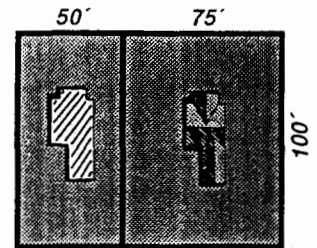
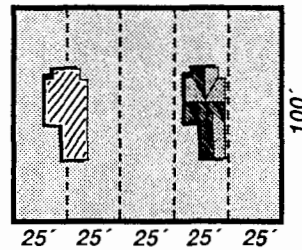
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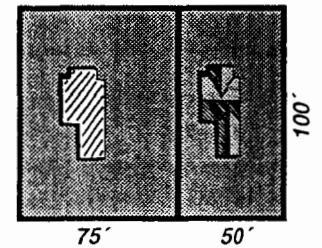


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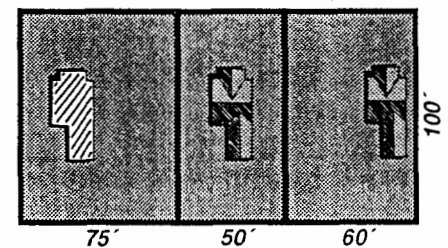
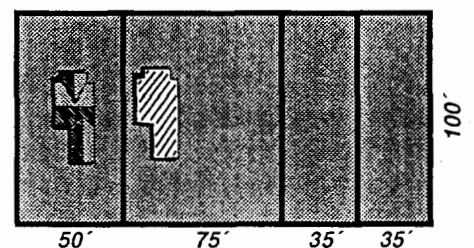
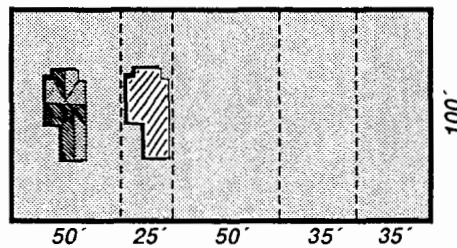


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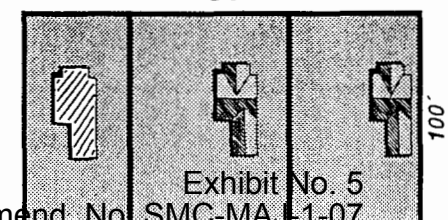



Before Merger


After Merger



or



 = Existing House
proposed to be
enlarged, partially
converted, or
demolished.

 = Existing House

San Mateo County Subdivision Regulations

CHAPTER 9

PARCEL MERGERS

- ARTICLE 1 - GENERAL PROVISIONS
- ARTICLE 2 - REQUIREMENTS FOR PARCEL MERGERS AFTER JULY 1, 1984
- ARTICLE 3 - UNMERGER OF PARCELS
- ARTICLE 4 - VOLUNTARY MERGERS

EXHIBIT "G"

POLICY OF THE SAN MATEO COUNTY BOARD OF SUPERVISORS

In accordance with County Subdivision Regulations, Chapter 9 – Parcel Mergers (Sections 7116-7119 and 7123), and in order to facilitate implementation of the General Plan and Local Coastal Program, the following shall be the policy of the San Mateo County Board of Supervisors:

APPLICABILITY

1. Staff is hereby authorized to initiate a lot merger process for applicable Midcoast properties that are: (a) zoned Single-Family Residential (R-1), Multiple-Family Residential (R-3) or Resource Management-Coastal Zone (RM-CZ); (b) comprised of "substandard" lots created by a recorded major subdivision; and (c) shown on the attached map included as a part of this exhibit. Substandard lots located within the CalTrans owned Devil's Slide Bypass property are excluded from this lot merger process.
2. Applicable properties are lands that possess all of the following conditions:
 - a. At least two contiguous lots or parcels are owned by the same person or entity under the same name, i.e., in common ownership, and
 - b. At least one lot or parcel is undeveloped, or is developed only to the extent described in Subdivision Regulations Section 7118, and
 - c. The area of at least one lot is less than:
 - (1) R-1 or R-3 zoning district – 4,500 sq. ft.
 - (2) RM-CZ zoning district – 5,000 sq. ft.
3. Lots on applicable properties zoned R-1 or R-3 shall be merged up to a parcel area that is either a. or b. below, whichever is larger:
 - a. At least 5,000 sq. ft., plus the area of any remaining contiguous lot(s) that cannot be merged along existing lot lines into a separate parcel that is at least 5,000 sq. ft., or
 - b. At least the minimum parcel size for the applicable zoning district, plus the area of any remaining contiguous lot(s) that cannot be merged along existing lot lines into a separate parcel that is at least the minimum parcel size for the zoning district.

4. Lots on applicable properties zoned RM-CZ shall be merged with the goal of aggregating lots to at least five (5) acres parcel area.

PROCEDURE

1. For undeveloped parcels comprised of at least two substandard lots and developed parcels comprised of at least three substandard lots, the following two-phased lot merger process shall occur:

- a. Phase 1 – Voluntary Merger

- (1) Phase 1 shall begin on the effective date of this resolution and last for up to 21 months.
- (2) Within three months of the effective date of this resolution, County Planning staff shall complete the following:

- (a) Mail a notice to the owner of each parcel containing lots eligible for merger under the terms of this resolution. The notice shall explain the phased process described in this resolution, including the voluntary merger with incentives provisions, and how to apply for lot merger.

- (b) Coordinate with the County Assessor to establish a Phase 1 monitoring program to identify when a substandard lot eligible for merger changes ownership such that it is no longer eligible for merger.

- (3) No later than three months after the effective date of this resolution, a voluntary merger period shall begin. The voluntary merger period shall last for 18 months unless terminated in accordance with the following provision.

If at any time during the voluntary merger period more than five (5) ownership changes occur such that lots eligible for merger are no longer eligible, Phase 1 shall terminate, and Phase 2 shall begin.

- (4) During the voluntary merger period, any property owner who requests merger shall receive a non-expiring voucher that entitles the bearer to one of the benefits described below. The voucher may be applied to a new housing unit or improvement of an existing unit on the merged parcel.

- (a) Up to 250 sq. ft. bonus floor area, or

- (b) \$1,500 (new unit)/\$300 (existing unit) or 5% reduction in building permit fees, whichever is greater, or

- (c) One required parking space may be provided uncovered.
- (d) For an affordable housing unit, i.e., subject to an income and cost/rent restriction contract with San Mateo County, all of the following:
 - Up to 250 sq. ft. bonus floor area,
 - One required parking space may be provided uncovered,
 - Ability to obtain a priority reserved water connection, and
 - Waive permit fees; expedite permit processing.

The voucher would be redeemed at the time of building permit application, at which time, the bear of the voucher would select the benefit to be received.

- (5) The process for voluntary merger shall be in accordance with the provisions of Subdivision Regulations Section 7123.

b. Phase 2 – Mandatory Merger

- (1) Phase 2 shall begin when Phase 1 terminates, and in no case no later than 21 months from the effective date of this resolution.
- (2) Applicable substandard lots not voluntarily merged during Phase 1 shall be merged in accordance with the process mandated by Subdivision Regulations Section 7119, as summarized below:

(a) Recording a Notice of Intention to Determine Status

A "Notice of Intention to Determine Status" is prepared, recorded, and simultaneously mailed to the affected property owner. This notice informs the property owner that the County has identified his or her property for possible merger.

(b) Hearing to Determine Status

The property owner may then request a hearing before the Community Development Director. At the hearing, the property owner may present evidence to show that the property does not meet the criteria for merger.

(c) Merger Determination

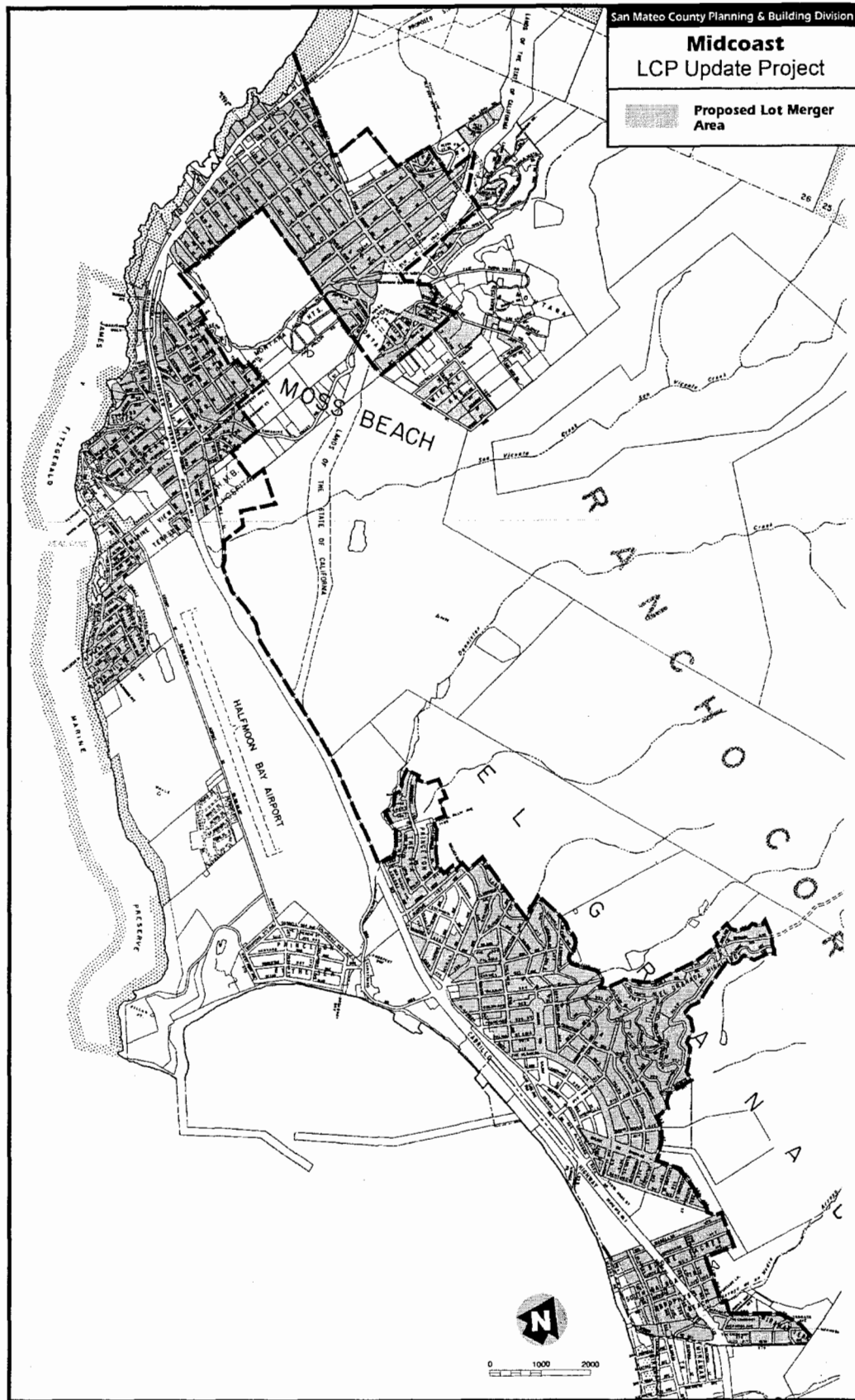
If the Community Development Director determines that the property continues to meet the criteria for merger, a "Notice of Merger" is recorded. If not, a release of the "Notice of Intention to Determine Status" is recorded.

(d) Appeals

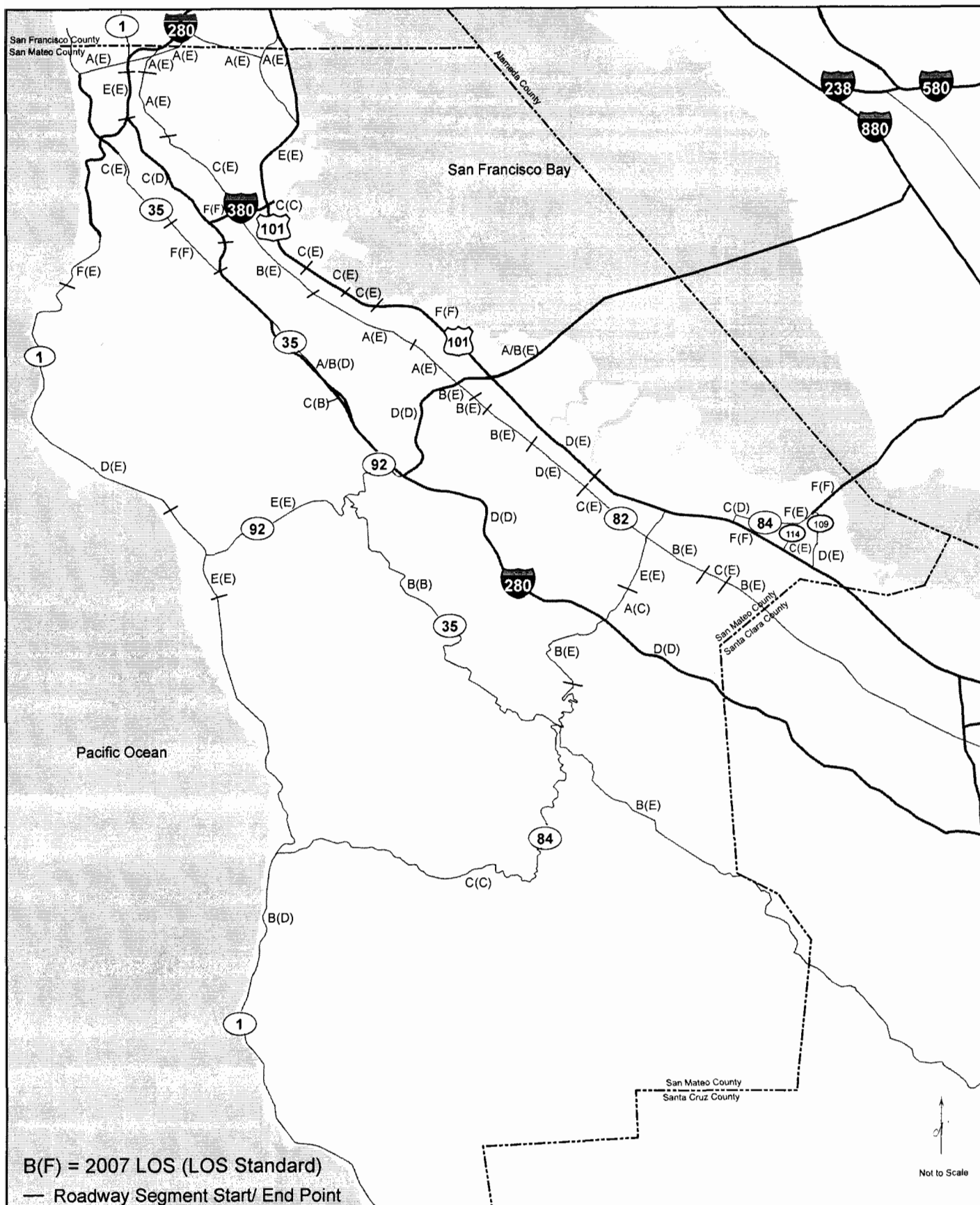
The property owner may appeal the Community Development Director's decision to the Planning Commission, with further appeal possible to the Board of Supervisors.

2. For developed parcels comprised of two substandard lots, lot merger shall occur at that time when an application has been received to construct, enlarge or demolish a house on the parcel. The merger shall be in accordance with the process mandated by Subdivision Regulations Section 7119, as summarized in the preceding section of this resolution.

GDB:fc - GDBQ1302_WFS.DOC
(10/30/06)



G.5



FEHR & PEERS
TRANSPORTATION CONSULTANTS

2007 CMP Monitoring Report

2007 CMP Roadway Segments LOS

Figure 3

March 24, 2005



Marcia Raines, Director of Environmental Services
Environmental Services Agency, San Mateo County
455 County Center, Second Floor
Redwood City, CA 94063

Re: Projected Buildout Demand

Dear Ms. Raines:

This is in response to your letter dated February 23, 2005 requesting information on the Coastsides County Water District's intent and projected ability to provide water service to its consumers at buildout. In response to your request, I asked our District Engineer, James Teter, to prepare a list of potential sources of increased water supply to meet anticipated demand at "buildout" as defined in the current draft of the proposed San Mateo County LCP update. A list of potential sources is provided below.

It should be noted that the City of Half Moon Bay is currently also in the process of updating its LCP/LUP. As of yet the City has not provided CCWD with an estimate of buildout demand. Also, the information provided here is preliminary, as there are a number of potential regulatory impediments to development of any new source of supply. For instance, as most projects to increase water supply would be considered "development" as defined in the Coastal Act, we anticipate the necessity of obtaining coastal development permits. In addition, any supply project would have to be evaluated for potential environmental impacts under CEQA and mitigated accordingly.

In addition to these standard requirements, the coastal development permit recently approved by the Coastal Commission for the El Granada Pipeline project contained a condition stating that the total number of new water service connections in the District "shall not exceed the remaining service capacity created by Phase I of the Crystal Springs Project, which as of a December 2, 2003 benchmark was 1,284 non-priority and 567 priority 5/8-inch meter equivalent service connections." Any project to increase water supply beyond this level would require an amendment to the CDP for the El Granada Pipeline Project.

The City of Half Moon Bay imposed a similar condition in the CDP recently issued for the District's Carter Hill West pipeline project. In addition, the City of Half Moon Bay added a condition to the Carter Hill West pipeline project stating that any increase in water supply "conveyed through, or available to users within the City of Half Moon Bay or any increase in distribution capacity to provide additional service connections in the City of Half Moon Bay in excess of Phase I limitations" shall require a coastal development permit from the City. Presumably, the intent of the language of this

condition concerning supply increases "conveyed through" Half Moon Bay was to extend the City's regulatory authority to water supply projects developed in the unincorporated portions of the District or elsewhere outside of City boundaries.

The District believes that, as the community's need for future water supply is identified, it will be able to satisfy the requirements of all applicable regulatory agencies. And the current CCWD Board of Directors is committed to providing a safe, reliable supply of water to meet the community's current and future needs as defined both by the County of San Mateo and the City of Half Moon Bay. With the foregoing background information in mind, the District believes that the following projects, or some combination thereof, should provide sufficient supplies to satisfy buildout demands:

- A. Denniston Project. The District's water rights permit allows the diversion of 2.0 cfs from Denniston Creek and 2.0 cfs from San Vicente Creek.

Currently water is diverted from Denniston Creek, and following treatment it is distributed to customers in the Princeton and El Granada areas. Water from the Denniston Project is currently not conveyed into Half Moon Bay because the transmission pipeline between the Denniston supply source and Half Moon Bay is too small. However, when the El Granada Transmission Pipeline Replacement Project is completed at the end of 2006, the District will then be able to convey Denniston water into Half Moon Bay (Note: an additional pump station and other improvements will be required). It is estimated that an additional 50-100 mgd (million gallons per year) will then be able to be diverted from Denniston Creek.

The District currently diverts no water from San Vicente Creek. Utilization of this source of supply requires a pump station at the point of diversion, a pipeline from the pump station to the existing Denniston Pump Station, and expansion of the Denniston water treatment plant. It is estimated that 50-100 million gallons per year will be able to be diverted from San Vicente Creek when construction of the facilities are completed.

In addition to the above-mentioned permit requirements, these projects will require licenses from the State Water Resources Control Board, as well as permits from the Department of Fish & Game.

- B. Pilarcitos Well Field. The District's license for use of the Pilarcitos well field allows a maximum annual withdrawal of 117 mgd. During the 1970's and early 1980's production from the wells during non-drought years was always above 60 mgd, often above 80 mgd, and sometimes over 100 mgd. Since year 2001, production has dropped below 40 mgd even though rainfall has been above normal. It is estimated that production from this source could be increased by 30-40 mgd by a program of constructing new wells to replace poorly producing wells, replacing pumps in the newer wells, and similar measures.

- C. Lower Pilarcitos Creek Groundwater Study. The District has constructed a series of test wells and completed a feasibility study for using the Lower Pilarcitos Creek groundwater basin as a source of water supply (the area of the proposed project is bounded by Kelly Avenue on the south, Highway No. 1 on the east, Grand Avenue on the north, and Altoona Avenue on the west). The feasibility study report states that the estimated annual production from the completed project would range from 129 mgd during drought years to 259 mgd during normal precipitation years.
- D. Water Conservation. Estimated annual savings are .183 mgd
- E. Water Recycling (Reclamation). Estimated annual savings are average day demand .77 mgd/day; peak day demand 1.09 mgd/day for irrigation season only for Skylawn Memorial Park and Ocean Colony Golf Course

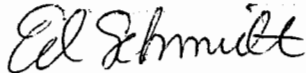
In addition to these supply projects, a number of infrastructure improvements may be required in order to meet buildout treatment and distribution capacity demands:

- 1. Crystal Springs Pump Station – it may be necessary to replace the existing pumps with larger pumps.
- 2. Nunes Water Treatment Plant – a plant enlargement may be necessary.
- 3. Main Street Pipeline Replacement – replace existing 10-inch diameter pipeline with 16-inch pipeline from Lewis Foster Drive to and under Pilarcitos Creek.
- 4. Bridgeport Drive Pipeline Replacement – replace or parallel 3,400 feet of existing 8-inch pipe in Clipper Ridge to increase the flow capacity from the Denniston Project southward.
- 5. Denniston Water Treatment Plant – expand the capacity of the plant and complete other modifications required to meet new water quality regulations. Construct an additional pump station to increase flow capacity southward.
- 6. Complete pipeline replacement projects in the current five year Capital Improvement Program
 - A. Carter Hill East Pipeline Replacement Project
 - B. Avenue Cabrillo Pipeline Replacement Project
 - C. Highway 1 South Pipeline Replacement Project

7. El Granada Pump Stations and Tanks – Complete piping modification allowing tanks to be taken out of service for painting.
8. 2-inch Diameter Pipeline Replacement – replace all existing 2-inch pipelines to increase fire flows.
9. Cast Iron Pipeline Replacement – Replace all old cast iron pipelines in which breaks are occurring.
10. Hazen's Tank Replacement – replace this small, old redwood storage tank.

I hope you find this information useful. I will be happy to furnish you with updated information as it becomes available. Please do not hesitate to contact me with any questions or comments.

Sincerely,



Ed Schmidt
General Manager

February 15, 2005



Ms. Marcia Raines, Director of Environmental Services
County of San Mateo Environmental Services Agency
400 County Center
Redwood City, CA 94063

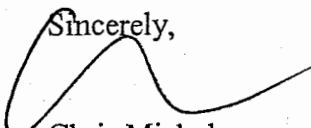
Dear Ms. Raines:

Thank you for this opportunity to review and comment upon the proposed Midcoast LCP update. You should be commended for a comprehensive and thorough analysis of water supply and build out demand. As a water agency, our focus in review of the draft LCP is of necessity limited in keeping with our Mission Statement "to develop and provide our customers with high quality water and service at the lowest possible price." We seek to understand and present our views on proposed policies and their effect upon our ability to fulfill the goal expressed in the Coastside County Water District Mission Statement.

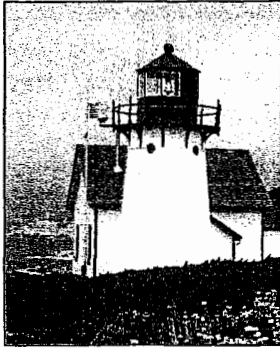
One issue that does cause us some concern in this regard is the following statement at the bottom of page 29 of the February 15 Staff Report (also labeled page 18): "Authorize, by resolution, the completion of hydrological studies to determine available water resources and to the extent allowed by law plan growth to that level that the available resources can support."

The above-statement appears to be inconsistent with the overall emphasis of the LCP on planning for build out based on sound land-use policies and then planning infrastructure to meet build out demands. We are aware that planning agencies are under significant pressure from individuals and groups who believe that growth and development should be restricted by a deliberate policy of inadequate and antiquated infrastructure. Accordingly, we recommend deleting the foregoing statement.

Sincerely,


Chris Mickelsen
Board President

cc: San Mateo County Board of Supervisors
CCWD Board of Directors



MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

P.O. Box 370131

8888 Cabrillo Highway

Montara, CA 94037-0131

Visit Our Web Site: <http://www.msd.montara.com>

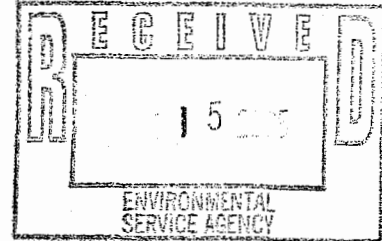
Tel: (650) 728-3545

Fax: (650) 728-8556

E-mail: msd@coastside.net

March 10, 2005

Marcia Raines
Director of Environmental Services
COUNTY OF SAN MATEO
455 County Center, 2nd Floor
Redwood City, CA *4063



RE: WATER SUPPLY AT BUILDOUT

Dear Ms. Raines,

This responds to your letter of February 23, 2005 in which you request the District's plans to provide water at buildout. Please be assured that this District has every intention of providing water supply service to all users in our service area at LCP buildout. The following documents are attached and indicate the District's plans for providing the needed water supply:

- o Montara Water System Master Plan.
- o Department of Water Resources Water Supply Study dated June 1999.
- o 2004 Water Desalination Funding Proposal, Feasibility Study of Brackish Water Desalination, January 18, 2005.

In addition, there are a number of issues that should be considered as the County develops the Local Coastal Program update:

- o This area has been under a water moratorium since the mid-1970's. One of the reasons the District acquired the private water system was to remedy that situation and we are actively pursuing all avenues.
- o This District is actively pursuing water conservation which will assist in achieving the water service needs. We were awarded a State grant for \$185,000 with which we are providing rebates for high efficiency washing machines and ultra low flow toilets.
- o The District is considering establishing a tiered water rate structure to encourage water conservation by charging the high water users more than those who use less water.
- o The District has submitted an application to the State Department of Water Resources for a grant to develop a groundwater management plan for the airport aquifer which provides about 60% of our potable water. It is important that the County, neighboring water agencies and all other users of water in this basin work

together and coordinate their actions to maximize the amount of potable water available in this basin. To date, the County has been unwilling to actively work with the District in this regard.

- MWSD is a member agency of the Sewer Authority Mid-Coastside which is actively reviewing the feasibility of providing tertiary treated water to member agencies. This would provide water for agricultural use and recharge which could free up more potable water for public water systems.
- We have completed a program to drill up to eight test wells to locate additional water supplies. One of the wells, located above the Alta Vista Water Tank on District-owned property, appears to be promising. We expect our hydrologist to have a completed report on this and other wells within the next 30 days. We would greatly appreciate whatever assistance you can provide to ensure that environmental review is done as expeditiously as possible.
- The District awarded a contract for a large pipeline replacement project which will reduce the amount of water leaking from old water mains. These items were identified by the former owners about 15 years ago but never undertaken. The District assumed ownership of the system in August 2003 and has completed the replacement of two of these pipelines to date with the remaining six to be completed by summer.
- The County has been a major barrier to our efforts to improve the water supply in the last couple of years. It took over a year to get the Coastal Development Permit to drill up to eight test wells. We have requested the County to include in its Water Study drilling of test wells to better assess the major aquifers serving this area, but this was refused. We have requested the County to participate with us in determining the source of contamination of our airport wells, but this was denied. The County continues to charge excessively high extraction charges for this water which reduces the available capital for locating other sources of supply. We will bring forward to the County and/or Coastal Commission a number of projects which, if past experience holds true, will take well over a year to process at a cost of over \$200,000 through the indeterminate County planning process.
- In reference to the California Coastal Commission letter dated February 16, 2005, RE: Midcoast LCP Update Comments for February 15, 2005 Board Meeting, there appears to be some differences between the County and Coastal Commission on calculation of buildout numbers. We suggest those differences be resolved as soon as possible.

Sincerely,



George F. Irving
District Manager

Enclosures (Master Plan, DWR Water Supply Study and Desal Grant Application)

cc: Chris Kern, California Coastal Commission (w/o attachments)

Yin Sun



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Visit Our Web Site: <http://www.msd.montara.com>

Tel: (650) 728-3545

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E-mail: msd@coastside.net

RECEIVED

December 11, 2007

DEC 13 2007

Ms. Ruby Pap, Coastal Planner
California Coastal Commission
North-Central Coast Region
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

CALIFORNIA
COASTAL COMMISSION

**SUBJECT: San Mateo County Midcoast Local Coastal Program
Update Project Amendments**

Dear Ms. Pap and Honorable Commissioners:

We request that you provide this correspondence to each commissioner.

Montara Water & Sanitary District is concerned about deficiencies in the pending San Mateo County Midcoast Local Coastal Program Update amendments. We ask Commission staff to work with San Mateo County staff on solutions to these substantial problems:

- The revised LCP no longer provides an estimate of build-out population for each of the district's service areas: (a) water, (b) sewer, (c) trash, (d) fire protection[†].
- The revised LCP no longer offers clear guidance for water and sewer capacity needed to serve the community

The San Mateo County (County) Local Coastal Program (LCP) Policies guide infrastructure development decisions by local special districts within the Coastal Zone, as well as projects requiring County or Coastal Commission approval. The San Mateo County Midcoast LCP Update Project now under review by Commission staff proposes to make significant changes to County LCP policies that special districts rely on as they plan infrastructure appropriate to the eventual buildout anticipated by the revised LCP.

Unfortunately, as approved by the County Board of Supervisors, the LCP amendments add contradictory utility planning information, and fail to identify

[†] Fire protection extends into some rural areas beyond the urban/rural boundary.

build-out population by district. If certified by the Commission without modification, the resulting LCP policies will make it more difficult for Coastside County Water District, Granada Sanitary District, and Montara Water & Sanitary District to plan new infrastructure projects.

Unclear and inconsistent wording of LCPs have long been a source of appeals and endless staff work and matters before the Commission. The incompatibilities introduced by these particular LCP amendments almost guarantee contentious appeals involving water and sewer projects.

The Midcoast LCP Update Project should result in updated tables showing

- **detailed existing and anticipated development *by district service area*, and**
- **water demand and sewage generation factors to be used in planning infrastructure projects**

The Updated Buildout Estimate (2006) included in the County's amendments gives an estimated total number of households at buildout for the urbanized Midcoast as a whole. It is impossible for Coastside County Water District (CCWD), Granada Sanitary District (GSD), or Montara Water & Sanitary District (MWSD or District) to determine the portion of the increase in buildout population within each individual district boundary. This complicates planning and permitting of additional water or sanitary sewer projects to serve this population.

Furthermore, the LCP Update amendments introduce water usage and sewage generation numbers based on recent historical measurements. Are these numbers annotative or amendatory? Do they supersede the water demand and sewage generation factors in the certified LCP (i.e., amend the water and sewer capacity tables implicitly), or do they merely note recent actual usage as a commentary? When our engineers design new projects, which numbers must they use?

District Board members Paul Perkovic raised these issues on October 17, 2006, and asked the County Board of Supervisors to clarify the draft resolutions amending the LCP resulting from the Midcoast LCP Update Project. That request received no County response. Consequently, our full Board requests assistance from Coastal Commission staff in meeting the planning obligations of the special districts that serve the Midcoast area.

Specifically, the LCP amendments should clarify the relationship between the original LCP document as certified by the California Coastal Commission in 1980 and the amended document resulting from the current updates. This is particularly critical regarding infrastructure estimates because local special districts must rely on those estimates for planning new facilities and obtaining Coastal Development Permits allowing new facility construction.

There are a number of new, unresolved issues resulting from the County's LCP amendments. Clarifying language can head off potential problems in future projects.

Recommendation: We recommend clarifying the "Estimated Buildout of the Land Use Plan" as shown in Table 1 by either explicitly amending the 1980 numbers, or by adding columns showing the original estimates and the 2006 revised estimates, as illustrated in Attachment A.

Sanitary sewer and water capacity requirements based on the revised estimated buildout numbers then become critical updates for local special districts. These are not clearly documented in the County's amendment language and tables.

Background

In particular, when planning for sanitary sewer capacity, existing infrastructure was sized using an estimated Sewage Generation Factor of 70 to 100 gallons per day per capita (g/d/c) from Table 2.3 for our District. The midpoint of that range – 85 g/d/c – was multiplied by the estimated household size of 2.6 to produce an estimated demand of 221 gallons per day per household. All wastewater treatment capacity computations were based on these figures, and one "equivalent resident unit" or ERU of capacity was defined to be 221 gallons per day. When our District acquired 110,000 gallons per day of additional treatment capacity in 1998 resulting from expansion of the Sewer Authority Midcoastside (SAM) wastewater treatment plant, we converted that capacity to 497 ERUs or connections available for sale to new development. Connection fees were also computed based on these figures.

County Proposal

The proposed update text provides an "estimate of Midcoast sewage generation at buildout" using 66.8 gallons per day per capita (from 2001 actual residential sewage demand based on SAM estimates) and 2.78 persons per household (from the 2000 U.S. Census) to determine the estimated sewage treatment capacity needed to serve buildout. County staff compared the existing available treatment capacity to the estimated buildout demand to reach the conclusion that there is sufficient treatment capacity to serve buildout.

In other words, County staff took the existing treatment capacity that was sized based on the certified LCP sewage generation factor – actually, based by the engineers on the high end of that range, or 100 g/d/c, and the 1980 buildout household estimate – and compared it with the new (significantly higher) buildout estimate, but now assuming that the new buildout population will generate only 2/3 as much wastewater per household as the treatment plant was designed to handle. *The inconsistent use of numbers allows the dubious conclusion to be*

reached that the existing treatment facility can thus support a vastly larger population.

Analysis

Authority: What remains unclear in the amended language is what authority the numbers from the 2006 update have to over-ride the 1980 numbers in Table 2.3. These numbers form the basis for infrastructure permitting (and, for priority land uses, the amount of capacity that must be held in reserve to meet those priority land uses).

Increased connections: Using the amended numbers, there is no range of estimated sewage generation, just a single figure, 66.8 gallons per day per capita. Using the official 2000 census household size of 2.78 people/household, the capacity required per household becomes 66.8 gallons x 2.78 people/household, or 186 gallons per day per household. Using this figure, our 110,000 gallons per day of expanded treatment capacity is equivalent to 591 residential units, allowing sale of 94 more connections before further expansion is needed. This is a potential of almost 20% more connections from the same capacity.

When the proposed amendments are approved, does our District suddenly have 591 sewer connections available from our expanded SAM treatment capacity, or the 497 that were approved at the time the treatment plant expansion permits were issued?

Strength factor: This problem is not just a simple math problem. Planning for Sewer Authority Mid-coastside treatment facilities using 221 gallons per day per household was based on the "strength factor" of typical residential wastewater. Although more efficient shower heads and low-flow toilets may reduce the total water flow (and thus explain the lower estimate of 186 gallons per day per household), those changes do not reduce the waste products that must be treated. Suspended solids and organic material in the wastewater stream create a biochemical oxygen demand (BOD) that the treatment process is engineered to handle. *Reducing the total water flow does not yield additional treatment capacity, even though the treatment plant may be able to handle a greater hydraulic flow.* Therefore, treatment capacity (the number of equivalent residential connections that the treatment plant can accommodate) remains the same.

The amended LCP must not leave questions like this unresolved and subject to future interpretation (and litigation) by the special districts, property owners, the County, and the Coastal Commission. The cure is to include explicit language governing whether or not the revised demand and household size estimates should be used in planning infrastructure. More efficiently, the original 1980 tables could be amended to incorporate the revised estimation parameters in the

Notes, and to show the updated computations (including developed and undeveloped parcels in each district and the extended sewage generation numbers) as revisions to the original 1980 estimates.

Number of parcels: A significant challenge for MWSD and the Granada Sanitary District (GSD) is to ascertain how our respective districts' buildout and capacity requirements are changed by the LCP update. Although County staff has carefully counted both developed and potential undeveloped parcels within the study area using Assessors Parcel Maps, the actual counts are aggregated for the Midcoast rather than being separated by district. Now, when all of the staff notes are easily accessible, is the appropriate time to include these accurate counts in the corresponding tables. Otherwise, it is left as a (difficult) exercise for the two sanitary districts to determine which increases in buildout are expected in each district.

Requested Clarifications

MWSD requests that Table 2.3 be recast to eliminate future contention over capacity requirements. Similar revisions would be appropriate for those tables governing the Granada Sanitary District and showing capacity reserved for priority land uses in both districts. The Coastal Commission depends on capacity estimates from the certified LCP to ensure that infrastructure development proposals are not "growth inducing" and thus excessive in size or scale.

The Midcoast LCP Update Project background studies carefully enumerated both developed and undeveloped parcels in these two districts, but the separate data by district is not presented in the proposed LCP amendment text or tables. This is a critical omission.

Similar problems arise with Table 2.9 for our District and similar tables for Coastside County Water District (CCWD) regarding water consumption demand from buildout. **Our District requests that Table 2.9 and Table 2.17 be updated to show the accurate current developed parcel counts and population, and the projected undeveloped housing units and population, by district rather than aggregated with CCWD's updated estimates.**


Finally, especially because our District currently has pending before the California Coastal Commission our Public Works Plan Phase I, and will have additional Coastal Development Permits for additional water sources in the future, it is critical that the LCP Update process clarify the determining criteria. **MWSD requests clarification of whether the original water generation estimates (of 93 to 134 gallons per day per capita) or the 2006 estimates based on 2001 and 2002 Midcoast water consumption data (of approximately 87 gallons per day per capita) should be used in computing average daily water consumption per household for water permitting projects.**

Recent historical water consumption and sewage generation figures are based on a very short time period of relatively normal conditions. The 1980 utility estimates used ranges of values to accommodate variations in usage from year to year, and to allow some margin for safety. Overall, Midcoast water usage has been trending downward as a result of water conservation measures, low-flow toilets and showerheads, high-efficiency washing machines, etc. Longer term residents in the community generally understand our water shortage situation and tend to have landscaping that is appropriate for restricted watering. Newer development, on the other hand, more typically has landscaped lawns with irrigations systems, resulting in higher water usage. Because future water consumption patterns are impossible to predict with high accuracy, our District urges your Board to adopt either a range of values for water demand or a single intentionally-conservative number from that range, rather than a single number based on observation over a brief survey period.

Montara Water & Sanitary District has had the opportunity to participate closely with County staff over several years on the Midcoast LCP Update – in particular, George Bergman – while revisions to County residential and commercial buildout estimates and the corresponding utility demand estimates were being developed. We would like to congratulate County staff on their thorough investigation of issues, development of alternatives, and extensive series of community meetings leading up to the formal Planning Commission and Board of Supervisors (Board) hearings on proposed updates.

In summary, the Midcoast LCP Update Project must include updated tables showing detailed, precise, and consistent existing and anticipated development by district, and clearly specify the water demand and sewage generation factors to be used in planning infrastructure projects.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Bob Ptacek', written over a horizontal line.

Bob Ptacek
Board President
Montara Water & Sanitary District

Cc: George Bergman, San Mateo Planning and Building Division

Attachment "A"

Table 1

Proposed amended Table 1 showing both original 1980 estimates and updates resulting from Midcoast LCP Update Project. The data and notes shown below are consistent with the proposed Exhibit "A" from the LCP amendment package, although the formatting is slightly different.

**TABLE 1
ESTIMATED BUILDOUT F THE LAND USE PLAN**

	Total Existing and Potential Dwelling Units		Estimated Maximum Potential Population	
	1980 Estimate	2006 Estimate	1980 Estimate	2006 Estimate
MIDCOAST	7,500	8,057 – 8,453	19,700	22,684 – 23,785
Urban	(6,200)	(6,757 – 7,153)	(14,900)	(18,784 – 19,885)
Rural	(1,300) ¹	(1,300)	(3,900)	(3,900)
HALF MOON BAY		8,153 – 8,299 ²	13,500 – 15,000	21,772 – 22,161 ²
SOUTH COAST	2,000	2,000	7,000	7,000
Pescadero	(200)	(200)	--	--
San Gregorio	(40)	(40)	--	--
Rural	(1746) ¹	(1746) ¹	--	--
TOTAL			38,800 – 40,800	51,456 – 52,946

¹Assumes one density credit for all prime agricultural soils of 40 acres or more on a parcel.

²Estimates from City of Half Moon Bay Local Coastal Program Land Use Plan (Amended as of 1993), Table 1.2, Page 3 of 3. Note that the Half Moon Bay population estimates at buildout are based on 2.67 persons per household (from the 1980 Census).

Updated Buildout Estimate (2006) – [Retain proposed text and table as proposed by staff.]

[Additional Notes, not proposed as update text but explanatory to Board of Supervisors and Coastal Commission.]

1. The 1980 Rural dwelling unit and population estimates were carried over to the 2006 columns because the Study Area included only the Urban Midcoast plus the Rural Residential Area. The Rural Residential Area was created by an LCP amendment in the early 1980s and includes an area previously designated as

Rural. Therefore, the 2006 estimate for Rural dwelling units and population should be decreased by the size of the Rural Residential Area in acres, divided by 40 acres. A separate line item titled Rural Residential could be included in the table. There are some RM-CZ and PAD parcels (representing 160 units) that are included inside the Urban area and should be included in the Urban totals, while the remainder should go into the Rural Residential category. Unfortunately, the way the data is presented from the Update study, it is impossible to determine the correct counts in these two categories. All 160 units are included in the Urban category in the table above.

2. The 1980 estimate for South Coast dwelling units (2,000) does not equal the total of the itemized components (1,986 units).

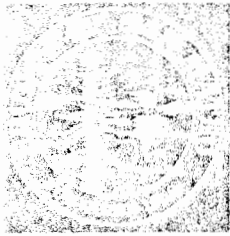
3. The 1980 estimate for Midcoast maximum population (19,700) does not equal the total of the itemized components (18,800).

4. The 1980 estimate for Total maximum population (38,800 to 40,800) does not equal the total of the itemized components, which would be 39,300 to 40,800.

5. The 2006 Maximum Potential Population estimates for Midcoast Urban only are based on staff's enumeration of 6,757 to 7,153 dwelling units in the Study Area at 2.78 persons per household. The Midcoast Rural and South Coast numbers are simply carried over from the 1980 estimates, and the Half Moon Bay estimates are taken from the Half Moon Bay LCP as amended through 1993.
[End of Additional Notes]

Additional Buildout Resulting from Failure of Lot Merger Program

As shown in the update table, the R-1 Zoning District is expected to yield 4,804 total dwelling units at buildout, assuming that the County's lot merger program is implemented and 100% successful. If successful, that lot merger program would consolidate 1,605 substandard lots into 870 vacant R-1 parcels. If 100% unsuccessful, there is a potential for 735 additional dwelling units or 2,043 population beyond the estimates shown in Table 1.



County of San Mateo

Planning & Building Department

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FYI - make copy
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January 31, 2008

RECEIVED

FEB 01 2008

CALIFORNIA
COASTAL COMMISSION

Ruby Pap, Coastal Analyst
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Ruby:

The purpose of this letter is to respond to the comments made by the Montara Water and Sanitary District (MWSD) regarding the water and sewer capacity demand estimates that are part of the County's Midcoast LCP amendment submittal. These comments were included in the December 11, 2007 letter that was sent to you.

MWSD's main comments may be summarized as follows:

- The proposed amendments do not adequately state the water and sewer capacity needs of the community.
- The amendments do not identify "the increase in buildout population" for each utility district service area.
- The amendments assume sewer demand to be 66.8 gallons/day/capita while past projects were based on 85 gallons/day/capita.
- The amendments do not indicate whether assumed water usage and sewage generation figures are "annotative or amendatory," i.e., are they intended to show current usage or to control the design of new projects?
- Are utility providers required to use the proposed, rather than the existing LCP buildout and capacity estimates when sizing new projects?

In 1980, the Coastal Commission certified the San Mateo County LCP as fundamentally an infill plan for the subdivided Midcoast. The water supply and sewage treatment needs that were contemplated then also exist now. The County is not proposing to increase the number of residential units permitted in the Midcoast, and all of the submitted amendments are within the scope and policy of the existing LCP. While the amendments minimally increase the number of permitted caretaker's quarters at

Princeton, they also minimally reduce the number of residential units in El Granada by prohibiting new houses at the Burnham Strip.

The revised Midcoast buildout figure provides a more accurate estimate of residential development potential, but it does not constitute new development policy. Further, the buildout figure is not a regulatory cap on new development, but rather the County's best estimate of the maximum residential development currently allowed by LCP policy and zoning limits.

Likewise, the revised estimates of water supply and sewage treatment demand at buildout do not constitute an LCP policy change, but rather provide a more accurate assessment of infrastructure needs at buildout, based on documented use levels, as further discussed below.

The County has described the methodology and associated assumptions for determining these figures in the amendment submittal and supplemental correspondence. To reiterate, the utility demand assumptions were derived as follows:

- County staff spoke with Coastside County Water District superintendent David Meyer who reported that existing (2001) residential water consumption is approximately 81.8 gallons/day/capita.
- County staff spoke with Citizens Utility Company (now MWSD) engineer Rob Watson who reported that existing (2001) residential water consumption is approximately 80 gallons/day/capita.
- County staff spoke with Sewer Authority Mid-Coastsides interim manager John Burgh who reported that existing (2001) residential sewer treatment demand is approximately 66.8 gallons/day/capita.

In 2002, County staff convened multiple meetings of a self-constituted Midcoast data subcommittee to evaluate the methodology for determining buildout and utility capacity demand, identify errors or omissions, and suggest revisions to improve accuracy. The subcommittee was largely comprised of prominent local civic leaders, including elected officials and personnel from Coastside County Water District, Montara Water and Sanitary District, Granada Sanitary District and Midcoast Community Council. Among the active participants in this effort were April Vargas, Kathryn Slater-Carter, Paul Perkovic, and Chuck Kozak.

After suggested adjustments and refinements to the data were made, Coastside County Water District General Manager Ed Schmidt and Montara Water and Sanitary District Directors Kathryn Slater-Carter and Paul Perkovic deemed the utility demand calculations as correct estimates based on the available data.

Likewise, in July 2003, the Midcoast Community Council formally recommended that the County Planning Commission and Board of Supervisors accept the updated buildout and water supply and sewage treatment demand figures as correct estimates based on the available data.

The County's LCP amendment submittal includes both the existing and revised buildout and utility capacity estimates. These figures are for informational and advisory purposes, i.e., they do not prescribe or mandate the design of future utility improvements.

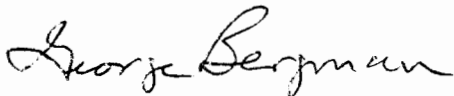
The Coastal Commission has approved the expansion of the Sewer Authority Mid-Coastside (SAM) treatment facility to serve Half Moon Bay and Midcoast buildout (Coastal Permit 1-94-111). The approved Midcoast treatment capacity is approximately 2.03 million gallons/day, of which the Montara Water and Sanitary District is allocated approximately 0.81 million gallons/day and the Granada Sanitary District approximately 1.22 million gallons/day.

Construction of the expanded treatment facility has been completed and it is presently operational. SAM elected to construct the facility with 1.71 million gallons/day treatment capacity, rather than the approved 2.03 million gallons/day. Of the 1.71 million gallons/day, the Montara Water and Sanitary District is allocated approximately 0.68 million gallons/day and the Granada Sanitary District approximately 1.03 million gallons/day.

In approving the facility expansion, the Coastal Commission determined that the treatment capacity is sufficient to serve, but not exceed LCP buildout. Therefore, this approved capacity limit provides a basis for utilities when designing and engineering future improvements to serve Midcoast buildout.

I hope this information is helpful. Should you have further questions, please feel free to call me at 650/363-1851.

Sincerely,



George Bergman
Project Planner

GB:cdn – GDBS0085_WCN.DOC

cc: Lisa Grote, Community Development Director
Steve Monowitz, Long Range Planning Services Manager



MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

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Visit Our Web Site: <http://www.msd.montara.com>

November 19, 2007

Ruby Pap
CALIFORNIA COASTAL COMMISSION
North Central Coast District
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

RECEIVED

NOV 21 2007

CALIFORNIA
COASTAL COMMISSION

**RE: Midcoast Local Coastal Program Update Amendments—SMC-
MAJ-1-07**

Dear Ruby,

Please see the attached letter to the President of the Board of Supervisors for the County of San Mateo. We would greatly appreciate it if there is anything you can do to expedite the proposed failed well component of the LCP Update. If you have any questions please give us a call.

Sincerely,

Bob Ptacek, President
BOARD OF DIRECTORS

Enclosure



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November 19, 2007

Honorable Rose Jacobs Gibson
President, San Mateo County Board of Supervisors
Hall of Justice & Records
400 County Center
Redwood City, CA 94063

RE: Midcoast Local Coastal Program Update Amendments – SMC-MAJ-1-07

Dear Supervisor Gibson:

Montara Water and Sanitary District (MWSD) requested addition of language to the San Mateo County Local Coastal Program (LCP) allowing MWSD to provide priority access for new domestic water service connections to residential properties that experience failed private domestic wells, once the long-standing moratorium on new connections is lifted. (See attached letter from MWSD to your Board dated December 2, 2005.)

Pursuant to our request, the Board of Supervisors included a revised Policy 2.8 (d) along with all of the other amendments resulting from the Midcoast LCP Update project. We all thought that the County had done a complete and thorough job of preparing this package of amendments. We anticipated speedy certification by the Coastal Commission. Indeed, Coastal Commission staff informed the County on May 14, 2007, that they contemplated bringing these amendments to the Commission's December 2007 meeting in San Francisco for hearing.

Our District received a copy of a letter dated June 12, 2007, from Ruby Pap, Coastal Program Analyst II, North Central Coast District, to George Bergman, Senior Planner, San Mateo County, asking for extensive additional supporting documentation. The Coastal Commission considers the County's amendment package SMC-MAJ-1-07 as still incomplete. We are concerned that our relatively minor and non-controversial amendment is being lost in the overall Midcoast LCP Update process, and that residents in our community will suffer unnecessary hardship as a result.

We request the Board of Supervisors to separate Attachment "A", Exhibit "E" from the package of resolutions adopted November 14, 2006, "Reserved water for Midcoast failed wells and affordable housing," amending LCP Policy 2.8 (d), and submit that single-purpose amendment separately for Coastal Commission certification.

We also request that the modifications to Table 2.17 as submitted to the Coastal Commission following Board of Supervisors approval of the Midcoast LCP Update amendments on November 14, 2006, *not* be included with the revised language for Policy 2.8 (d). The June 12, 2007 letter referenced earlier raises many questions about priority land uses, priority water allocations, the actual mechanism for allocating and distributing those connections, and the exact system and mechanism that is or will be used by the water districts to reserve water connections. It may take San Mateo County a significant time to produce acceptable answers. Our constituents need relief as soon as possible.

Our Board has been working to resolve the problems faced by properties with failed wells since 2004, shortly after the District took over ownership and operation of the former Citizens Utilities water system serving the Montara and Moss Beach communities. Major infrastructure improvements are underway to make up for decades of neglect by the prior owners of the water system.

MWSD has recently brought a significant new water source, the Alta Vista Well, into limited production while the District performs biological and other environmental testing to meet Coastal Commission requirements. This brings MWSD one step closer to being able to lift the moratorium on new domestic water service connections. We are aware that there may be property owners within our District who have failing or failed wells. We would like to accelerate certification of the Policy 2.8 (d) amendment, allowing our District to provide priority service to those property owners, so they may be connected as soon as adequate water resources are available.

We would appreciate the support of the Board of Supervisors on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Ptacek", written in a cursive style.

Bob Ptacek, President
BOARD OF DIRECTORS

Enclosures

cc: Department of Public Health, State of California
California Coastal Commission

**Attachment to July 28, 2006 letter
from Bern Beecham on
Negotiation of an Agreement for San Francisco to
Provide Its Regional Customers With a Reliable
Supply of High Quality Water at a Fair Price**

This attachment has two purposes. The first is to convey BAWSCA's readiness to represent all of its member agencies in negotiations with San Francisco for the terms on which San Francisco will deliver, and BAWSCA agencies will purchase, water after the 1984 Settlement Agreement and Master Water Sales Contract expires in mid-2009. The goal will be a new, or extended, agreement with San Francisco for a reliable supply of high quality water at a fair price. The second purpose is to request that the governing board of each agency which wants BAWSCA to serve in this capacity take formal action to establish BAWSCA's authority, and responsibility, to act on its behalf by adopting a resolution substantially along the lines of the sample attached. This attachment provides background and specifics about this action.

The first part of the attachment provides background on the existing contract and some of the context in which negotiations for the future agreement will take place. It then describes BAWSCA's formation and recent activities, as well as summarizing the respective roles that BAWSCA and its member agencies could each logically play in negotiations. The third section describes BAWSCA's capabilities in terms of a multi-disciplinary negotiating "team".

The fourth section outlines in brief and general terms the overall objectives that BAWSCA would seek to accomplish in the negotiations, based on the interests that member agencies have themselves articulated in a consultative process with BAWSCA over the past year.

The final section addresses the mechanics of each agency delegating the necessary authority to BAWSCA, as well as the approximate schedule for beginning discussions with San Francisco. A sample resolution appointing BAWSCA as your agency's representative is attached.

1. EXISTING WATER CONTRACTS WILL EXPIRE IN JULY, 2009

The Settlement Agreement and Master Water Sales Contract signed in 1984 by San Francisco and all wholesale customer agencies will expire on June 30, 2009. (Its title reflects the fact that the 1984 contract settled a federal court lawsuit, brought by wholesale agencies, challenging San Francisco water rates.) The individual water supply contracts for all but two of the agencies also expire in June 2009.

The contracts are expiring at a time of change and uncertainty. San Francisco faces a challenge of unprecedented scale - rebuilding and improving the regional water system after decades of deferred maintenance to standards designed to withstand major earthquakes on the three faults that lie beneath the system's dams, pipelines, and treatment plants. A top priority for all residents, businesses and community organizations of the four-county service area is for San

San Francisco to complete this vital Water System Improvement Program (WSIP), on time (by 2014) and on budget (\$4.3 billion).

At the same time, there are also unprecedented challenges to increasing diversions of water from the Tuolumne River. The river is the obvious choice for obtaining at least the majority of the additional water projected to be needed by BAWSCA agencies from the San Francisco system in 2030. San Francisco has the necessary water rights, the water is of extremely high quality, and the cost of sizing facilities to allow for wholesale customer demand to be met from the Tuolumne River is small in comparison to the rest of the \$4.3 billion capital program and in comparison to most alternatives. Environmental organizations based both in the Tuolumne River watershed and in the Bay Area are generally opposed to taking any more water from the river.

The Federal Energy Regulatory Commission (FERC) license for New Don Pedro Reservoir (where San Francisco has a substantial "water bank") expires in 2012. It is likely that FERC will be urged to require more water be left in the river, rather than less. Moreover, the California Department of Water Resources has just recently released a report evaluating the feasibility of removing O'Shaughnessy Dam and draining Hetch Hetchy Reservoir.

San Francisco has not yet made any firm commitments to meeting the increased demand in the wholesale service area, which is projected to occur by 2030 even after cost-effective conservation measures and recycling projects are deployed. The Program Environmental Impact Report (PEIR) on the overall WSIP is expected to be released in draft by the San Francisco Planning Department for public comment this fall. Its release will sharpen the terms of the public debate over water supply alternatives and regional growth in the Bay Area. The resolution of these issues will, of course, profoundly influence the terms of a new or extended agreement expected to be in effect from 2009 through 2030. For example, San Francisco has indicated that it will use the negotiations to seek commitments from wholesale agencies to implement even more aggressive conservation and recycling measures, irrespective of cost-benefit considerations.

The multi-billion cost of the WSIP will also affect negotiations for a new agreement. Continued application of the cost allocation principles embedded in the current contract would result in a nearly 300% increase in wholesale water rates by 2015. And San Francisco has indicated that it may seek changes to the financial provisions of the Master Contract. One such change that has been mentioned would require wholesale agencies to contribute more quickly to the cost of capital projects, by sharing in debt service as soon as bonds are issued rather than waiting until projects are completed and placed into service.

We expect that the discussions and negotiations leading to a new agreement will be complex and technical as regards both the water supply and the financial provisions.

2. **BAWSCA'S ROLE AS REPRESENTATIVE OF WHOLESALE WATER CUSTOMERS**

BAWSCA was formed in the Spring of 2003 by unanimous decisions of the governing bodies of city and special district members. The State law that authorized BAWSCA's formation was enacted in 2002, one of three landmark pieces of legislation supported by the Bay Area Water Users Association (the non-profit corporation that preceded BAWSCA and that played a leading role in the negotiations that culminated in the 1984 water sales contract). These bills were supported by the cities, water districts and other water suppliers now represented on BAWSCA's board of directors and were voted for by the overwhelming majority of State legislators.

For the past two years, BAWSCA has focused its attention primarily on the rebuilding and improving of the San Francisco regional system. This has entailed closely tracking San Francisco's major, year-long process of revisions to facilities, construction schedule and cost of the WSIP, including active involvement with the review of those revisions by the California Department of Health Services and the California Seismic Safety Commission, which concluded just a few months ago. It has also meant playing an assertive, constructive role in the lengthy PEIR process, in the development of accurate forecasts of water demand in 2020 and 2030 that underlie basic decisions about the San Francisco system's capacity, and in analyses of the economic effects of water shortages on industries in the BAWSCA service area. In addition, BAWSCA has continued to offer an array of cost-effective water conservation programs to member agencies on a voluntary subscription basis, to monitor San Francisco's compliance with the cost-allocation rules of the existing Master Contract, and to enforce compliance with them through discussions with San Francisco whenever possible and through arbitration when necessary.

More recently, anticipating requests from member agencies to take a leading role in the negotiations for a new agreement, BAWSCA staff have been meeting with representatives of all member agencies. The purpose of these meetings has been to learn the perspectives of member agencies on how the existing contract has worked and what they would like to see continued, or changed, in their relationship with San Francisco after 2009.

These meetings included: (1) an individual meeting with each agency's City Manager/General Manager or their designee; (2) a series of small group meetings with the agencies' designated representatives, held between January and May of this year; and (3) a meeting with all agencies' representatives held in June to review the input we had received through the small group meetings.

One of the important facts we learned from this extensive consultation is that there is a general expectation and desire for BAWSCA to take the lead in negotiating the "global" issues common to all agencies and on which those agencies have similar interests. These issues include: water supply reliability; water quality; cost allocation (as between San Francisco and its wholesale customers); efficient contract administration; and increased collaboration -- rather than

confrontation -- with San Francisco on regional water matters whenever appropriate and possible. There was also broad recognition that most agencies do not have independent resources sufficient to address these "global" issues as effectively as can be done through a pooled effort.

A clear understanding emerged from these meetings in terms of the respective roles of BAWSCA and individual member agencies in the negotiation process.

First, BAWSCA should assume responsibility for negotiating the "global" issues, which apply to the overall relationship between San Francisco and wholesale customers collectively. (Some of these issues are those addressed in the 1984 "Master Contract" signed by San Francisco and all wholesale agencies.)

Second, the ultimate decision on whether or not to accept the resolution of the "global" issues in a proposed new agreement is up to the governing body of each BAWSCA member agency.

Third, individual BAWSCA agencies will have the principal responsibility for negotiating the separate (and much shorter and simpler) individual water supply contracts which address matters unique to each agency such as service area, points of connection between the San Francisco transmission system and the retail system, minimum purchase requirements for those agencies with multiple suppliers, etc. Those individual contracts will most likely not be addressed until negotiation of the new overall agreement is nearing completion.

3. BAWSCA'S CAPABILITIES

BAWSCA has a very strong, in-house staff and has also assembled an equally strong team of consultants in each of the disciplines likely to be called on during negotiations. The negotiations would be led by BAWSCA's General Manager, Art Jensen, who is well-qualified for this task. Art received a Ph.D. in civil engineering from CalTech and has over 30 years of experience in California urban water supply, initially with a major consulting engineering firm, and then as a planner and manager for large Bay Area water utilities, including the San Francisco Water Department and the Contra Costa County Water District. He has served as General Manager of BAWSCA and its predecessor BAWUA since 1995. He is highly regarded in the California water industry.

BAWSCA staff provides Art with capable and experienced support in key areas. Nicole Sandkulla, P.E., is an engineer with relevant experience at East Bay MUD before joining BAWSCA in 1999. John Ummel is thoroughly familiar with the financial provisions of the existing Master Contract, having monitored San Francisco's implementation of it for over 10 years. And Ben Pink brings strong analytical skills to water supply planning issues.

BAWSCA's strong in-house staff is supplemented by capable consultants, some of whom have served BAWSCA, and its predecessor, for many years and are extremely knowledgeable about the San Francisco water system and the Master Contract.

- **Accounting: Burr, Pilger & Mayer, LLP (Steve Mayer and Jeff Pearson).** BPM is a Bay Area-based CPA firm which is currently assisting BAWSCA in reviewing recent compliance audits of San Francisco's implementation of the Master Contract cost allocation and accounting rules. Mr. Mayer and Mr. Pearson have extensive experience in analyzing complex financial transactions and in auditing of California water agencies, respectively.
- **Economics: Energy & Water Economics, Inc. (William Wade, Ph.D.).** Dr. Wade is broadly experienced in natural resource economic analysis. His clients have included major water supply agencies in California and on the East Coast. He has recently assisted BAWSCA in assessing the economic impact of water shortage on Bay Area individual customers.
- **Engineering: Stetson Engineers (Allan Richards, P.E.).** Stetson Engineers is a civil engineering firm that has specialized in water supply for over 30 years. Mr. Richards has assisted BAWSCA (and previously BAWUA) for many years with the complex water use measurement protocols that the Master Contract requires and is thoroughly familiar with the hydraulics of the San Francisco regional system.
- **Municipal Finance: Kelling Northcross Nobriga/Public Resources Advisory Group (David Brodsky).** KNN is a Bay Area-based firm specializing in advising public agencies on financing. PRAG is a similar national firm. David Brodsky, whose background in public finance includes service with cities and a national bond rating agency, has assisted BAWSCA in the analysis of alternative capital cost recovery approaches. KNN has also constructed a computer model that can be used to evaluate various cost allocation proposals.
- **Legal Counsel: Hanson Bridgett Marcus Vlahos & Rudy, LLP (Ray McDevitt).** Hanson Bridgett is a Bay Area-based law firm with a long-standing local government law practice. Ray McDevitt, a senior partner in the firm, participated in the lawsuit against San Francisco that led to the 1984 Master Contract and played a major role in negotiation of that contract. He has served as legal counsel for BAWUA and BAWSCA for many years. Mr. McDevitt can call on other attorneys at Hanson Bridgett with specialized expertise in litigation, environmental law, and municipal finance, including Allison Schutte, who has been assisting BAWSCA staff on a range of issues with the WSIP and associated PEIR.
- **Strategic Counsel: Bud Wendell** is a seasoned public affairs professional with many years of experience in both the public and the private sectors, including Fortune 500 companies and federal, state and local government. He played a central role in the successful effort to secure State legislation requiring San Francisco to repair the water system and establishing BAWSCA.

More recently, he has been instrumental in discussions with San Francisco Mayor Gavin Newsom relating to the WSIP.

BAWSCA's Board has made provision in our FY 2006-2007 budget to support significant activity directed toward agreement negotiations, and I fully expect that it will continue to support the effort to a successful conclusion.

4. **BAWSCA AGENCIES' OBJECTIVES**

The goals expressed by members can be summarized, at a high level of generality, as seeking an agreement that provides them with a reliable supply of high-quality water at a fair price.

Some of the specific elements that contribute to each of these goals include:

A. **Reliable Supply**

- Completion of the seismic rehabilitation/WSIP on time and on budget.
- Commitment to good system maintenance practices in the future.
- Equal treatment in delivery of water by San Francisco to customers inside and outside of San Francisco in the event of a major system disruption.
- Management of the system by San Francisco so that generation of hydroelectric power at Hetch Hetchy remains subordinate to providing a reliable water supply to the Bay Area.
- Firm individual entitlements for each agency, with flexibility to trade water entitlements, and water, among BAWSCA agencies.
- Ability for BAWSCA to "wheel" water from outside sources during drought.

B. **High Quality**

- A commitment by San Francisco to deliver potable water requiring no additional treatment (except for Coastsides).
- Prompt notification of possible Safe Drinking Water Act violations or changes in water quality affecting individual customers.

C. **Fair Price**

- In general, agencies expressed desire to preserve the basic cost allocation architecture of the existing Master Contract:
 - Cost of water to be limited to facilities and services that benefit wholesale customers (i.e., no in-City costs, no Hetch Hetchy power costs, unless power revenues also shared.)
 - Costs of regional facilities allocated between San Francisco and wholesale customers on basis of relative usage.
 - Maintenance of the balancing account to monitor and account for overpayments/underpayments.
- Provide greater flexibility in administration to prevent sharp rate fluctuations from year to year.

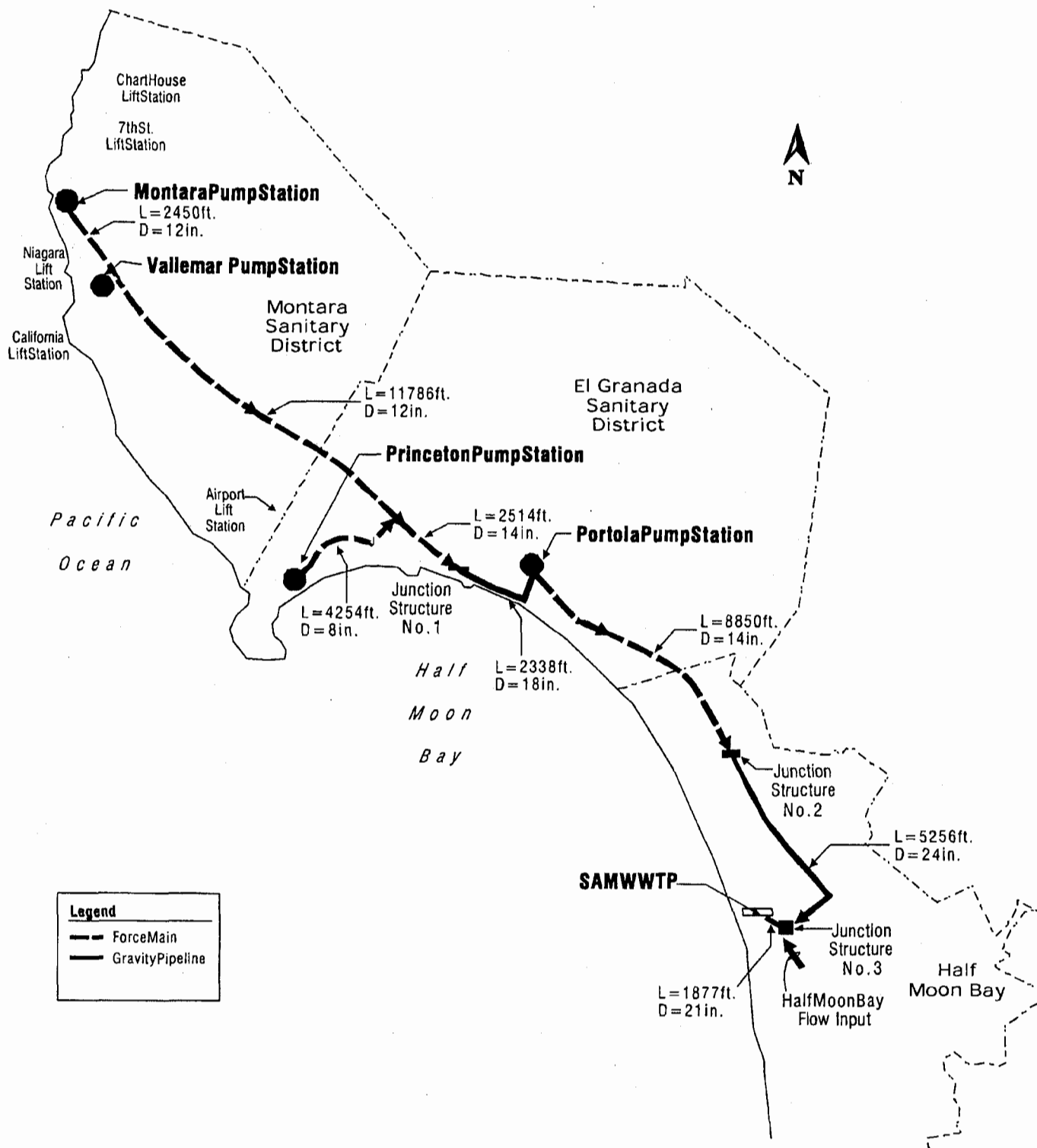
The foregoing is an illustrative, rather than comprehensive, list of BAWSCA member goals. Moreover, it doesn't include any of the points that San Francisco may propose be incorporated into a new contract.

5. MECHANICS AND SCHEDULE

BAWSCA will negotiate on behalf of only those agencies that explicitly authorize it to do so. A sample resolution for your agency's governing body is attached which, if adopted, will provide this authorization. As you will see, it is a carefully crafted document, designed to be both sufficiently broad while also reserving full authority in your agency's governing body to withdraw that authority at any time and to make clear that the ultimate authority to enter into any agreement is reserved to your agency.

In terms of timing, a logical point at which to begin negotiations is shortly after the PEIR is released in draft form. This is expected to occur in November of this year. Ideally, it would be most helpful to receive all of the authorizations by the end of September.

If you, or any members of your governing board have any questions about this information or the accompanying resolution, please let Art Jensen know as soon as possible. He, and the entire BAWSCA team, are available to answer any questions you may have and to attend the meeting of your governing body at which the resolution will be considered.



SEWER AUTHORITY MID-COASTSIDE (SAM)



San Mateo County Harbor District

Board of Harbor Commissioners

Pietro Parravano, President
James Tucker, Vice President
Ken Lundie, Treasurer
Leo Padreddii, Secretary
Sally Campbell, Commissioner

Peter Grenell, General Manager

January 8, 2007

Ruby Papp
North Central Coast District
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

RECEIVED

JAN 10 2007

CALIFORNIA
COASTAL COMMISSION

Ref: San Mateo County Midcoast Local Coastal Program Update: San Mateo County Harbor District Comments Regarding Amendment to County Ordinance Code (Zoning Annex) to Add Chapter 12.6 (Sections 6229.0 to 6229.4) Which Enacts El Granada Gateway "EG" Zoning Regulations

Dear Ms. Papp:

On November 14, 2006, the San Mateo County Board of Supervisors voted unanimously to adopt its Midcoast Local Coastal Program Update, including the above-referenced zoning amendment that creates a new El Granada Gateway "EG" zoning district and regulations. This change in zoning from the existing Community Open Space (COSC) classification to the new EG, if certified by the Coastal Commission and finally adopted by the County, will have the effect of severely devaluing a 6.19-acre parcel owned by the Harbor District (APN 047-262-010) that is located in what is locally known as the "Burnham Strip".

Especially disturbing was the fact that at the November 14 hearing, the two-supervisor LCP update committee suddenly reversed their previous recommendation and, with no advance notice, proposed eliminating all residential use from the recommended EG zoning change. No opportunity was provided for review, analysis, or public comment at this hearing, the latter being, in our view, a serious procedural shortcoming.

This parcel is collateral for loan repayment by agreement with the State Department of Boating and Waterways. The devaluation of the parcel because of the zoning change will adversely affect the State's collateral value and the Harbor District's debt service and operational capability. The Harbor District objects most strenuously to this action by the County and requests that the Coastal Commission not certify this provision of the Midcoast LCP Update and send it back to the County for reconsideration.

Exhibit No. 13
San Mateo Co. LCP Amend. No. SMC-MAJ-1-07
SMCO Harbor District Correspondence

San Mateo County Harbor District

Board of Harbor Commissioners

Pietro Parravano, President
James Tucker, Vice President
Ken Lundie, Treasurer
Leo Padreddii, Secretary
Sally Campbell, Commissioner

Peter Grenell, General Manager

We wish to bring to the Commission's attention another procedural inadequacy: the acknowledged fact that the County did no analysis whatsoever regarding the financial impact on the District's and other owners' property values and uses. A check with County Counsel's office confirmed this fact, and no such information was ever presented at public hearings on the LCP Update or in response to Harbor District comments (see attachments).

Moreover, the County did no analysis of the impacts of changing the minimum lot size from two (2) acres in COSC to three and one-half (3.5) acres in EG. Why is 3.5 suddenly the magic number? This move is a transparent attempt to limit development by establishing an arbitrary development standard based on no demonstrated analysis. The effect is to preclude subdivision of the District's parcel and prevent development on all other parcels, all of which are much smaller than the Harbor District's property.

According to the County Environmental Services Agency's issue identification, the intent of the enactment of "the EG zoning district for El Granada's Burnham Strip [is] to preserve the area's openness and protects views by prohibiting new residential uses and permitting low intensity uses that can provide a community function." (See attachment.) In fact, a comparison of allowable uses under existing COSC and EG zoning shows that the change eliminates practically any economic uses beyond nominal returns (see attachments). The change does nothing to preserve the area's "openness" and view protection beyond that of COSC zoning, nor do the EG uses provide any "community function" substantially different from that provided by COSC uses. Uses under the proposed EG zoning will also generate many more cars, traffic congestion on local streets, and loss of open space than the existing open space zoning, and make no provision for Surfer's Beach parking (see below).

We note that Yin Lan Zhang's December 2, 2005 letter to the County Board of Supervisors states that "Commission staff would not support an interpretation of Section 6500 [of the Zoning Code] that would allow residential and commercial development where they are currently prohibited." (See attachment.) Further, in paragraph 7. Residential Uses in the COSC District, she states: "Commission staff supports prohibiting residential development in the COSC district as recommended by the Planning Commission." The fact is that COSC zoning now does allow one – and only one – single-family residence on the Harbor District's parcel, hardly one of the "more intensive land uses such as multi-family residences, hotels, and other uses" that Commission staff oppose for the Burnham Strip.

Paragraph 7 also notes: "There is a significant need to provide parking and other facilities to serve Surfer's Beach at this area. **Such uses are consistent with the existing COSC zoning.**" [my emphasis] Clearly, EG zoning is unnecessary to address Commission staff's concerns.

Exhibit No. 13
San Mateo Co. LCP Amend. No. SMC-MAJ-1-07
SMCO Harbor District Correspondence

Page 2 of 4

San Mateo County Harbor District

Board of Harbor Commissioners

Pietro Parravano, President
James Tucker, Vice President
Ken Lundie, Treasurer
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Sally Campbell, Commissioner

Peter Grenell, General Manager

In early 2003, the Harbor District had received proposals from the local nonprofit organization Midcoast Park Lands to acquire the property for only open space and/or park use, consistent with COSC zoning; another informally from the Granada Sanitary District to acquire the property for a community park; and an expression of interest from the Mid-Coast Community Council (MCCC) to work with the District to reach a solution acceptable to both the community and the District. Neither proposal led to a formal purchase offer, and the MCCC made no further effort at that time to seek a mutually acceptable solution.

At the end of June, 2006, the District met with representatives of the Committee for Green Foothills and the MCCC regarding the District's Burnham Strip parcel. Agreement was reached that existing COSC zoning should remain in place, with the addition to acceptable uses of vegetative storm-water treatment systems and underground storm-water storage facilities. This understanding was communicated to the County. Regrettably, the County's November 14 decision overturned the opportunity to resolve the matter once and for all.

The California Coastal Act provides that coastal-dependent uses should be given priority consideration in administration of the Act. Commercial fishing is one such coastal-dependent use, and the District's Pillar Point Harbor is an active and important commercial fishing harbor that serves not only the local community, but the San Francisco Bay region and beyond. Recent adverse economic impacts to the fishing industry from fishery closures have resulted, among other things, in reduced revenue to the District and pressures on harbor maintenance. The reduced value of the District's El Granada property caused by the LCP zoning change will further negatively affect the District's ability to adequately maintain its Pillar Point facilities and provide for vital coastal-dependent use.

To conclude, the Harbor District's fundamental concern is to maintain the current value of its El Granada Burnham Strip property so it can best serve its County, regional and local constituencies, while concurrently supporting local open space and water quality/storm-water facility goals and Coastal Commission shoreline public access goals. If other public interests see acquisition of the District's parcel as necessary for their goal achievement, then funds should be allocated for the purpose. Down-zoning the District's property to enable a bargain basement purchase at the District's – and the State's – expense is bad public policy, morally reprehensible, and legally suspect.

We ask the Coastal Commission to seriously consider our concerns in your review of the Midcoast LCP Update, find the El Granada Gateway zoning as written unsatisfactory, and return it to the County to remedy the financial injury done to the Harbor District. Please contact me if you have any questions or desire further information.

Exhibit No. 13
San Mateo Co. LCP Amend. No. SMC-MAJ-1-07
SMCO Harbor District Correspondence

Page 3 of 4

San Mateo County Harbor District

Board of Harbor Commissioners

Pietro Parravano, President
James Tucker, Vice President
Ken Lundie, Treasurer
Leo Padreddi, Secretary
Sally Campbell, Commissioner

Peter Grenell, General Manager

Sincerely,

SAN MATEO COUNTY HARBOR DISTRICT



Peter Grenell
General Manager

Enclosures:

Excerpt from San Mateo County Environmental Services Agency LCP issue identification
Summary

Chapter 12.5. "COSC" District Community Open Space Conservation District
Ordinance Amending the San Mateo County Ordinance Code (Zoning Annex) to Add
Chapter 12.6 (Sections 6229.0 to 6229.4) Which Enacts El Granada Gateway "EG" Zoning
District Regulations

Letter of Yin Lan Zhang to San Mateo County Board of Supervisors (Attn. George
Bergman) dated December 2, 2005

Letter of Sally Campbell to Honorable Board of Supervisors dated December 7, 2005

Letter of Pietro Parravano to Honorable Board of Supervisors dated March 3, 2006

Exhibit No. 13
San Mateo Co. LCP Amend. No. SMC-MAJ-1-07
SMCO Harbor District Correspondence

Page 4 of 4

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5260
FAX (415) 904-5400



September 22, 2004

San Mateo County Planning Commission
County Office Building
455 County Center
Redwood City, CA 94063

ATTN: George Bergman

SUBJECT: Midcoast LCP Update Project

Dear Commissioners:

The staff of the Coastal Commission would like to thank you and your planning staff for your hard work over the past several years on the Midcoast LCP update project. We would especially like to recognize the efforts of George Bergman in successfully keeping this project on track despite the County's budget and staffing shortfalls. The proposed update appears to address many of the Midcoast area's coastal land use planning challenges in a manner that is both sensitive to the interests of the local community and property owners and that will improve the implementation of the statewide goals of protecting coastal resources and public access as expressed in the California Coastal Act.

We regret that due to our own staffing shortage we have not been able to participate more actively in this project as it has progressed at the local level. Despite these constraints, we have tried to provide informal comments to Mr. Bergman on issues of particular concern as they have arisen, and we appreciate the County's responsiveness on many of the issues that we have identified. For example, your recent decision to delay action on the wetland and sensitive habitat policies (Tasks 18 and 19) to allow closer coordination with Commission staff on these subjects should help to minimize potential controversy when these policy updates are considered by the Coastal Commission, and ultimately lead to a stronger updated LCP.

Although we are not able to provide a comprehensive review of the draft LCP update package at this time, we would like to bring to your attention one outstanding issue. We are concerned about the conflict resolution provision (Policy 1.3) proposed as part of the update. Section 30200 of the Coastal Act anticipates that conflicts may occasionally occur while implementing the policies contained in Chapter 3 of the Coastal Act and authorizes the Commission¹ to resolve any conflicts between Chapter 3 policies of the Coastal Act pursuant to Public Resources Code section 30007.5. However, only conflicts between the application of the Chapter 3 policies of the Coastal Act may be resolved pursuant to section 30007.5. In addition, while section 30519 of the Coastal Act delegates development review authority to a local government upon Commission certification of an LCP, section 30519 does not delegate to local governments authority to resolve conflicts between application of the Chapter 3 policies of the Coastal

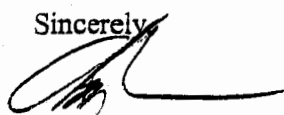
¹ Section 30200 of the Coastal Act also authorizes conflict resolution by any local government issuing permits pursuant to the provisions of Chapter 3 of the Coastal Act prior to certification of their LCP. Only the City of Los Angeles issues permits pursuant to the provisions of Chapter 3 of the Coastal Act prior to certification of its Local Coastal Program. All such City of LA CDPs are appealable to the Commission pursuant to Section 30602 of the Coastal Act.

Act. Instead, section 30604 of the Coastal Act authorizes a local government to issue a coastal development permit only if it finds that the proposed development is in conformity with the certified LCP. Thus, it is important that the policies of the LCP are well crafted and anticipate, to the extent possible, potential conflicts between Chapter 3 policies as applied in the local jurisdiction, at the time of certification of the policies. The conflict resolution authority provided under section 30007.5, though, remains solely with the Commission, before, during, and after certification of an LCP. We understand that local governments may encounter situations where certified LCP policies are in conflict, or do not provide for development that may not have been anticipated by the LCP as first certified. In such situations, the conflict or other unanticipated issue must be resolved by the Commission through an LCP amendment. Once the Commission reviews the proposed LCPA against the Chapter 3 policies of the Coastal Act and provides within the LCP the specific resolution of any conflict between application of the Chapter 3 policies of the Coastal Act to proposed development through the LCPA process, the local government can then implement the Commission's specific resolution of the conflict when acting on a local coastal development permit application. For example, this is the procedure that the County and Commission agreed to and followed to resolve the Coastal Act policy conflict presented by the Devil's Slide tunnel project. In that case, rather than certify conflicting LCP policies, the conflict raised by application of the Coastal Act wetland and sensitive habitat protection policies on the one hand and the public access policies on the other hand was resolved by the Commission through an amendment to the LCP and the Commission's resolution of that conflict was specifically incorporated into the provisions of the certified LCP. Once the Commission's resolution of the conflict in application of the Chapter 3 policies of the Coastal Act to the Devil's Slide tunnel project was incorporated into the LCP, the County could then approve the tunnel project consistent with the provisions of its certified LCP.

In conclusion, because the Coastal Act only authorizes the resolution of conflicts between the application of Chapter 3 policies and does not provide for the delegation of the Commission's policy conflict resolution authority to a local government after certification of its LCP, we strongly urge the County to delete the proposed LCP Policy 1.3 as contained in the draft Midcoast LCP update.

Thank you for considering these comments. We look forward to working with your staff in completing this project and bringing the Midcoast update forward to the Coastal Commission for certification.

Sincerely,



Chris Kern
Coastal Program Manager
North Central Coast District

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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April 1, 2008

George Bergman
San Mateo County Planning and Building
455 County Center, 2nd Floor
Redwood City, CA 94063

RE: San Mateo County LCP Major Amendment SMC-MAJ-1-07 (Midcoast Update)

Dear George:

I am writing to provide you with a filing status of the San Mateo County Midcoast LCP Update application. Since the initial submittal on February 20, 2007 and your May 10, 2007 follow-up submittal, our two agencies have undertaken a collaborative approach to gathering the information needed to evaluate the proposal's consistency with the Coastal Act.

These meetings have been very productive in answering many of our questions and discussing the key issues surrounding the Midcoast LCP Update and I look forward to continuing this coordinated effort. There are still several outstanding items and questions that are either partially solved or still remain unanswered, and therefore the application remains incomplete pursuant to Coastal Act Section 30510(b) and 14 CCR Section 13552. These include, but are not limited to:

(1) Studies and data that support predicted improvements in traffic flow from the various future funded roadway projects and proposed mitigation policy; (2) the Kleinfelder Midcoast Groundwater Study; (3) studies and data that support how future MWSD and CCWD water projects will serve buildout and how much additional water supply/capacity will be provided; (4) the portion of the water consumption rates that is consumed by residents on individual wells and calculations of the additional demand would be placed on the municipal water system if residents are taken off wells; (5) evidence supporting the proposed wastewater demand figure (such as corroboration from the Districts); (6) specifics on future tank, pump station and other improvements, how they are expected to address wet weather collection capacity shortfalls and overflows, and how these improvements will be financed; (7) how future growth will affect the priority use reservation system for water connections and an explanation of the exact system and mechanism that is/will be used by the districts to reserve water connections; (8) studies/data that explain how or whether the proposed growth rate will ensure that development occurs in phase with available infrastructure, including roadway capacity, water supply, and wastewater disposal; and (9) alternatives and cumulative impact analysis as required by CEQA.

Our North Central Coast Staff has been conducting research on many of these issues, working to gather the above information to the best of our ability and to the extent that the information is available elsewhere. We also will continue working closely with you to address these issues and to develop suggested policies to address information gaps. In part due to these information gaps and staffing constraints, processing of the County's Update submittal is still on-going, we are unable to schedule the Update for Commission review in the near term. However, we continue to believe that a local hearing on this matter is important. We also believe that the Update will benefit from continued close coordination and discussion of the issues before any staff recommendation is finalized. Therefore, we will be proceeding with our substantive review of the application, and coordinating with County staff, to the extent that our limited staff resources allow, and we hope to be able to bring the Update to our Commission at the next local hearing, which is currently scheduled to be in June.

I look forward to working with you over the coming months. As always, don't hesitate to contact me at (415) 904-5260 or rpap@coastal.ca.gov to discuss any aspect of your application.

Sincerely,



Ruby Pap
Coastal Program Analyst II
North Central Coast District

cc: Lisa Grote, Community Development Director, San Mateo County
George Irving, Montara Water and Sanitary District
Kathryn Slater-Carter, Montara Water and Sanitary District
Ed Schmidt, Coastside County Water District
Matthew Clark, Granada Sanitary District
Steve Flint, City of Half Moon Bay



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
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June 30, 2008

RECEIVED

JUL 02 2008

CALIFORNIA
COASTAL COMMISSION

Ruby Pap, District Supervisor
California Coastal Commission
North Central Coast District
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Ruby:

On January 29, 2007, San Mateo County submitted a set of Local Coastal Program (LCP) amendments associated with the Midcoast LCP Update Project to the Coastal Commission for certification of consistency with the Coastal Act. Since that time, County Planning staff has been working diligently to provide the Commission staff with the information it has required in order to process the amendment. We were, therefore, dismayed to receive your recent letter indicating that the Commission staff still considers the submittal incomplete. The County respectfully requests that the Commission staff file the submittal as complete, and schedule this item for the soonest local Coastal Commission hearing possible, and no later than the December 2008 Commission meeting in San Francisco.

As you know, on February 20, and March 13, 2007, the Commission staff sent the County two lengthy letters stating that the submittal was incomplete, and that additional information was needed to evaluate the amendment's conformance with the Coastal Act. We replied on May 8, 2007 and provided extensive information in response to the issues and questions that were raised by these letters.

On June 12 and 26, 2007, the Commission staff sent additional letters indicating that the submittal was still incomplete, and that additional information was needed. Since that time, County Planning staff has shared additional information, conducted further analyses, and been in regular communication with the Commission staff in order to resolve these outstanding issues.

Despite these efforts, the Commission staff continues to assert that the submittal is still incomplete. In response, the County is reaffirming its position that the amendment application is complete, and that all information needed to determine Coastal Act consistency has been provided, as detailed by the remainder of the letter. As you review this response, please keep the following points in mind:

1. The County's existing LCP is fundamentally an infill plan for the Midcoast. The infrastructure capacity needed to serve the buildout population has not changed since the plan was certified in 1980.
2. The County's proposed amendments are within the scope and policy of the existing LCP. Coastal resource protection will not be weakened but rather retained or enhanced.
3. The proposal does not increase development potential, but rather reduces the allowed residential growth rate by 40%, thus allowing for infrastructure improvements to keep pace with community growth. The proposal also requires that substandard lots in common ownership be merged before they can be developed.
4. The proposal does not change LCP buildout policy nor increase the demand for roadway, water or sewer capacity. Instead, it provides a more accurate estimate of the number of residential units and needed utility capacity at buildout.
5. We have provided many documents in response to Commission staff questions and concerns, including:
 - A complete description of each amendment and assessment of its relationship to the Coastal Act, as well as a compilation of all County resolutions, ordinances, staff reports and correspondence from project participants.
 - A detailed description of the methodology used to estimate residential development and project water and sewer demand at buildout.
 - Letters from Coastside County and Montara Water and Sanitary Districts affirming their intent to provide water to all its users at buildout, and including lists of improvement projects.
 - Reports indicating that Sewer Authority Midcoastside's treatment capacity has been enlarged to serve LCP buildout.
 - The Board of Supervisors' policy requiring that individual residential wells be replaced with public water connections when they are available.
 - The Board of Supervisors' resolution to coordinate with Half Moon Bay and the Transportation Authority to define and facilitate funded roadway projects that will improve Highway 1 traffic flow.

The balance of this letter responds to the specific information requests included in the Commission staff's most recent letter and demonstrates that the County has already provided the information needed by the Commission staff to process this amendment.

- Transportation Improvement Projects

- Coastal Commission Staff Request

Provide studies and data that support expected improvements in traffic flow from the various funded future roadway projects.

- County Staff Response

As stated in the submittal and subsequent correspondence, the County is not proposing any changes to the permitted level of development nor to the transportation capacity needed to serve that development. In other words, the amendments do not increase development potential, or transportation demand. In fact, the proposal further relieves demand on transportation capacity by reducing the annual rate of residential development by 40%, and by requiring the merger of substandard lots before they can be developed.

We have provided you with the San Mateo County Countywide Transportation Plan which shows the projected (2010) Level of Service (LOS) measures for the most congested segments of Highways 1 and 92 during the peak afternoon commute hours.

We have also informed you that the San Mateo County Transportation Authority (TA) has funded additional unspecified Highway 1 improvements that are not included in the 2010 projection. We have also provided you with documentation that the Board of Supervisors will coordinate with the City of Half Moon Bay and the TA to select and implement these Highway 1 projects. Such improvements would improve traffic flow, and may include adding new travel lanes, reconfiguring lanes, acceleration/ deceleration lanes, and other operational and safety improvements, e.g., signals at major intersections, wider shoulders for emergency vehicle passage, turn pockets, and requiring trip reduction measures.

We understand your desire to have greater certainty regarding the specific design, timing impacts and adequacy of these circulation improvements. However, since this LCP amendment submittal does not increase impacts on the transportation infrastructure, we do not agree that this is a necessary reason for you to consider the amendment submittal incomplete. County staff is committed to working with the Commission staff to resolve long-term transportation

issues, and on any modifications to the amendment submittal that you believe are needed to address these issues.

- Midcoast Groundwater Study

- Coastal Commission Staff Request

Submit the Midcoast Groundwater Study, prepared by Kleinfelder Associates.

- County Staff Response

The Midcoast Groundwater Study is expected to be completed within the next few weeks and a copy will be provided to the Commission staff. We do not believe that the study's status is a relevant basis to determine the submittal's completeness for the reasons discussed in the next two sections.

- Water Supply Projects

- Coastal Commission Staff Request

Provide studies showing how much additional water supply capacity will be provided by future Coastside County Water District (CCWD) and Montara Water and Sanitary District (MWSD) water projects and how this will serve the buildout demand.

- County Staff Response

The proposed amendments update the LCP estimate of water demand at buildout. They do not change LCP policy, but rather provide a more accurate statement of need. We have provided you with a detailed description and explanation of the methodology used to estimate water demand. We have also provided with letters and reports from CCWD and MWSD describing how each utility intends to provide sufficient water to serve its users at buildout.

The cited CCWD projects include:

- Completion of the El Granada Transmission Pipeline
- Increasing production of the Pilarcitos Well Field
- Diverting surface water from San Vicente Creek
- Increasing the size of pumps at the Crystal Springs Pump Station

The cited MSWD cited projects include:

- Expanding production wells in the Airport aquifer
- Installing production wells above the Alta Vista Water Tank
- Supplying tertiary treated water for certain land uses
- Replacing leaking water mains

We have informed you that the County would not approve any development that uses water unless a suitable water supply is available to serve that development.

As previously indicated, the LCP amendment submittal does not increase the amount of buildout nor increase future water demand, but does reduce the allowed rate of development which improves the ability for infrastructure improvements to keep pace with community growth. We have provided you with information that documents how the water districts intend to meet these demands, and therefore, believe that the submittal is complete. County staff would be happy to work with the Commission staff on any modifications that may be needed to address Midcoast water supply issues.

- Water Demand from Wells

- Coastal Commission Staff Request

Provide calculations showing water consumption by residents on individual wells and the additional demand that would be placed on the water districts should each existing individual well be replaced with a utility water connection.

- County Staff Response

The LCP estimates how much water is needed to serve buildout and assumes that all urban development be connected to a utility provider. In other words, the plan does not call for individual wells but rather utility water connections. To this end, we have provided you with the Board of Supervisors policy that individual residential wells be replaced with public water connections when such connections are available.

Since all urban development will ultimately be served by a public utility, the conversion from an individual well to a water connection does not constitute "additional" demand for water. Accordingly, we do not believe that this issue is a relevant basis to determine completeness of the amendment submittal.

We have informed you that at least 550 individual wells serve existing Midcoast residences, and the annual average Midcoast water demand is 242 gallons per day per household. This equates to approximately 133,025 gallons per day water demand that is currently being met by existing individual wells.

- Wastewater Treatment Demand

- Coastal Commission Staff Request

Provide evidence supporting the updated wastewater demand figure, such as corroboration from the utility districts.

- County Staff Response

As stated in previous correspondence, the proposed LCP amendments do not increase demand for water supply and sewer treatment at buildout, and the updated demand figures do not constitute an LCP policy change, but rather provide a more accurate assessment of utility need at buildout.

We have provided you with a detailed description of the methodology used to estimate sewer treatment demand. This included input from Sewer Authority MidCoastside (SAM) interim manager John Burgh who reported that the existing sewer treatment demand is approximately 66.8 gallons per day per person.

We also informed you that County staff convened multiple meetings of a Mid-coast data subcommittee to evaluate the methodology for determining utility capacity demand, identify errors or omissions, and suggest revisions to improve accuracy. The subcommittee was largely comprised of prominent local civic leaders, including elected officials and personnel from Coastsides County Water District, Granada Sanitary District and Midcoast Community Council.

After refinements to the data were made, Coastsides County Water District General Manager Ed Schmidt and Montara Water and Sanitary District Directors Kathryn Slater-Carter and Paul Perkovic concluded that the utility demand estimates were correct based on the available data. Subsequently, the Midcoast Community Council recommended that the Board of Supervisors accept the utility demand figures as correct estimates.

The estimated sewage treatment capacity needed to serve the Midcoast at buildout as 1.61 million gallons per day. To the degree that the utility districts may have questions for different conclusions regarding the wastewater treatment demand at buildout, we do not believe that this is a relevant basis to determine completeness of the submittal, including for the reasons discussed below.

The Coastal Commission approved expansion of the Sewer Authority Mid-Coastside (SAM) treatment facility to serve Midcoast buildout. The approved Midcoast treatment capacity is approximately 2.03 million gallons/day.

The expanded treatment facility is presently operational. We have informed you that SAM elected to construct the facility with 1.71 million gallons/day treatment capacity rather than the approved 2.03 million gallons/day.

In summary, more wastewater treatment capacity currently exists than the estimated demand at buildout. Further, in approving the facility expansion, the Coastal Commission determined that the treatment capacity would be sufficient to serve, but not exceed LCP buildout.

- Wastewater Transmission and Storage Improvements

- Coastal Commission Staff Request

Provide the specifics on future tank, pump station, transmission and other improvements, including how these improvements are expected to address wet weather capacity shortfalls and overflows, and how they will be financed.

- County Staff Response

During certain past wet weather periods, the Midcoast wastewater collection system was unable to convey peak flows. This led to past sewage overflows and water quality violations. The collection capacity problems are primarily the result of excess inflow and infiltration from the member sewer agencies distribution systems. The largest overflows have occurred when the wet weather flow encounters bottlenecks in the SAM's "Intertie Pipeline System" at the Montara and Portola Pump Stations.

As stated in previous correspondence, SAM and its member agencies (MWSD and GSD) have undertaken measures to remedy the wet weather collection capacity shortfall. These have included construction of (a) a 460,000-gallon wet weather overflow tank at the north end of the Intertie Pipeline, (b) 120,000-gallon temporary wet weather storage tanks at the Montara and Portola Pump Stations, (c) a 500,000-gallon permanent wet weather overflow tank at the Pump Station, and (d) various pipeline improvements. The Granada Sanitary District asserts that more needs to occur to prevent overflows during the winter rains.

In summary, although the sewer treatment capacity exceeds the estimated demand at buildout, during certain wet weather periods the sewer collection system did not convey peak flows. The affected utility agencies have made significant tank, pump station and other improvements and we expect that similar improvements will continue.

While we share the Coastal Commission's interest in ensuring that these needs are addressed in a timely manner, we disagree that they form a basis for considering whether the amendment submittal is complete.

- Priority Use Reservation System

- Coastal Commission Staff Request

Describe how future growth will affect the priority use reservation system for water connections and the exact process that the water districts use to reserve water connections.

- County Staff Response

As indicated in the amendment submittal, the LCP requires that Coastside County Water District (CCWD) and Montara Water and Sanitary District (MWSD) to reserve water supply capacity for land uses given priority by the Coastal Act and LCP. The priority land uses for which water is to be reserved are:

- Marine Related Industrial
- Commercial Recreation
- Public Recreation
- Floriculture
- Essential Public Services
- Development at Affordable Housing Sites
- Historic Structures
- Consolidated Lots in Miramar

CCWD has reserved priority use water capacity, and has set aside far more of its reserved capacity than it has sold.

MWSD has not reserved priority use water capacity. The District currently has no unsold capacity available for new development.

Since the Midcoast has not reached buildout, additional residential growth will occur. The existing LCP plans for this additional growth, the proposed LCP amendments do not increase it. Since "future Midcoast growth" is planned growth, it will not affect the priority use reservation system.

We have informed you that the LCP requires that (a) water district providers reserve water capacity for priority uses, (b) it is the responsibility of these utilities to comply with this LCP policy, and (c) the exact process for reserving capacity is a district decision.

The County and the Coastal Commission will have the opportunity to review and comment on the utilities' proposed methods for reserving and allocating

service capacities for priority uses as new or expanded water supply projects are proposed.

- Growth Rate and Available Infrastructure

- Coastal Commission Staff Request

Provide studies/data that explain how or whether the proposed growth rate will ensure that development occurs in phase with available infrastructure, including roadway capacity, water supply and wastewater treatment.

- County Staff Response

The proposed LCP amendments reduce the annual Midcoast growth rate limit from 125 to 75 new residential units per year. This represents a 40% decrease. The LCP controls the rate of growth to ensure that roads, utilities, and other community infrastructure are not overburdened by rapid residential growth.

As stated in previous correspondence, this amendment significantly lowers the rate at which new development would occur. Requiring that new development occur gradually (a) lengthens the number of years to reach buildout, (b) improves the ability for infrastructure improvements to keep pace with community growth, and (c) reduces quality of life disruptions associated with multiple construction projects.

The proposed growth rate reduction also supports Coastal Act Section 30250 which requires that new residential units be located in already developed areas, and/or in areas with adequate public services to accommodate it and where significant adverse effects on coastal resources will not result.

We have indicated that the County will not approve new development unless a suitable water supply is available. The proposed 75 units per year limit represents a maximum, and attaining this figure may be limited by available service capacities. Accordingly, this is not an issue that should prevent the Commission staff from considering the amendment submittal complete.

- CEQA Compliance

- Coastal Commission Staff Request

Provide alternatives and cumulative impact analysis as required by CEQA.

- County Staff Response

Pursuant to State Public Resources Code Section 21080.5 and relevant administrative decisions, the certification of local coastal programs and local

Ruby Pap, District Supervisor
California Coastal Commission
June 30, 2008
Page 10

coastal program amendments are exempt from the California Environmental Quality Act (CEQA) as it is "functionally equivalent" to the CEQA process.

The CEQA Guidelines (California Administrative Code Sections 15250 and 15251(f)) state that the preparation and approval of a local coastal program pursuant to the California Coastal Act are classified as a regulatory program of a State agency exempt from the requirements for preparation of CEQA environmental documents.

In addition, Section 15265 states that CEQA does not apply to activities and approvals by any local government necessary for the preparation and adoption of a local coastal program.

Throughout the past 16 months, we have provided you with a voluminous amount of information that adequately describes the effects and impacts of the proposed LCP amendments. We will continue to work through the outstanding issues with you and provide you information to improve project understanding. However, we disagree that CEQA compliance is an issue and that forms a basis for considering the amendment submittal incomplete.

I look forward to our continued cooperation in preparing for the Coastal Commission's consideration of the proposed amendments, and again request that it be placed on the Commission's agenda at the soonest local hearing, and no later than the December 2008 meeting in San Francisco. Toward this end, I suggest that we establish a schedule for regular meetings to address any outstanding concerns you may have and bring this process to completion.

Sincerely,



Steve Monowitz
Long Range Planning Services Manager

SM:cdn -SAMS0617_WCN.DOC

cc: Board of Supervisors Environmental Quality Standing Committee
John Maltbie, County Manager
David Boesch, Assistant County Manager
Lisa Grote, Community Development Director
Jim Eggemeyer, Deputy Community Development Director
Michael Murphy, County Counsel
Charles Lester, Coastal Commission Deputy Director

CALIFORNIA COASTAL COMMISSION

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July 17, 2008

Steve Monowitz
Long Range Planning Services Manager
County of San Mateo
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

RE: San Mateo County LCP Major Amendment SMC-MAJ-1-07 (Midcoast Update)

Dear Steve,

We received your June 30th letter regarding the filing status of the County's Midcoast LCP Update on July 2, 2008. At the outset, I would like to emphasize that Commission staff is committed to continuing our work with you on addressing the issues and information gaps raised by the Midcoast LCP Update proposal, and we wholeheartedly agree that the Commission's December 2008 meeting should be a firm target for a hearing of this important matter. The Midcoast Update is one of our District's top priorities and I look forward to having regular working meetings in the coming months, as the Update will benefit from our close coordination.

While we acknowledge and appreciate that County planning staff have been working to provide us with the information necessary for a complete review of the proposed amendment, we respectfully disagree with your position that County staff have provided all of the materials necessary for a complete review of the LCPA and reiterate our view that the LCPA application remains incomplete. Pursuant to Section 30510(b) of the Coastal Act, a proposed LCPA may be submitted to the Commission if it contains materials sufficient for a thorough and complete review. As discussed in our previous non-filing letters and as amplified below, we have not received information sufficient for a thorough and complete review of the proposed LCPA. That said, please accept the following points also as indications of the substantive areas where we would like to concentrate our coordination efforts with the County, in order to bring forward a recommendation on the Update that fully addresses Coastal Act policies.

1. Your letter states that the application is complete due in major part to the County's position that the amendment does not increase development potential or impacts on infrastructure and therefore information Commission staff seeks regarding the adequacy of available infrastructure is not necessary to file the LCPA as complete. However, we note that significant public services issues have arisen since certification of the LCP, including events resulting in significant adverse effects on public health and safety, coastal resources, and coastal access. These include failed

private wells in the urban area, sewage overflows, and severe congestion on the major coastal access routes. For example, on Highway One, peak commuter traffic is already at, or has exceeded the level of service (LOS) standard required by the certified LCP.¹ We believe that a major update of the LCP must address these significant existing public service issues, including the fact that there is currently insufficient traffic capacity and less traffic capacity exists than the estimated demand at buildout, in order to address Coastal Act requirements to assure adequate public services for new development and that public access is protected.

2. Although we do not agree that the information we seek is only necessary if the proposed LCPA increases development potential and/or demand for infrastructure, we also believe that the proposed LCPA may increase the amount of development potential or the impacts on infrastructure. Accordingly, the proposed LCPA does engender the need for the requested information as exemplified below:

- a. Buildout

Maximum buildout of the currently certified LCP is 6,728 dwelling units with a projected maximum population of 16,485. Maximum buildout in the proposed LCP is 7,153 dwelling units, with a projected population of 19,885 people, an increase of 425 dwelling units and 3,400 people over what is currently certified. Since the original LCP did not contemplate these buildout numbers, its findings regarding infrastructure capacity are not adequate for addressing the current LCP amendment proposal.

In addition, neither the originally certified LCP buildout numbers nor the currently proposed LCP buildout numbers count approximately 2,000 substandard lots that could be developed individually if not merged as contemplated by the County (contrary to the implication in your letter, there is no existing or proposed merger policy in the LCP). Therefore, these 2,000 dwelling units were not contemplated against available infrastructure when the original LCP was developed. Since these increases in buildout were not contemplated in the original LCP, they are not "covered" under that original infrastructure analysis. Conversely, the omission of the potential extra dwelling units from the proposed LCPA's buildout potential means the proposed LCPA does not adequately address the amendments potential impact on the available infrastructure. This omission is particularly significant given the existing insufficiency of traffic capacity. As stated above, we now know that traffic is much worse than originally contemplated in the LCP. Therefore, the infrastructure capacity needed to serve buildout has changed since the plan was certified in 1980.

¹ The certified LCP (Policy 2.49) considers LOS "D" acceptable during commuter peak periods and Service Level E acceptable during recreation peak periods. According to the 2007 County Congestion Management Program, the Highway 1 segment from Miramontes to Frenchman's Creek is at LOS E, segment from Frenchman's Creek to Linda mar is at LOS D, segment from Pacifica to SF is at LOS F, and Highway 92 from 280 to Highway 1 is at LOS F.

b. Priority Uses

The LCPA proposes to re-allocate priority water (e.g. Floriculture) to non-Coastal Act priority uses (e.g. failed residential wells). In addition the proposal would expand the area allowed to re-allocate to an additional district area (Montara Water and Sanitary District [MWSD]). Re-allocating water from priority uses to non-priority uses can directly impact the ability to protect priority uses and reserve sufficient infrastructure capacity for those priority uses, *especially when there is also insufficient traffic capacity currently available to serve those priority uses*. In addition, MWSD does not have excess capacity and currently does not have any reserved capacity for any Coastal Act priority uses. Therefore, allowing MWSD to reallocate water capacity to failed wells can directly impact the ability to protect Coastal Act priority uses in the future, *especially when no capacity has been reserved for any Coastal Act priority uses*. In order to evaluate these changes, we need the information we previously asked for regarding available water supply to support buildout and priority uses. The information necessary for a complete review of the LCPA specifically includes the Kleinfelder Report on groundwater (to the extent that it may address this issue adequately) or other information on water supply, since we need to evaluate the failed well issue, as well as an analysis of the potential for failed wells in the future.

In addition, the County is also proposing to add another LCP priority to Table 2.17, "Other Affordable Housing," which would receive re-allocated water from the Coastal Act floriculture priority use. This proposed reallocation would also be authorized by proposed new policy 3.17: "Incentives for Midcoast Affordable Housing." This proposed reallocation also directly impacts the amount of water that would be available for priority uses, and constitutes a clear change in intensity from the previously certified LCP. Therefore, all of the information requested on water, including the Kleinfelder groundwater report, is necessary for a complete review of the LCPA and the proposed LCPA remains incomplete. Also, by proposing to re-allocate priority water to these "other affordable housing" sites, the proposed LCPA increases the traffic capacity necessary to support the affordable housing that would be enabled by this new available water supply. Therefore, the information we previously requested on traffic studies, including information on the traffic levels during *recreation* peak periods (which has never been discussed in any of County staff's submittals), is necessary for a complete review of the LCPA.

c. Other Transportation Impacts

The bottom of page 3 of your June 30th letter states that the LCP amendment submittal does not increase impacts on the transportation infrastructure. As described above, the transportation infrastructure is already at, and beyond capacity and the proposed amendment submittal does not appear to adequately address this situation. As stated above, aspects of the amendment proposal

could increase demand on the transportation infrastructure. In addition, the proposed zoning amendment on the Burnham Strip would change the zoning from COSC to the El Granada Gateway District (EG). Although we acknowledge that the EG district would not allow single family residences as the COSC does, there are several newly proposed uses within the EG district that could impact traffic levels on Highway One (and 92), including Outdoor Art Centers, Temporary Outdoor Performing Arts Centers, Temporary Outdoor Sales, Temporary Outdoor Showgrounds and Exhibition Facilities, and Urban Roadside Stands. Therefore, our information request for detailed traffic studies including information on including information on the traffic levels during *recreation* peak periods is warranted.

The Update also proposes to intensify residential development in the Waterfront (W) district by increasing the allowable percentage of caretaker quarters from 20-25% of developed parcels. This would also increase demand on Highway One and local streets and intersections. We note that your application materials state that the removal of single family residences from the Burnham Strip would result in no-net increase in residential development in the Midcoast. However, it is unclear what the actual residential numbers would have been and will be in both areas, and we believe that these changes warrant traffic analysis on the Midcoast arterial system as a whole at commuter peak and recreational peak times, as well as local intersections and highway segments adjacent to where the changes in residential uses would occur.

In conclusion, pursuant to Coastal Act Section 30510(b) and Title 14 CCR Section 13552 staff cannot file the application. However, as we have previously indicated, we are moving forward with our analysis of the proposed amendment and we look forward to meeting with you on July 29th and establishing a regular schedule for meetings to bring this process to completion as expeditiously as possible. We appreciate your patience and commitment to improving the LCP for the Midcoast

Sincerely,



Ruby Pap
District Supervisor
North Central Coast District

cc: Lisa Grote, Community Development Director, San Mateo County
Charles Lester, Senior Deputy Director, CCC
George Irving, Montara Water and Sanitary District
Kathryn Slater-Carter, Montara Water and Sanitary District
Ed Schmidt, Coastside County Water District
Matthew Clark, Granada Sanitary District
Steve Flint, City of Half Moon Bay



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August 11, 2008

RECEIVED

AUG 13 2008

CALIFORNIA
COASTAL COMMISSION

Ruby Pap, District Supervisor
California Coastal Commission
North Central Coast District
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Ruby,

Thank you, Charles, and Madeline for meeting with Lisa, Mike, and I on July 29, 2008. Although we may still disagree on the filing status of our Midcoast LCP Update submittal, we appreciate your interest and cooperation in working toward a Coastal Commission hearing this December. I think we established a good framework for meeting this goal, and would like to outline the next steps we discussed to make sure that we are all in agreement.

1. Infrastructure Capacity

Although the Update will not increase buildout, we understand the Commission staff's desire to ensure that the amendment address potential shortfalls in infrastructure capacity, as well as the impacts of future development on public access and recreation opportunities. The issues of greatest concern appear to be water, sewer, and road capacity, which have been discussed at length in prior correspondence and meetings. In an effort to resolve the outstanding concerns, we agreed to schedule a series of three meetings, each of which will be focused on one of these infrastructure issues.

The first of these meetings will be on the subject of traffic, and will likely be scheduled for August 20, 21, or 22. I will be inviting staff from the City/County Association of Governments and other agencies that are involved in circulation planning within San Mateo County to participate in this meeting. If there is anyone in particular that you would like to be present, please let me know, and I would be happy to send them an invitation.

I will also attempt to collect as much relevant information as possible for this meeting. For example, I think that a comprehensive list of the circulation planning efforts that are currently underway, as well as the specific projects being designed or considered (including public transit projects), will be particularly useful. In addition, I know that you are interested in obtaining data regarding levels of service at peak recreation times, and discussing the possibility of establishing an in-lieu fee to help fund the studies and/or projects required to avoid unacceptable levels of service. Please let me know if there is additional information you would like to have for this meeting.

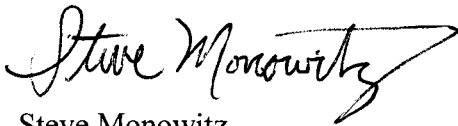
Subsequent meetings will be centered on the issues related to water and sewer capacities, and will be scheduled approximately two weeks apart. I recommend that we spend some time at the conclusion of each meeting to set the date and agenda for the next meeting, and identify the information that should be collected in preparation for the meeting.

2. Suggested Modifications and Other Issues

Based on the schedule outlined above, we should be able to complete our infrastructure discussions prior to the end of September, which will leave approximately six weeks for us to discuss the specific changes to the amendment that Commission staff may feel are necessary to achieve Coastal Act compliance. We can also use this time to discuss any other issues or concerns that the Commission staff may have that were not resolved during our infrastructure meetings. If there are particular issues of interest to you that fall outside the scope of the infrastructure concerns we will be discussing, I would appreciate it if you could identify them within the next few weeks.

Thanks again for the productive meeting, and for the Commission staff's commitment to the additional coordination described above. If you feel that I have mischaracterized our discussion in any way, or if you would like to adjust or supplement the approach outlined above, please let me know as soon as possible.

Sincerely,



Steve Monowitz
Long Range Planning Services Manager

SM:pac – SAMS0779_WPN.DOC

cc: Supervisor Richard Gordon
Matt Jacobs, Legislative Aide
Peggy Jensen, Deputy County Manager
Leonard Worren

Buildout Analysis Detail

Developed Parcels:

In summary, the San Mateo County submittal (a) contemplates lot merger (b) does not assume that a house will be built on each substandard lot and (c) does not count each substandard lot as a potential housing unit. As such, the potential for 1,681(1,131+536+14) additional units on developed parcels is not included in the submitted buildout figure, as explained below:

- 197 lots are developed as one-lot parcels. These were counted in the buildout figure as one unit each because there is no way they can be merged.
- 2,262 lots are developed as two-lot parcels. These two lot parcels were combined for counting purposes and counted as one parcel with 1 dwelling unit, because the County has assumed they will be merged into standard size parcels according to a recently locally approved, but not certified merger program. Therefore, 1131 units were included the buildout figure. However, the maximum development potential that potentially could be developed if the County does not merge these lots in the future would be an additional 1131 units ($\frac{1}{2}$ of the 2,262 substandard lots).
- 803 lots are developed as three-lot parcels. These three lot parcels were combined for counting purposes and counted as one parcel with 1 potential dwelling unit, because the County has assumed they will be merged into standard size parcels according to a locally approved, but not certified, merger program. Therefore, 267 units were included in the buildout figure. The maximum development potential that potentially could be developed if the County does not merge these lots in the future would be an additional 536 units ($\frac{2}{3}$ of the 803 substandard lots).
- 28 lots are developed as four-lot parcels. These four-lot parcels were combined into two parcels (5,000 square feet each) for counting purposes and counted as two parcels with 1 potential dwelling unit on each, because the County has assumed they will be merged into standard size parcels according to a locally approved, but uncertified, merger program. Therefore, 14 units were included in the buildout figure. The maximum development potential that potentially could be developed if the County does not merge these lots in the future would be an additional 14 units ($\frac{1}{2}$ of the 28 substandard lots).

Undeveloped Parcels:

In summary, the San Mateo County submittal (a) contemplates lot merger (b) does not assume that a house will be built on each substandard lot and (c) does not count each substandard lot as a potential housing unit. As such, the theoretical potential for 726 additional units on undeveloped parcels (472+236+18) is not included in the submitted buildout figure as explained below: The ownership pattern for the 1,605 undeveloped residential zoned substandard lots is characterized by the following:

- 271 lots occur as a one-lot parcel. These were counted in the buildout figure one unit each because there is no way they can be merged.
- 944 lots occur as 472 two-lot parcels. These two lot parcels were combined for counting purposes and counted as one parcel with 1 dwelling unit because the

County has assumed they will be merged into standard size parcels according to a recently locally approved, but not certified, merger program. Therefore, 472 units were included in the buildout figure.

The maximum development potential that potentially could be developed if the County does not merge these lots in the future would be an additional 472 units (1/2 of the 944 substandard lots).

- 354 lots occur as 118 three-lot parcels. These three-lot parcels were combined for counting purposes and counted as one parcel with 1 dwelling unit, because the County has assumed they will be merged into standard size parcels according to a locally approved, but not certified, merger program. Therefore, 118 units were counted in the buildout figure. The maximum development potential that potentially could be developed if the County does not merge these lots in the future would be an additional 236 units (2/3 of the 354 substandard lots).

- 36 lots occur as 9 four-lot parcels. These four-lot parcels were combined into two parcels (5,000 square feet each) for counting purposes and counted as two parcels with 1 potential dwelling unit on each, because the County has assumed they will be merged into standard size parcels according to a locally approved, but not certified, merger program. Therefore, 18 units were included in the buildout figure. The maximum development potential that potentially could be developed if the County does not merge these lots in the future would be an additional 18 units (1/2 of the 36 substandard lots).