CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT ST, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5260
FAX (415) 904-5400
TDD (415) 597-5885

W15a

DATE: **Prepared July 27, 2012 for Meeting of August 8, 2012**

TO: Commissioners and Interested Parties

FROM: Madeline Cavalieri, District Manager
Nicholas Dreher, Coastal Planner

SUBJECT: **San Mateo County LCP Amendment No. SMC-MAJ-1-11 (Midcoast Update) (Resubmittal of San Mateo County LCP Amendment No. SMC-MAJ-1-07)**

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission approve the Midcoast LCP Update as submitted.

The proposed Midcoast LCP Update (Update) provides an important framework for updating portions of the LCP, and reflects the combined efforts of the Commission, the County and members of the public going over a decade. The Update 1) identifies constraints to existing public services and establishes criteria necessary for siting new development in the urban Midcoast, 2) updates buildout information, 3) improves LCP mechanisms for enhancing the Coastal Trail, 4) incorporates a grandfathering provision for pending local CDP applications and 5) implements other minor numbering, ordering or clarifying changes to LUP policies.

On December 10, 2009, the Commission approved the County's initial submittal of the Update (SMC-1-07) subject to 72 modifications. These modifications 1) removed a conflict resolution policy, 2) narrowed grandfathering clauses and included them in the LUP policies, 3) based location of new development on adequate public works, 4) prohibited private wells in the urban Midcoast and 5) decreased the growth rate to match existing public service capacity. After considering the Commission's suggested modifications, the County declined to accept them in their entirety, but has instead revised and resubmitted the Update.

In its resubmittal, the County incorporated the vast majority of the Commission-approved suggested modifications, made minor changes to some approved modifications and also replaced certain suggested modifications with alternative language that achieves the same goals and objectives that were intended by the Commission's suggested modifications. For example, in the resubmittal, the County reduced the annual allowable growth rate from 75 to 40 units a year as

was approved by modification by the Commission; added policies requiring thorough analysis for public services and traffic impacts, particularly for projects likely to have adverse impacts on traffic; added the requirement for the County to develop a Transportation Management Plan to evaluate the feasibility of developing an in-lieu fee traffic mitigation program, the expansion of public transit, including buses and shuttles, and a mandatory lot merger program; and added policies to improve efforts to protect and enhance the California Coastal Trail, recreational opportunities and public access through County planning endeavors and individual permit applications. The proposed Update, as submitted, assures consistency with Coastal Act requirements that new development is 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.

Thus, staff believes that the Update will result in enhanced coastal resource protection in San Mateo County's Midcoast area, and recommends that the Commission certify the Update as submitted. The motion is found on page 3.

EXHIBIT LIST

1. Resubmittal - Proposed LUP Amendments
2. Resubmittal - Proposed IP Amendments
3. Midcoast land use and zoning map
4. December 10, 2012 Adopted Coastal Commission Report for San Mateo County LCP Amendment No. SMC-MAJ-1-07 (Midcoast LCP Update)

I. MOTIONS AND RESOLUTIONS

Motion:

I move that the Commission certify the Land Use Plan Amendment No. SMC-MAJ-1-11 to the San Mateo County LCP as submitted. I recommend a yes vote.

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

Resolution to Certify Land Use Plan as Submitted:

The Commission hereby certifies the Land Use Plan Amendment No. SMC-MAJ-1-11 to the San Mateo County LCP as submitted and adopts the findings set forth below on grounds that the land use plan will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment 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 land use 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 that will result from certification of the land use plan amendment.

Motion:

I move that the Commission reject Implementation Program Amendment No. SMC-MAJ-1-11 to the San Mateo County LCP as submitted. I recommend a no vote.

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

Resolution to Certify Implementation Program as Submitted:

The Commission hereby certifies the Implementation Program Amendment No. SMC-MAJ-1-11 to the San Mateo County LCP as submitted and adopts the findings set forth below on grounds that the Implementation Program amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended, and certification of the Implementation Program will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects

of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

II. SUMMARY OF AMENDMENT RESUBMITTAL

On December 10, 2009, the Commission denied certification of amendments to the San Mateo County certified LCP as proposed (Amendment No. SMC-MAJ-1-07), and approved the amendment subject to 72 modifications. On May 11, 2010, the County Board of Supervisors adopted a resolution directing County staff to utilize the LCP amendment resubmittal process and develop a resubmittable amendment to the LCP that would incorporate certain Coastal Commission modifications, and propose new policy language for other modificaions where the County disagreed with the Commission's approved modifications as written. On November 30, 2010, the County Board of Supervisors conducted a public hearing on a new version of the amendment recommended by County staff for resubmittal to the Commission, but continued the matter for future consideration. On April 26, 2011, the County Board of Supervisors adopted revised LCP amendment language for resubmittal.

On June 13, 2011, the Commission's North Central District Office received a resubmittal of the Midcoast Update LCP Amendments. The accompanying resolutions and ordinances make clear that the County submits these amendments for certification without modification. The Resubmittal now before the Commission is the result of more than a decade of discussions and hearings and the contributions of Commission staff, County staff and numerous interested parties. As proposed, the Update would not take effect until 30 days after Commission action pursuant to the County's resolution and consistent with the County's ability to specify effectiveness pursuant to Coastal Regulation Section 13518.

The Resubmittal makes 23 revisions changes to the 72 modifications approved by the Commission in December 2009. Of the 23 revisions, eight rephrase approved modifications but do not make any substantial changes to them. Six of the revisions remove approved modifications related to grandfathering pending CDP applications so that they would not be subject to the updated LCP. The remaining nine revisions are substantive changes to the Commission's suggested modifications related to the analysis required when siting new development in the urban Midcoast, in order to ensure adequate water supply and adequacy of public services, including road capacity.

III. STANDARD OF REVIEW

The proposed amendments affect the LUP and IP components of the County of San Mateo LCP. The standard of review for LUP amendments is that they must be consistent with and adequate to carry out the Coastal Act; the standard of review for IP amendments is that they must be consistent with and adequate to carry out the policies of the certified LUP.

IV. LAND USE PLAN FINDINGS AND DECLARATIONS

In addition to the following consistency findings related to particular Coastal Act issues raised by this Resubmittal, this recommendation incorporates the December 10, 2009 LCP amendment staff report herein in its entirety. The December 10, 2009 staff report provides an analysis of the Update's consistency with applicable Coastal Act and LCP policies as originally submitted by the County and modified by the Commission and includes the County's updated estimates of residential buildout and infrastructure supply and demand figures.

Background

The existing LCP divides the County into defined Urban, Rural, Rural Residential and Rural Service Centers. The Midcoast project area contains areas that are both 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 (see Exhibit 3).

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 required by 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 Coastside 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.

Relevant Policies

Section 30250 of the Coastal Act states, in part:

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

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, including water supply, wastewater disposal, roadway capacity, and other infrastructure, to assure that such growth does not have significant adverse effects on coastal resources, including rural agricultural lands, public access, water quality, and scenic resources. 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 area 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.

Consistency Analysis

Transportation and Roadway Capacity
Coastal Act Section 30250 requires that new residential development shall be located within existing developed areas able to accommodate it with adequate public services and where it will not have significant adverse effects on coastal resources.

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 2009 County Congestion Management Program (CMP), the level of service (LOS) on key segments is mostly at "E" (on a scale of A – F).[1] According to the 2001 Countywide Transportation Plan (CTP), most of these key travel routes were projected to be at LOS "F" by 2010. LOS "F" indicates traffic exceeds the physical operational capacity of the roadway, with unacceptable delays and congestion. Given the recent economic downturn, development rates have slowed, and therefore this scenario did not occur by 2010. However, as the economy rebounds, congestion will likely worsen to LOS "F". Additionally, at buildout, if significant improvements to highway capacity are not completed, the congestion will be at "F", given that the Midcoast is currently at approximately half of buildout and the LOS is consistently at an "E" or "F" depending on the roadway segment.

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 that provide public access to the coast will still be at "E" or "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.

In 2009, the Commission approved modifications that would require all new development to be dependent upon adequate roadway capacity and reliant upon a traffic study determining existing and future level of service baselines. The County has incorporated the need to assess traffic impacts for certain projects, but has proposed alternative policies to ensure roadway capacity is taken into consideration when analyzing certain development proposals. Specifically, proposed Policy 2.57.1 requires all proposals for new development in the Midcoast that generate any net increase in vehicle trips on Highways 1 and 92, except for a single-family dwelling, a second dwelling unit, or a two-family dwelling, to provide traffic studies that include mitigation measures that offset the project's impacts. (**Exhibit 1**). Further, prior to CDP approval, the County must be able to make the finding that proposed mitigation measures are adequate to

[1] LOS E indicates unstable operations with significant intersection approach delays and low average speeds, volumes at or near capacity and vehicles waiting through several signal cycles, including long queues forming upstream from intersections.

offset new vehicle trips generated by the project to the extent feasible. Additionally, pursuant to proposed policy 2.57.2, the County will develop a comprehensive Transportation Management Plan to address cumulative traffic impacts of residential development, including single, two-family, multi-family and second unit residential development. (**Exhibit 1**). The Plan will thoroughly evaluate the feasibility of developing an in-lieu fee traffic mitigation program, expanding public transit, including buses and shuttles, and/or developing a mandatory lot merger program to further reduce buildout potential.

Moreover, various policies will remain in the San Mateo certified LUP, including policies that require the County and the Commission to assess adequate roadway capacity and ensure that adequate public services are provided for residential development in the urban Midcoast. Specifically, LUP Policies 1.3, 1.4, 1.18 and 1.19 address the provision of adequate public services for infill development in urban areas and LUP policy 2.49 sets the desired level of service for roadways in this area.

Taken together, the existing certified policies and newly proposed policies will bolster the County's and Commission's ability to assess roadway capacity and assure adequate transportation services for new residential development, thereby protecting the public's ability to access the coast. The County's Transportation Management Plan will enhance efforts to ensure residential development is only allowed where roadway capacity will not be constrained to unacceptable levels. Thus, the proposed LUP policies regarding traffic impacts ensure adequate public services for residential development and provide a mechanism for the County to strengthen the policies based on the findings of the traffic management plan. Therefore, the Commission finds that the proposed LUP amendment is consistent with the policies of the Coastal Act regarding new development, the provision of adequate public services and protecting of public access.

Private Wells

With limited access to municipal water connections, many residential property owners and developers have opted to construct homes relying on private on-site wells. At the time of original 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. Since the original certification of the LCP, the Commission has considered the use of private wells within an urban area with designated public water providers as 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, although no provision of the LCP expressly prohibits the use of private wells. 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 one 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 are significant groundwater issues in numerous areas of the urban Midcoast. There are approximately 946 wells

in the Midcoast, serving approximately 24% of existing homes. There have been several instances of failed wells over the years, and the County is proposing to reallocate existing water supply to failed wells, indicating that the County is anticipating the possibility of more failed wells in the future. 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.[2] The data from the recently released report supports a conservative approach to managing groundwater, and that until a comprehensive groundwater management plan is developed, it is prudent to prohibit private wells in the Midcoast. The report concludes that if increased pumping continues, particularly in drier years, there could be significant adverse cumulative impacts on groundwater resources, such as saltwater intrusion.

The development of private wells has also begun to increase tensions between the County Planning department and other special agencies in the County County, such as Montara Water and Sanitary District (MWSD) and Coastside County Water District (CCWD), which provide public water to existing customers within the urban Midcoast. The County's Resubmittal addresses the conflict through a proposal to allow five private wells in the urban Midcoast each year for three years, beginning on the effective date of the policy (30 days after certification by the Commission), or until MWSD obtains the necessary approvals from the Commission to provide water service to vacant properties, whichever occurs first.[3] This policy would allow at most 15 new private well connections, because if the three years run out and MWSD is still not permitted to issue new water connections, there is no provision in the proposed Resubmittal to extend the private well program. Any permitted private wells will continue to be subject to the County's standard condition that they be abandoned once a water connection becomes available. This policy represents a compromise position between the County and Commission staff, who had instead recommended that an express limitation be placed on all private wells. It is likely that Montara Water and Sanitary District's Public Works Plan can be amended within three years, which would effectively end this program.[4] In either case, the program will not continue for more than three years. This program is sufficiently limited in scope and presents an appropriate and realistic interim strategy to allow 15 new private wells in the urban Midcoast in the next three years. Further, the LCP as resubmitted also contains LUP Policy 1.18.1 which expressly incorporates this three year well policy, prohibits new private septic systems in the urban Midcoast subject to a three-part limited exception and outlines lack of adequate water supply and wastewater facilities as grounds for denial of development applications in the urban Midcoast. The Commission therefore finds that this proposed program is consistent with the new development and public services policies of the Coastal Act.

Grandfathered Projects

Prior to the Commission's 2009 approval, the County proposed to exempt, or "grandfather" over 143 pending CDP applications from the provisions of this LCP Update. Those projects would

[2] Kleinfelder Midcoast Groundwater Study, Prepared for the Planning & Building Department, San Mateo County, California (April 2009).

[3] At present, the existing certified Montara Water and Sanitary District (MWSD) Public Works Plan (PWP) does not allow issuance of new water connections (2-06-006).

[4] The Montara Water and Sanitary District (MWSD) submitted an application to amend the Public Works Plan (2-06-006-A1), to allow new connections. As of July 20, 2012, the application file was still incomplete, but the North Central District staff and MWSD continue to work together on the content of the amendment.

still be subject to the existing certified LCP policies but would not be required to follow the rules of the Updated LCP.

In December 2009, the Commission approved several modifications that narrowed the scope of grandfathered projects, by requiring grandfathered projects to meet three criteria: 1) any necessary CDP has already been obtained; 2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to December 10, 2009 and appropriate fees paid; and 3) a development agreement consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner where the development will occur prior to December 10, 2009, and the proposed development conforms with the terms of that development agreement. The Resubmittal replaces this criteria with new language stating that the Land Use Plan provisions will not apply to applications filed complete as of the effective date of the proposed Amendment Resubmittal, which is 30 days after CCC approval pursuant to the County's Resolution No. 071395. (**Exhibit 1**). Additionally, the County proposes that the proposed Implementation Plan provisions not apply to applications where any of the following three situations apply: (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 deemed complete; (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, consistent with the provisions of the LCP then in effect, 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 agreement.

The proposed provisions in the Resubmittal narrow the scope of grandfathering provision originally proposed to the Commission, but the proposed language will allow more applications to be grandfathered than the modifications approved by the Commission in 2009.

There are many complete coastal development permit applications that would not be subject to the Updated LCP. Some of these developments include large condominium and apartment housing projects, subdivisions, and domestic wells, all of which have the potential to impact coastal resources, such as traffic capacity, public access, water quality, and groundwater resources. However, the new policies contained in the updated LCP, as modified, would require additional filing information in order to complete the analysis, such as traffic mitigation plans, in order to carry out the required analyses to permit development. Given that the only grandfathered applications are those that have already been deemed filed, and the new policies will apply to incomplete applications that are still capable of being supplemented with information to adequately address new standards of review in the updated LCP, the Commission finds these provisions as they pertain to the LUP and IP, acceptable in ensuring applicants are adequately on notice of standards that apply to their project and otherwise consistent with the Coastal Act.

III. IMPLEMENTATION PLAN FINDINGS AND DECLARATIONS

In addition to the following consistency findings for this Resubmittal, this recommendation incorporates the December 10, 2009 LCP amendment staff report herein in its entirety. The

December 10, 2009 staff report provides an analysis of the consistency of the Update's Implementation Plan with the amended LUP, as originally submitted by the County and modified by the Commission, and includes the County's updated estimates of residential buildout and infrastructure supply and demand figures.

The County proposes amendments to the IP to establish a linear park and trail plan overlay on all parcels within the Devil's Slide Bypass Alignment property along Highway 1 north of Montara, increase restrictions on impervious surfaces in certain zoning districts, lower maximum allowable building height in certain districts (including the Planned Agricultural District), decrease front yard setbacks in certain districts, allow one required parking space to be uncovered for select affordable housing development or voluntary lot merger program, insert restrictions on winter grading throughout the Midcoast, and 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 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.

Except for the grandfather provisions discussed above, the County incorporated all of the Commission's 2009 approved suggested modifications to the IP. Therefore, for the reasons stated in the 2009 report, attached as **Exhibit 4**, the Commission finds the proposed Implementation Plan amendments adequate to carry out the provisions of the LUP, consistent with the findings in the 2009 Commission approved LCP update. (**Exhibit 4**).

IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The County, acting as the lead CEQA agency, held numerous public hearings and approved a Resolution and Ordinances directing County Staff to submit the Update to the Commission. This report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate suggested modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

RESOLUTION NO. 071395

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

RESOLUTION DIRECTING STAFF TO SUBMIT THE PROPOSED LOCAL COASTAL PROGRAM (LCP) AMENDMENTS FOR COASTAL COMMISSION REVIEW AND CERTIFICATION WITHOUT MODIFICATION

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, in November, 1980, the San Mateo County Local Coastal Program (LCP) was certified by the California Coastal Commission; and

WHEREAS, since its certification, LCP has been amended various times, to improve its conformity with the California Coastal Act or respond to local circumstances; and

WHEREAS, in August, 1999, the Board of Supervisors adopted Resolution 62999, authorizing the Midcoast LCP Update Project to (1) improve LCP-Coastal Act consistency, (2) update LCP baseline data and policies, and (3) reduce development permit appeals; and

WHEREAS, between August 1999 and November 2006, a series of community scoping sessions, workshops, and public hearings were conducted in order to develop the content of the Midcoast LCP Update; and

WHEREAS, on November 14, 2006, the Board of Supervisors adopted Resolution 068386, that directed staff to submit a set of LCP policy and zoning amendments to the California Coastal Commission (CCC) for certification of conformity with the California Coastal Act; and

WHEREAS, on February 27, 2009, the CCC staff released a recommendation that proposed sixty-three modifications to the amendments submitted by the County; and

WHEREAS, in June, July, and December, 2009, the Board of Supervisors held public hearings to consider and respond to the amendments proposed by CCC staff; and

WHEREAS, on December 10, 2009, the CCC denied certification of the LCP amendments submitted by the County, then approved the amendments subject to the County's acceptance of seventy-two suggested modifications; and

WHEREAS, in April and May, 2010, the Board of Supervisors held public hearings to consider the County's options for responding to the CCC's suggested modifications; and

WHEREAS, on May 11, 2010, the Board of Supervisors approved Resolution 070836 that directed staff to develop alternatives to the CCC's suggested modifications

of concern for resubmittal to the CCC, to be considered by the Board of Supervisors at a future public hearing; and

WHEREAS, the San Mateo County Planning and Building Department has prepared an updated version of the Midcoast LCP Update amendments that incorporate the CCC's suggested modifications, with some revisions; and

WHEREAS, opportunity for public participation in the hearing process was provided through: (1) publication of all Board of Supervisors meeting announcement in the San Mateo County Times and Half Moon Bay Review newspapers, and (2) direct mailing of the meeting announcement to interested parties; and

NOW, THEREFORE, BE IT RESOLVED, that the San Mateo County Board of Supervisors:

1. Amend the San Mateo County LCP Locating and Planning New Development Component Table 1 to include the updated estimate of Midcoast residential buildout and add new Policy 1.18.1, as shown in Exhibit "A" of this Resolution.

2. Amend the San Mateo County LCP Locating and Planning New Development Component to add Map 1.3, Midcoast LCP Update Project Area, as shown in Exhibit "B" of this Resolution.

3. Amend the San Mateo County LCP Public Works Component to revise Tables 2.3 and 2.4 to include the updated estimate of Midcoast sewage generation at buildout and add Section 2.4b, as shown in Exhibit "C" of this Resolution.

4. Amend the San Mateo County LCP Public Works Component to revise Tables 2.9 and 2.10 to include the updated estimate of Midcoast water consumption at buildout, as shown in Exhibit "D" of this Resolution.

5. Amend the San Mateo County LCP Public Works Component to revise Policy 2.8 and Table 2.17 to reserve water supply capacity (a) for residential wells deemed to have failed by the Environmental Health Division, and (b) for affordable housing units not located at the three designated Midcoast sites, as shown in Exhibit "E" of this Resolution.

6. Amend the San Mateo County LCP Locating and Planning New Development Component to revise Policy 1.22 to reduce the annual Midcoast residential growth rate limit from 125 to 40 new units per year, and clarify the application of this limit, as shown in Exhibit "F" of this Resolution.

7. Amend the San Mateo County LCP Public Works Component to add Policies 2.57.1, and 2.57.2, to require additional traffic mitigation measures for Midcoast development projects as included in Exhibit "G" of this Resolution.

8. Amend the San Mateo County LCP Public Works Component to revise Policy 2.50 to indicate intended future changes for the Devil's Slide bypass property, as shown in Exhibit "H" of this Resolution.

9. Amend the San Mateo County LCP Recreation and Visitor Serving Facilities Component to revise Policies 11.13 and 11.27 to update the designated trails list, and to support efforts to add the Devil's Slide bypass property to adjoining park units, as shown in Exhibit "I" of this Resolution.

10. Amend the San Mateo County LCP Public Works Component to revise Policies 2.56 and 2.57, and amend the Recreation and Visitor Serving Facilities Component to revise Policy 11.26, to (a) promote coordination with CalTrans in developing a pedestrian/multi-purpose trail parallel to Highway 1, and above or below ground pedestrian crossings at locations along Highway 1, and (b) require that CalTrans' Highway 1 improvement projects be conditioned to require development of such pedestrian improvements, as shown in Exhibit "J" of this Resolution.

11. Amend the San Mateo County LCP Housing Component to revise Policy 3.11 to provide the correct name of the Pillar Ridge Manufactured Home Community, and to add Policy 3.17 to authorize incentives for voluntary development of affordable housing units on Midcoast parcels other than the designated affordable housing sites, including residentially zoned substandard lots that cannot be merged, as shown in Exhibit "K" of this Resolution.

12. Amend the San Mateo County LCP Locating and Planning New Development Component to add Policy 1.35 and Appendix A to incorporate the Countywide Stormwater Pollution Prevention Program (STOPPP) best management practices and performance standards/requirements which implement Federal NPDES and State Regional Water Quality Control Board requirements, as shown in Exhibit "L" of this Resolution.

13. Amend the San Mateo County LCP Shoreline Access Component to add new Policy 10.37.1 and revise Policies 10.41, 10.44, 10.49 and 10.50, and Recreation and Visitor Serving Facilities Component to add new Policies 11.32 and 11.33 and revise Policies 11.24, 11.25, and 11.27-11.31 to update the role of trail providing agencies and use of Highway 1 bypass lands, as shown in Exhibit "M" of this Resolution.

14. Amend the San Mateo County LCP to resolve identified LCP policy conflicts, address Airport Land Use Committee requirements, update public works phasing and land use priority policies, and clarify ambiguous provisions. These amendments revise the Locating and Planning New Development Component by adding the Half Moon Bay Airport Influence Area Boundary Map as LCP Map 1.5, and modifying Policies 1.5b, 1.7, 1.8b, 1.9a, 1.12b, 1.15, 1.16, 1.20, 1.33, 1.36 and Table 1.3. In addition, the amendments revise the Public Works Component by deleting Policies 2.9, 2.10, 2.11, 2.16, 2.17, 2.19, 2.25 and 2.35, modifying Policies 2.7, 2.8, 2.12, 2.13, 2.18, 2.21, 2.22, 2.23, 2.26, 2.27, 2.29, 2.31, 2.32,

2.36, 2.48, 2.49, 2.52, 2.53, 2.54, and 2.55, replacing Policy 2.28, and adding new Policies 2.15.1 and 2.24.1. These amendments also revise Housing Component Policy 3.14a; Energy Component Policy 4.3a; Agriculture Component Policies 5.2 and 5.4; Aquaculture Component Policy 6.2; Sensitive Habitats Component Policies 7.12, 7.13, 7.34, 7.36-7.40 and 7.47-7.50; and Visual Resources Component Policies 8.5, 8.6 and 8.14, as shown in Exhibit "N" of this Resolution.

15. Amend the San Mateo County LCP Land Use Map to 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, and to place a Linear Park and Trail Plan Specific Plan Overlay over the Residential, Open Space, and Agriculture Land Use designations for the Devil's Slide Martini Creek Bypass Alignment property to General Open Space. The amended Land Use Map, as shown by Exhibit "O", shall be inserted into the certified Land Use Plan as Map 1.4.

AND, BE IT FURTHER RESOLVED, that the provisions of this Resolution do not apply to applications for development that have been deemed complete before the effective date of the amendments; and

AND, BE IT FURTHER RESOLVED, that the San Mateo County Board of Supervisors direct staff to resubmit the updated version of the Local Coastal Program (LCP) amendments as individual amendments to the Coastal Commission for certifica-

tion of conformity with the California Coastal Act. The LCP amendments submitted to the Coastal Commission shall include the Land Use Plan changes that are a part of this Resolution, and concurrently approved Zoning/Ordinance Code amendments; and

AND, BE IT FURTHER RESOLVED, that the Local Coastal Program amendments shall not have the force of law until thirty (30) days after the California Coastal Commission has certified them, without modification, as conforming with the California Coastal Act.

* * * * * *

EXHIBIT "A"

Insert the following tables and text within Chapter 1 of the LCP Land Use Plan before Table 1.2

TABLE 1

Original Buildout Estimate (1980)

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	(447)	-----	-----	-----	(1,184)	-----
TOTAL	5,635	16,575	-----	-----	13,650 – 14,650	35,000 – 36,500

Updated Buildout Estimate (2006)

R-1 Zoning District	4,804 units
R-3 Zoning District	443 units
R-3-A Zoning District	513 units
RM-CZ and PAD Zoning Districts	160 units
C-1 and CCR Zoning Districts	99-495 units
Second Units	466 units
Caretaker's Quarters	45 units
Pillar Ridge Manufactured Home Community	227 units
TOTAL	6,757-7,153 units

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 9 of 83

The above 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 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 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 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.

Insert new Policy 1.18.1 between existing Policies 1.18 and 1.19

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

No permit for development in the urban area shall be approved unless it can be demonstrated that it will be served with adequate water supplies and wastewater treatment facilities, consistent with the subsections below:

a. Development that relies upon municipal water and wastewater treatment systems shall not be approved, except as provided in the subsections below, if there is: (a) insufficient water and wastewater public works capacity within the system to serve the development given the already outstanding commitments by the service provider or (b) evidence that the entity providing the service cannot provide such service for the development.

b. Development that relies upon municipal water and is located within the Coastside County Water District service area shall not be approved unless the allocation of CCWD water to the projects is consistent with the Coastal Development Permit for the El Granada Pipeline Project (Coastal Commission CDP A-2-SMC-99-063; A-1-HMB-99-020) as amended.

c. New public water connections in the Montara Water and Sanitary District water service area will be allowed 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 as amended.

d. Approval of any new private wells within the urban/rural boundary and the Montara Water and Sanitary District (MWSD) water service area shall be limited to five per year for three years of the effective date of this policy (i.e., on [*insert date*]), or until MWSD obtains the necessary

approvals from the California Coastal Commission to provide water service to vacant properties, whichever comes first.

e. Approval of any new private well or development that relies on a new private well may only be considered if a connection to the public water supply is not available. In such instances, the applicant for the development must obtain a coastal development permit (CDP) for a test well, and document compliance with all Environmental Health standards and requirements for the proposed use of the well, prior to submitting a CDP application for the development. The CDP application for the development shall include a report prepared by a California Registered Geologist or Registered Civil Engineer which demonstrates, to the satisfaction of the Environmental Health Director and the Community Development Director, that:

   i. The yield of the well meets the Standards for Adequate Water as described in the County Well Ordinance and will be adequate to meet the needs of the development for the design life of the development;

   ii. The water quality meets safe drinking water standards, or will meet such standards with treatment;

   iii. The well will be sited, designed, and operated in a manner that avoids contamination from any potential pollutant sources; and

   iv. Operation of the well will at the level contemplated for the development avoids individual or cumulative adverse impacts to other wells, or to biological resources including streams, riparian habitats, and wetlands.

   The approval of any development that relies on a private well shall be conditioned to require recordation of a Deed Restriction, to the satisfaction of County Counsel and the Planning and Building Department, prior to the issuance of building permits, that requires the applicant and any successor in interest to abandon the well consistent with Environmental Health requirements and connect to the public water system within 90 days of the date on which a connection becomes available, availability being determined in the reasonable judgment of the Community Development Director. Except as limited above, private wells shall not be prohibited or required to be abandoned if the applicable water district has the authority to issue new connections but refuses or is unable to provide water service.

f. If a public water supply is available, major remodels or expansions of existing development, or new development on vacant lots, served by

private wells constructed after September 12, 1989 are not permitted unless the project will connect to the public water system and abandon the well. For purposes of this policy, major remodels or expansions include all projects where new construction has a value equal or greater to 50% of the value of the existing structure.

g. New private septic systems shall be prohibited within the urban/rural boundary of the Midcoast unless: (1) there is no public sewer hookup available; and (2) system complies with all the requirements for individual septic disposal systems; and (3) the system is approved by San Mateo County Environmental Health and other applicable authorities.

h. Lack of adequate water supplies and wastewater facilities, as defined above, shall be grounds for denial of the development applications.

EXHIBIT "B"

MAP 1.3

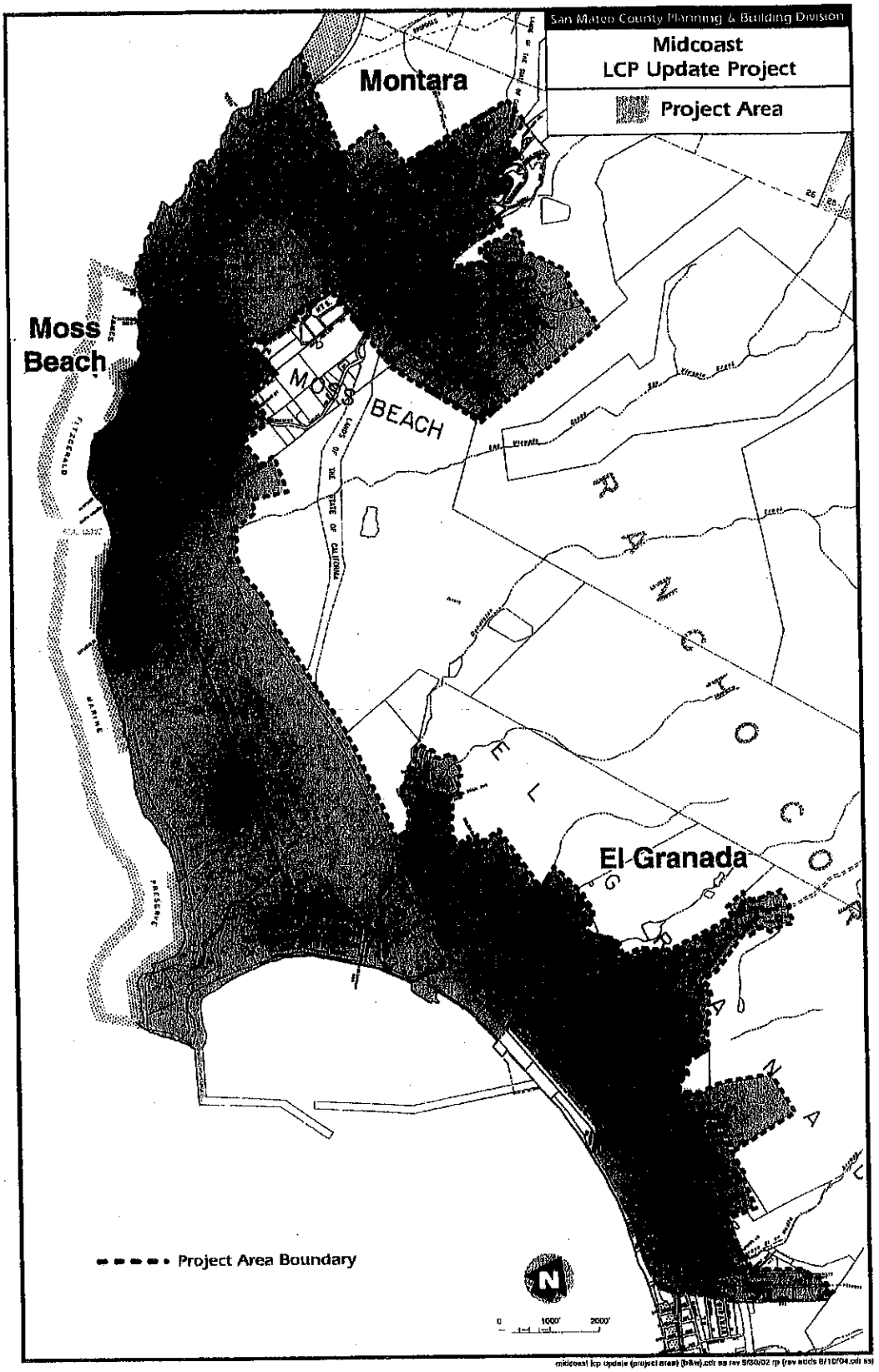


Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 13 of 83

EXHIBIT "C"

TABLE 2.3

Delete existing Table 2.3 and replace it with the following new Table 2.3 and associated discussion.

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 approximately 85 gallons per day (gpd) per person. The sewage treatment demand for Midcoast non-residential uses is estimated as follows:

Non-Residential Use

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

Residential Use

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

R-1 zoned areas	4,804 units
R-3 zoned areas	443 units
R-3-A zoned areas	513 units
C-1 and CCR Zoning Districts	99-495 units
Second Units	466 units
Caretaker's Quarters	45 units
Pillar Ridge Manufactured Home Community	227 units
TOTAL	**6,597-6,993 units***

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

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 15 of 83

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 (85 gpd), 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:

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

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:

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

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 1.96 million gallons per day.

TABLE 2.4

Revise the notes to existing Table 2.4 and add Section 2.4b.

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 Factor[1]	Sewage Generation (GPD)
EL GRANADA-PRINCETON				
RESIDENTIAL[2]				
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)		
COMMERCIAL[3]				
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)
INDUSTRIAL				
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	--	--		--

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 17 of 83

ESSENTIAL PUBLIC SERVICES[10]				
Essential Public Services	--	--		5,125
PUBLIC RECREATION				
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]				
RESIDENTIAL[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
COMMERCIAL				
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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 19 of 83

EXHIBIT "D"

TABLE 2.9

Delete existing Table 2.9 and replace it with the following new Table 2.9 and associated discussion.

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 (gpd) per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

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

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 gpd), 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 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:

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

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:

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

Combined Residential and Non-Residential Demand at Buildout

Taking into account 14% of system losses, 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 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 1.96 million gallons per day.

TABLE 2.10

Delete existing Table 2.10 and replace it with the following new Table 2.10 and associated discussion.

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 (gpd) per person. Peak day consumption is generally 1.8 x annual average water consumption.

Non-residential water consumption is estimated as follows:

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

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 gpd), 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:

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 22 of 83

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

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

Combined Residential and Non-Residential Demand at Buildout

Taking into account 9.5% of system losses, 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 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 2.44 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, reserve capacity adequate to allow priority land uses to develop to the buildout allowed by the LCP.

c. Allow public agencies and utilities to reallocate capacity to non-priority land uses only through an LCP amendment. Applications for an 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, in writing, that the remaining reserved capacity will be adequate to serve the remaining priority land uses.

d. Allow Coastside County Water District and Montara Water and Sanitary District to allocate priority capacity in accordance with Table 2.17 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, following consultation with the Director of Environmental Health and the General Manager of the 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 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;

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 24 of 83

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

TABLE 2.17

AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES[1] MONTARA WATER AND SEWER DISTRICT (MONTARA/MOSS BEACH)

ALLOCATION OF RESERVED CAPACITY TO PRIORITY LAND USES	PHASE I		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
Coastal Act Priorities				
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		10,000
Essential Public Services[2]				5,000
Local Coastal Program Priorities				
Specific Developments on Designated Sites Containing Affordable Housing (1) North Moss Beach Site (11 acres)	148	64,380	148	35,816 to 51,504
Other Affordable Housing			20	5,000
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		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
Coastal Act Priorities				
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		220,000
Essential Public Services[2]		7,700		14,135
Local Coastal Program Priorities[4]				
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
Other Affordable Housing[5]			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		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:

1. Capacity shall be reserved for additional priority land use development when service provider develops new supplies to serve new connections on vacant lands. Does not include existing, developed priority land uses at time of LCP adoption.
2. 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 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)
3. In order to qualify for priority, historic structures must meet the criteria contained under LCP Policy 2.37c(b).
4. Where development of new public water facilities can accommodate only a limited amount of new connections on vacant land, adequate capacity for Coastal Act priority uses shall be reserved before reserving capacity for Local Coastal Program priority uses.
5. Affordable means as defined by Section 6102.48.6 of the certified zoning regulations, and subject to income and cost/rent restrictions for the life of the development.

EXHIBIT "F"

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 are not overburdened by rapid residential growth, limit the maximum number of new dwelling units built in the urban Midcoast to 40 units each calendar year until:

   i. A comprehensive transportation management plan, as described in Policy 2.57.2, is incorporated into the LCP;

   ii. Facilities to adequately contain stormwater infiltration and inflow that exceed the existing Intertie Pipeline System (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 two-family dwelling, each new unit in a multiple-family residential development, each new unit in mixed-use development, each new caretaker quarter, each new affordable housing unit, and each new second dwelling unit as further defined in 'd'.

c. The number of each dwelling units built each year means that the 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.

d. If the number of issued building permits for any given year has reached the 40-unit maximum, building permits for affordable housing, including second dwelling units, may still be issued under the following circumstances: (1) the units are "affordable" as defined by Section 6102.48.6 of the certified zoning regulations and subject to income and cost/rent restrictions for the life of the development; and (2) the growth rate average over the three-year period, that includes the year of building permit issuance and the following two years, does not exceed 40 units/year.

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 units may only be approved if the proposed development can be found consistent with all applicable policies of the certified LCP.

EXHIBIT "G"

2.57.1 Traffic Mitigation for all Development in the Urban Midcoast

In the urban Midcoast, require applicants for new development, as defined in Section 30106 of the Coastal Act, that generates any net increase in vehicle trips on Highways 1 and/or 92, except for a single-family dwelling, a second dwelling unit, or a two-family dwelling, to develop and implement a traffic impact analysis and mitigation plan (TIMP). Prior to the approval of any coastal development permit (CDP) 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), 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 must be able to make the finding that the proposed mitigation measures are adequate to offset new vehicle trips generated by the project to the 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 Midcoast 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 Highways 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.

2.57.2 Transportation Management Plan

Develop a comprehensive transportation management plan to address the cumulative traffic impacts of residential development, including single-family, two-family, multi-family, and second dwelling units, on roads and highways in the entire Midcoast, including the City of Half Moon Bay. The Plan shall be based on the results of an analysis 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 new residential development on Highway 1, Highway 92, and relevant local streets, during commuter peak periods and peak recreation periods; and policies for new residential development to mitigate for residential development's significant adverse cumulative impacts on public access to the beaches of the Midcoast 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, and development of a mandatory lot merger program.

EXHIBIT "H"

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 bicycles and emergency vehicles and signals at major intersections.

b. On Route 1, limit 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 (3) 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.

EXHIBIT "I"

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) Countywide:

California Coastal Trail, connecting Thorton Beach to Año Nuevo State Reserve.

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

(a) Montara Mountain Trail connecting 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.

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

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

(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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 33 of 83

(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.

(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.

11.27 Improvement, Expansion and Maintenance of Public Recreation

a. Continue to provide for the improvement, expansion and maintenance of the Fitzgerald Marine Reserve, 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.

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.

d. Undertake the development and maintenance of LCP proposed trails, with reimbursement for these activities by the State of California to the greatest extent possible.

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 Department. 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.

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

EXHIBIT "J"

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 Bikeways Plan (CCAG). When the tunnel is completed behind Devil's Slide, assure that CalTrans provides for a multi-use bicycle and pedestrian trail and connections consistent with Policy 10.37.1 and in accordance with the coastal development permit for the tunnel project.

b. Consistent with San Mateo County Coastal Development Permit No. PLN 2003-00428, 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 California Coastal Trail (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 and in accordance with the operations plan developed by the County and CalTrans in consultation with the Devil's Slide Access Task Force. 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. In the event of a catastrophic failure of this public trail which renders all or part of it, in the judgment of the agency or organization which then has operational responsibility for it, unusable, un-repairable or un-maintainable, and such agency or organization further determines that repairs to restore the access to the pre-failure condition would not be feasible, that agency or organization shall not be required to return the access to its pre-failure condition. The agencies or organizations that own the land and has operational responsibility for the trail shall immediately apply for a separate coastal development permit to modify the nature, extent, and operational parameters of the coastal access in a manner consistent with the requirements of the Coastal Act, and the San Mateo County Local Coastal Program.

c. 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 35 of 83

d. Require, at a minimum, and consistent with AB 1396, that CalTrans protect and make available adequate right-of-way 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) and the California Coastal Trail (CCT) Plan.

e. 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 as part of the overall CCT system.

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, as part of any new or improved roadway project other than repair and maintenance of existing facilities and consistent with AB 1396, require that CalTrans incorporate the following provisions (the size and scope of which will be commensurate with the size and scope of the proposed roadway project):

(1) A link within the vicinity of the project area necessary to facilitate a continuous Midcoast pedestrian/bicycle/multi-purpose path (or a system of single mode paths) parallel to Highway 1; 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; or

(3) Completion of any CCT segment gap that is in the vicinity of the new or improved roadway project; or

(4) Provide funding necessary to complete any of the above actions; or

(5) Any combination of the above.

h. Ensure that no roadway repair or maintenance project blocks or damages any existing or formally planned public trail segment or, if such an impact is not avoidable, that an equal or better trail connection is provided in

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 36 of 83

conjunction with that repair and maintenance project either directly by CalTrans or through CalTrans' funding to a third party.

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) 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 feasible alternative; (4) minimize the number of new road or driveway connections to Routes 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.

11.26 Requirements for Trails and Recreational Development

a. Require the dedication by public agencies of trail easements along the routes of 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 LCP Trails Program trails, including the California Coastal 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 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) Plan (Policy 10.37.1) and within the right-of-way when no other preferable CCT alignment is available.

d. Through coordination with CalTrans, promote the development of a continuous Midcoast pedestrian/bicycle/multi-purpose path parallel to Highway 1.

e. Through coordination with CalTrans, promote the development of 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.

f. As part of any new or improved roadway project other than repair and maintenance of existing facilities and consistent with AB 1396, require that CalTrans incorporate the following provisions (the size and scope of which will be commensurate with the size and scope of the proposed roadway project):

(1) A continuous Midcoast pedestrian/bicycle/multi-purpose path (or a system of single mode paths) parallel to Highway 1, 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 Recreation Needs Assessment – Map 3.

g. 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. 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.

EXHIBIT "K"

3.11 Protection of the Pillar Ridge Manufactured Home Community

Designate the existing Pillar Ridge Manufactured Home Community as an affordable housing site. Prohibit the demolition or displacement of this manufactured home community.

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, as defined by Section 6102.48.5 of the Zoning Regulations and 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 2.17, and to the extent the water service provider has reserved the water supply capacity pursuant to an approved coastal development permit or a public works plan.

b. 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 40 of 83

EXHIBIT "L"

1.35 All new land use development and activities shall protect coastal water quality among other ways by:

a. Implementing appropriate site design and source control best management practices (BMPs). Site design BMPs are land use or site planning practices that aim to prevent runoff pollution by reducing the potential soil erosion or contact of runoff with pollutants. Source control BMPs are structural or non-structural practices that minimize the contact between pollutants and runoff.

b. Implementing treatment BMPs along with site design and source control BMPs when the combination of site design and source control BMPs is not sufficient to protect water quality as required by the LCP, or when required by the Regional Board per municipal permit provisions. Treatment BMPs are practices designed to remove pollutants and/or solids from polluted stormwater runoff. Projects that drain directly to a sensitive habitat shall implement post construction structural treatment BMPs.

c. Where treatment BMPs are required, the BMPs (or suites of BMPs) shall be designed and implemented to remove pollutants from 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.

d. Using multi-benefit, natural feature, stormwater treatment systems, such as landscape-based bioretention systems, bioswales and green roofs, where feasible, in place of single purpose treatment BMPs.

e. Minimizing the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers, streams, and lakes).

f. Minimizing the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible maximizing on-site infiltration of runoff.

g. Preserving, and where possible, creating or restoring areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones.

h. Limiting disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 41 of 83

i. Avoiding development of areas that are particularly susceptible to erosion and sediment loss, where feasible and where not feasible incorporate appropriate BMPs to minimize erosion and sediment loss.

j. In projects where the combined amounts of impervious surface created and replaced total one acre or more (or smaller areas where required by Regional Board), implementing hydromodification requirements as further detailed in Appendix A. Developments that are exempt from this requirement are stipulated in NPDES Permit No. CAS612008, Order No. R2-2009-0074, issued October 14, 2009, except for single-family residences that drain directly to sensitive habitats.

k. Implementing the minimum stormwater pollution prevention requirements contained in Appendix A.

APPENDIX A

MINIMUM STORMWATER POLLUTION PREVENTION 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 43 of 83

b. Protect sensitive areas, minimize changes to the natural topography, and avoid removing existing vegetation unless absolutely necessary. If existing vegetation consists of invasive plant species, this vegetation shall be removed and replaced with drought tolerant native or non-invasive species by the conclusion of construction.

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. All landscaping plants shall be drought tolerant, and consist of either native or non-invasive species.

g. Prevent erosion and trap sedimentation on-site 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 Storm-water General Permit from the San Francisco Bay Area Regional Water Quality Control Board.

m. Require post-development peak flow (runoff) and velocity to be less than or equal to pre-development peak flow and velocity. No additional runoff, caused by development, shall cross property lines. If the development will connect to an existing storm drain system, then the development shall make improvements to the existing system as required 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.

3. Developments of Special Concern

In addition to the requirements listed in 1. and 2. above, developments with land use activities that have a high potential for generating pollutants shall incorporate BMPs to address the particular pollutants of concern, including but not limited to the following requirements:

a. Development of parking lots shall incorporate BMPs to minimize runoff of oil, grease, car battery acid, coolant, gasoline, sediments, trash, and other pollutants to receiving waters.

b. Development of commercial facilities shall incorporate BMPs to minimize polluted runoff from structures, landscaping consisting of drought tolerant and either native or non-invasive plant species, parking areas, repair and maintenance areas, loading/unloading areas, and vehicle/equipment wash areas.

c. Development of automotive service stations, gasoline outlets, car washes, and vehicle repair facilities shall 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. Development of restaurants shall incorporate BMPs to minimize runoff of oil, grease, solvents, phosphates, suspended solids, and other pollutants.

e. Outdoor material storage areas shall 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. Roof or awning covers over trash storage areas shall be required in order to minimize off-site transport of trash and other pollutants.

g. Development of beachfront and waterfront structures and uses shall incorporate BMPs to minimize polluted runoff to beach and coastal waters.

h. Confined animal facilities, stables and similar animal keeping operations shall 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. On-site sewage treatment systems (septic systems) shall be sited, designed, installed, operated, and maintained to avoid contributing nutrients and pathogens to groundwater and/or surface waters.

j. On-site sewage treatment systems (septic systems) shall 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. New development with conventional or alternative on-site sewage treatment systems shall include protective setbacks from surface waters, wetlands and floodplains, as well as appropriate separation distances between on-site sewage treatment system components, building components, property lines, and groundwater as required by the Regional Board. Under no conditions shall the bottom of the effluent dispersal system be within five feet of groundwater.

4. Hydromodification Requirements

Development shall implement the hydromodification requirements stipulated in LUP Policy 1.35.j by use of on-site control measures, regional control measures, or in-stream measures, as required by the Regional Board NPDES Permit No. CAS612008, Order No. R2-2009-0074, issued October 14, 2009. Stormwater discharges from new development and redevelopment projects 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.

EXHIBIT "M"

10.37.1 California Coastal Trail (CCT)

a. Definition: The California Coastal Trail (CCT) is a continuous interconnected public trail system along the California coastline. It is designed to foster appreciation and stewardship of the scenic and natural resources of the coast and serves to implement aspects of Coastal Act policies promoting non-motorized transportation. The Trail system is to be located on a variety of terrains, including the beach, bluff edge, hillsides providing scenic vantage points, and within the highway right-of-way. It may take many forms, including informal footpaths, paved sidewalks, and separated bicycle paths. When no other alternative exists, it sometimes connects along the shoulder of the road. While primarily for pedestrians, the Trail also accommodates a variety of additional user groups, such as bicyclists, wheelchair users, equestrians, and others as opportunities allow. The CCT consists of one or more parallel alignments.

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

(1) The County shall take the lead responsibility and will consult with the National Park Service, the State Department of Parks and 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.

(3) Existing segments of the CCT within County jurisdiction include at least the following:

(a) Former Highway 1 at Devil's Slide, once formally relinquished by CalTrans and opened as a public trail

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 47 of 83

(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

(4) It is intended that the CCT system shall be designed and implemented to achieve the following goals and 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 the trail has connections to trailheads, parking areas, interpretive kiosks, inland trail segments, etc., at reasonable intervals;

(e) Maximize ocean views and scenic coastal vistas;

(f) Provide an educational experience where feasible through interpretive facilities.

(5) 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 may need to be incorporated into water-crossing structures and that may need to 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, except for those specific strands of the trail system that are specifically designed to service commuter needs and safely provide for the shortest distance between destination points. Providing such a commuter-purpose strand of the CCT does not replace the remaining need to provide a recreational strand of the CCT as close to the shoreline as possible. 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.

(6) 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.

(7) 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.

(8) CCT Support Facilities:

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

(9) 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, including updated Shoreline Destination/Access Maps.

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

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 50 of 83

(10) Inclusion of the CCT in LCP:

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.

10.41 Major Shoreline Access Provider

Encourage the State Department of Parks and Recreation to continue assuming a major role 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, 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 51 of 83

(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 10.37.1 and as included in Regional Transportation Plans as identified in Policy 11.32.

(2) Implement the Regional Local Coastal Program trails 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; (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.

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.

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.

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.

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. 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.

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

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 the State Department of Parks and Recreation to develop and maintain segments of the California Coastal Trail on State-owned property, 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 develop the California Coastal Trail.

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.

11.32 Encourage Transportation Authority and Metropolitan Transportation Commission

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.

11.33 Use of CalTrans' Devil's Slide Bypass Alignment within Montara

a. A Linear Park and Trail Plan (LPTP) Overlay is applied over the original Devil's Slide Bypass Alignment, also known as the "Adopted Alignment," between the National Park Service – Golden Gate National Recreation Area property known as Rancho Del Tierra and Highway 1, including the Peninsula Open Space Trust (POST) ownership south and east of Sunshine Valley Road. (The "Adopted Alignment" right-of-way area is also called out as the Midcoast Foothills Trail in the 2001 County Parks

Plan.) The LPTP Overlay requires the preparation of a Specific Plan for all properties currently within the "Adopted Alignment."

b. Except for park, open space, trail or habitat protection and restoration purposes, the County shall not permit any requests for subdivisions, lot line adjustments, conditional or unconditional certificates of compliance, or coastal development permits within the "Adopted Alignment" area until the LPTP Overlay Specific Plan is adopted by the County and effectively certified by the Coastal Commission through an LCP Amendment. The underlying zoning remains RM-CZ, R-1/S-17 and PAD within the LPTP Overlay area until such a Specific Plan is effectively certified by the Commission. Notwithstanding the provisions of any R-1 categorical exclusions, all overlay provisions will apply to the "Adopted Alignment" area. Further, until such time that a Specific Plan is effectively certified by the Coastal Commission, all uses within the LPTP Overlay area will be treated as conditional uses, except that linear park uses shall be considered the principally permitted use for purposes under the Coastal Act. Any proposed transfer of title to State Department of Transportation ("Department") property within the adopted alignment will proceed after the Department, County and Commission jointly determine that there is no conflict with the proposed LPTP Overlay Specific Plan as specified below.

c. The County will work with CalTrans and other affected agencies in a manner consistent with applicable State and Federal laws and regulations to complete a LPTP Overlay Specific Plan for the Devil's Slide Bypass "Adopted Alignment." The County, CalTrans and other affected agencies shall collectively provide whatever information they have readily available to complete the requirements of the Specific Plan described below and shall collectively seek whatever additional effort or resources may be necessary to complete the plan as soon as feasible. The LPTP Overlay Specific Plan shall include a text and a diagram or diagrams which specify all of the following:

(1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and/or utilization of natural resources, consistent with provisions 11.33 (d) and (e) below.

(4) A program of implementation measures including regulations, zoning changes, potential reversion of categorical exclusions, and other programs to carry out the Specific Plan.

(5) The Specific Plan shall include a statement describing the relationship of the Specific Plan to the LCP and General Plan.

d. In order to meet the requirements set forth in this section, the Specific Plan shall provide for:

(1) 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 through the potential designation of a Linear Park and Trail;

(2) 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;

(3) Suitable trailhead parking and scenic viewing areas;

(4) Connections to other trail systems, public transit, and community facilities;

(5) Existing and/or designated but underdeveloped roads and access easements that will be retained, realigned, consolidated or retired (generally, all plated but unnecessary, roads will be retired), particularly for resource protection and hazard avoidance purposes, and actions that the County will undertake to implement the desired road configurations and crossings, ensuring, if required by State law, that there is no loss of ingress and/or egress from private property to a public street that existed or which was designated but underdeveloped prior to or after CalTrans acquisition of the parcels for the Bypass project;

(6) 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 LPTP Over-

lay Specific Plan. 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/passage.

(7) Sites with potential prescriptive access rights and 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;

(8) Sites suitable for future CalTrans' potential mitigation needs, particularly for public access and public access banking, agriculture, wetlands, and other environmentally sensitive habitats as well as reservation of necessary access to those selected sites;

(9) Lots that were bisected by the highway right-of-way 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;

(10) Adequate right-of-way space along and across the existing County roads traversing the Adopted Alignment right-of-way is reserved for safe crossing and visual resource protection of the future hiking and biking trails within the Linear Park; and

(11) 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 57 of 83

e. As necessary, the Specific Plan shall authorize mixtures of lot merger, permissible land uses and site layout and structural design to provide maximum resource and open space protection and provision of maximum public access. Once effectively certified through an LCP Amendment, the Specific Plan becomes part of the Implementing Ordinances and governs development in the area. Where there is a conflict between the policies set forth in the Specific Plan and any other policies of the LUP, the Specific Plan shall take precedence.

EXHIBIT "N"

1.5b Permit in urban areas land uses designated on the LCP Land Use Plan Map 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 LCP Land Use Plan Map, 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 LCP Land Use Plan Map, 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 Map, 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 Map 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 Map 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 Map.

1.20 Lot Consolidation

According to the densities shown on the LCP Land Use Plan Map, 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, 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.

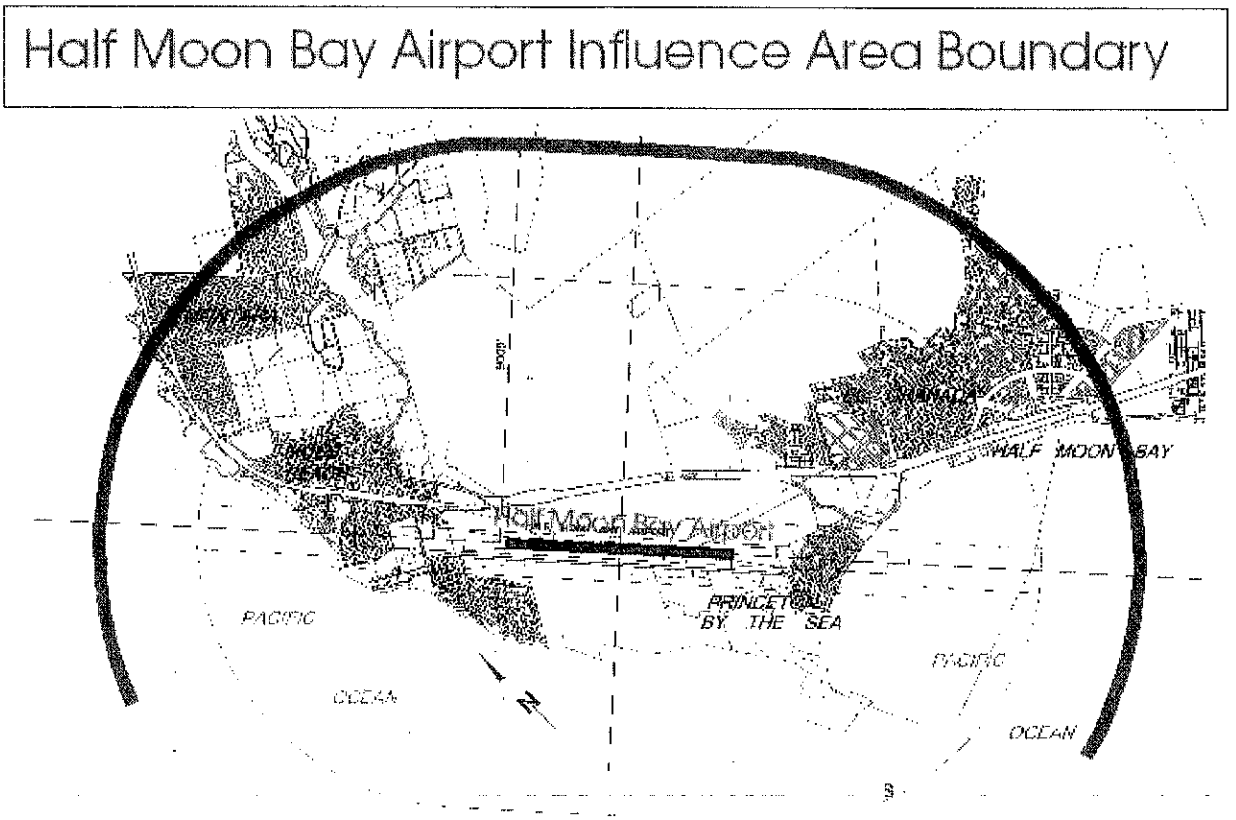
1.36 Half Moon Bay Airport Influence Area Requirements

Within the Half Moon Bay Airport Influence Area, as shown on Map 1.5, the following shall apply:

a. New development and land uses must comply with all relevant Federal Aviation Administration (FAA) standards and criteria regarding (1) safety, (2) flashing lights, (3) reflective material, (4) land uses which may attract large concentrations of birds, (5) HVAC exhaust fans, and (6) land uses which may generate electrical or electronic interference with aircraft communications and/or instrumentation.

b. All transfers of real property must comply with the real estate disclosure requirements specified in Chapter 496, California Statutes of 2002.

Insert the following map of the Half Moon Bay Airport Influence Area Boundary as Map 1.5.



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. In accordance with Policies 2.12, 2.18, 2.27, 2.32, and 2.48 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.

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 to serve vacant lands with new connections, reserve capacity adequate to allow priority land uses to develop in conjunction with the non-priority development that would be facilitated by the public works development.

c. Where development of new public works facilities can accommodate only a limited amount of new connections on vacant land, the service provider shall ensure that adequate capacity is reserved for Coastal Act priority uses before reserving capacity for Local Coastal Program priority uses shown on Tables 2.7 and 2.17.

d. Allow public agencies and utilities to reallocate capacity to non-priority land uses only through an amendment to the Coastal Development Permit, Public Works Plan, and/or LCP Amendment if applicable. Applications for a Coastal Development Permit, Public Works Plan, or 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, in writing, that the remaining reserved capacity will be adequate to serve the remaining priority land uses.

e. Allow Coastside County Water District and Montara Water and Sanitary District to allocate priority capacity in accordance with Table 2.17 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, following consultation with the Director of Environmental Health and the General Manager of the 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 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 serving water district shall provide notices to the County Planning Department and the Coastal Commission of all failed wells applications.

Policies 2.9, 2.10, and 2.11 deleted and subsequent policies renumbered.

2.12 Timing for New or Expanded Public Works Facilities

a. The amount of new or expanded capacity shall be determined 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) Considering the availability of funds; and

(4) Considering available information from the Transportation Management Plan required by Policy 2.57.2.

b. Require every new public works facility or 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 when and how much to increase the capacity of all public works facilities.

2.15.1 Expansion of Special Districts

Allow the formation or expansion of special districts only where assessment for, and provision of, the service would not induce new development inconsistent with the Coastal Act or with the certified LCP.

Policies 2.16 and 2.17 deleted and subsequent policies renumbered.

2.18 New and Expanded Sewage Treatment and Distribution Capacity

a. Allow new or expanded sewage treatment and distribution capacity to serve new development only when existing capacity has been consumed or will be consumed within the time period required to construct additional sewage treatment capacity, and only when capacity increases would not overburden the existing and probable future capacity of other public works facilities.

b. Projects to increase sewage collection, transmission, and storage capacity in order to prevent wet weather overflows only, are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the projects do not: (1) induce growth; or (2) 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.

c. Projects to upgrade the SAM treatment plant from secondary to tertiary treatment to produce recycled water are permitted notwithstanding

traffic conditions on Highways 1 and 92 provided that the recycled water project does not: (1) induce growth inconsistent with the LCP; (2) provide potable water connections to new non-priority development; or (3) increase the total number of non-priority connections made available by either the El Granada Pipeline Project (Coastal Commission CDP A-2-SMC-99-063; A-1-HMB-99-020) or the Montara Water and Sanitary District MWSD Public Works Plan (Coastal Commission PWP No. 2-06-006). Recycled water projects that would provide new potable water connections to new commercial, residential, or industrial development are subject to subsection (a), Policy 2.27, and all other applicable policies of the LCP.

d. 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, collection, and transmission capacity is available and allocations are reserved for Coastal Act priority uses.

(3) 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.

(4) The project shall minimize the use of energy.

Policy 2.19 deleted and subsequent policies renumbered.

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.

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

2.22 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 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 consistent with LUP Policy 2.18(c).

c. Redraw the boundaries of the sewer districts to correspond to all lands inside the urban/rural boundary and the boundary of rural residential areas.

2.23 Montara Treatment Plant

a. Allow Montara Water and Sanitary District to use the old Montara Treatment Plant for wet weather storage, a pump station and to provide tertiary wastewater treatment to produce recycled water.

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.

2.24.1 Private Septic Systems

New private septic systems shall be prohibited within the urban/rural boundary of the Midcoast unless:

a. There is no public sewer hook up available;

b. The system complies with all the requirements for individual septic disposal systems; and

c. The system is approved by San Mateo County Environmental Health and other applicable authorities.

Policy 2.25 deleted and subsequent policies renumbered.

2.26 Water Use Monitoring

Require that the water service providers, presently Coastside County Water District (CCWD) and the 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.

2.27 New and Expanded Water Supply and Distribution Capacity

a. Allow new or expanded water supply, service connections, treatment, storage 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) after considering information from, or being used to create, the Transportation Management Plan required by Policy 2.57.2, if available.

b. Supplemental water supply projects to serve urban development served by private wells that exist as of [effective date of amendment] may be permitted notwithstanding traffic conditions on Highways 1 and 92 if existing non-priority capacity has been consumed. "Consumption of existing capacity" shall be defined as either water-serving district having no water connections available; or water district having no available water to serve existing connections.

c. Supplemental water supply projects to serve customers who purchased water connections before December 10, 2009 may be permitted notwithstanding traffic conditions on Highways 1 and 92, if existing capacity has been consumed and the project is a component of a comprehensive water management plan consistent with f.(5) below.

d. The capacity of water facilities may be sized for probable future service needs of new development notwithstanding the traffic conditions on Highways 1 and 92, if the project is conditioned to restrict the provision of connections to new development in a manner that does not overburden local roadways or other infrastructure systems.

e. Projects to upgrade the SAM treatment plant from secondary to tertiary treatment to produce recycled water are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the recycled water project does not: (1) induce growth; (2) provide potable water connections to new non-priority development; or (3) increase the total number of non-priority connections made available by either the El

Granada Pipeline Project (Coastal Commission CDP A-2-SMC-99-063; A-1-HMB-99-020) or the Montara Water and Sanitary District MWSD Public Works Plan (Coastal Commission PWP No. 2-06-006). Recycled water projects that would provide new water potable connections to new commercial, residential, or industrial development are subject to subsection (a), Policy 2.18, and all other applicable policies of the LCP.

f. 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 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.

(6) The project shall minimize the use of energy.

(7) The project shall be sited and designed to minimize impacts to visual resources and shall be consistent with all applicable policies of the LCP.

Replace existing Policy 2.28 with the following new policy:

2.28 Desalination

Definition: A desalination facility removes salts and minerals from seawater or groundwater to create potable water. A desalination facility does not include devices attached to existing wells or public water connections to remove minerals from an existing water source.

Desalination facilities must:

a. Provide public services within the urban area;

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 and greenhouse gas emission 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.

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 Table2.17. Amend this table to reflect all changes in the Land Use Plan which affect these land uses.

b. For each water supply public works development to serve vacant lands with new connections, reserve capacity adequate to allow priority land uses to develop in conjunction with the non-priority development that would be facilitated by the water supply public works development.

c. Where development of new public works facilities can accommodate only a limited amount of new connections on vacant land, adequate capacity for Coastal Act priority uses shall be reserved before reserving capacity for Local Coastal Program priority uses shown on Tables 2.7 and 2.17.

2.31 Conservation

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

2.32 Groundwater Proposal

Require, if new or increased well production is proposed to increase public water 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 72 of 83

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 such that it does not impact sensitive species and habitats including streams, riparian habitats and wetlands.

d. Base 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 the amount that may be pumped without 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 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.

Policy 2.35 deleted and subsequent policies renumbered.

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 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.

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 or facilitated by the road expansion project does not exceed the development levels that the existing and probable future 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.

2.49 Desired Level of Service

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.

2.52 Monitoring

a. Ensure that any data collected by transportation organizations, including CalTrans', of peak commuter periods and recreation peak periods is applied in decisions related to the adequacy of roadway capacity.

b. Monitor the number and rate of new residential construction particularly in the rural and urban Mid-Coast.

2.53 Road Expansion Capacity

Establish the capacity 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; (4) demonstrating that basic levels of public transit service have been met and the proposed improvement will not result in reduced public transit patronage; and (5) ensuring that State Highway 1 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.

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

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.

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) Elsewhere in the urban area, where affordable housing units specified in LCP Polices 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. 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, 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: 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. 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, 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 motorized machinery to be kept to less than 45-dBA at any riparian buffer zone boundary except for farm machinery and motorboats.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 76 of 83

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 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 (Thanmophis 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 (Graptholitha 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 neresis)

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 (Miroungo 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.

Exhibit No. 1
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
Resubmittal - Proposed LUP Amendments
Page 78 of 83

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.

EXHIBIT "O"

MAP 1.4

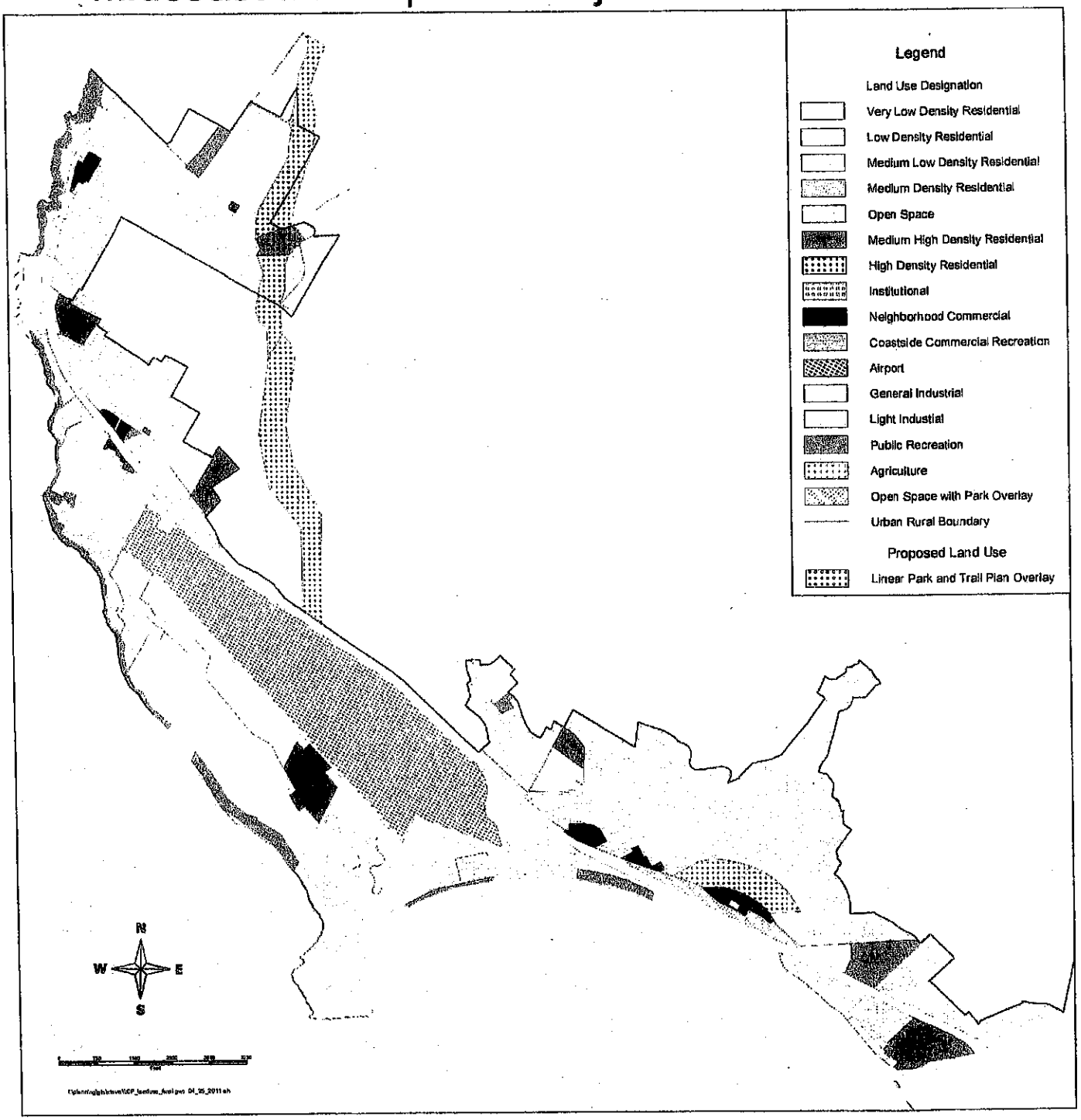
Insert new map as revised

EXHIBIT "O"

MAP 1.4

San Mateo County Planning & Building Department

Midcoast LCP Update Project -Land Use Plan



Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said resolution:

Supervisors: CAROLE GROOM

DON HORSLEY

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE

Absent Supervisors: NONE

ABSTAIN:

Supervisors: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04553
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. 068386, Exhibit G.

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 site) 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero
Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04554
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-parcel size) x 0.0002) x 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. 068386, Exhibit G.

SECTION 2. San Mateo County Ordinance Code, Division IV, Chapter 20, Section 6300.2.7 is hereby revised 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 revised 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04555
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 6300.9.11.110 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-parcel size) x 0.0002) x 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 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. 068386, Exhibit G.

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 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 6300.9.11.110 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04556
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:

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 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 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 zoning map of the Midcoast LCP Update Project Area as follows:

APPENDIX

MIDCOAST LCP UPDATE PROJECT AREA ZONING MAP

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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04557
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

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:

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

TABLE I									
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]

[1]See Section 6300.1 for precise lot area requirements in S-11 and S-12 Districts.

[2]See Section 6300.2 for precise requirements in the S-17 District.

[3]For buildings on land zoned C-1/S-3 located in the Midcoast LCP Update Project Area, as shown by the Midcoast Project Area Zoning Map included in San Mateo County Ordinance Code, Division IV, Chapter 15, Appendix, 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.

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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero
Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04558

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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04559
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

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 added 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-five percent (25%) 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.

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.

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 percent (35%) 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04560
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; AND (2) ADD SECTION 6277 TO ENACT WINTER GRADING CRITERIA FOR THE PROJECT AREA

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 in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15, 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 in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15, 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. 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04561

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * * *

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 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. 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. Temporary Urban Roadside Stands

Temporary structures in urban areas of portable 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

15. Public Parking for Surfer's Beach

16. Public Restrooms and Showers

17. Public Pedestrian Trails and Bicycle Trails

18. 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

Front Setback	Side Setback	Rear Setback
50 feet	20 feet	20 feet

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. All landscaping shall be drought-tolerant, and either native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California shall be employed. No plant species listed as "noxious weed" by the State of California or the U.S. Government shall be utilized within the property.

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 2.57.1 and 2.57.2.

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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04562

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

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 deemed complete; or

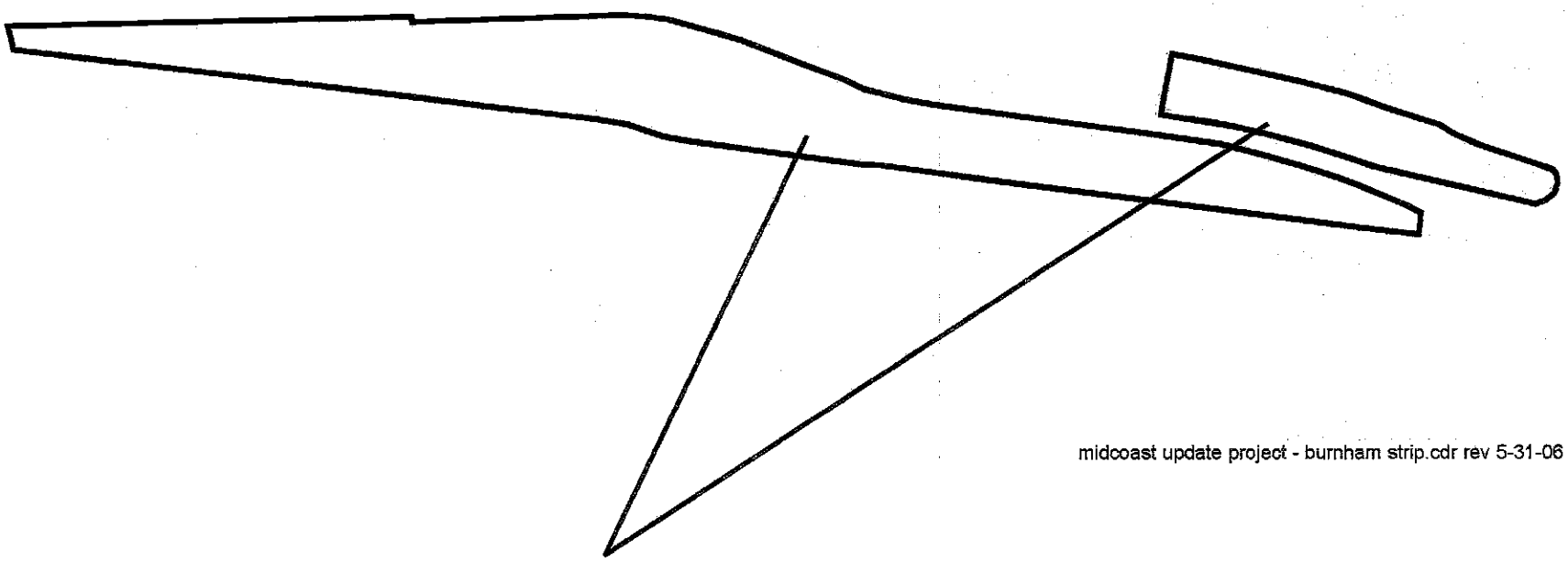
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or

3. A development agreement, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Exhibit "A"



midcoast update project - burnham strip.cdr rev 5-31-06 rp 05-05-11 ah

COSC/DR to EG/DR

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04563

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

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; AND (4) ADD SECTION 6362 TO ENACT WINTER GRADING CRITERIA FOR THE MIDCOAST PROJECT AREA

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 included in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15, 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:

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-parcel size) x 0.0002) x 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. 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04564

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; AND (4) ADD SECTION 6908E TO ESTABLISH WINTER GRADING CRITERIA FOR THE MIDCOAST PROJECT AREA

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 in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15, 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.

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-parcel size) x 0.0002) x 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.

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. 068386 (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 in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15, 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 map in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15, 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. 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04565
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

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 deemed complete; or

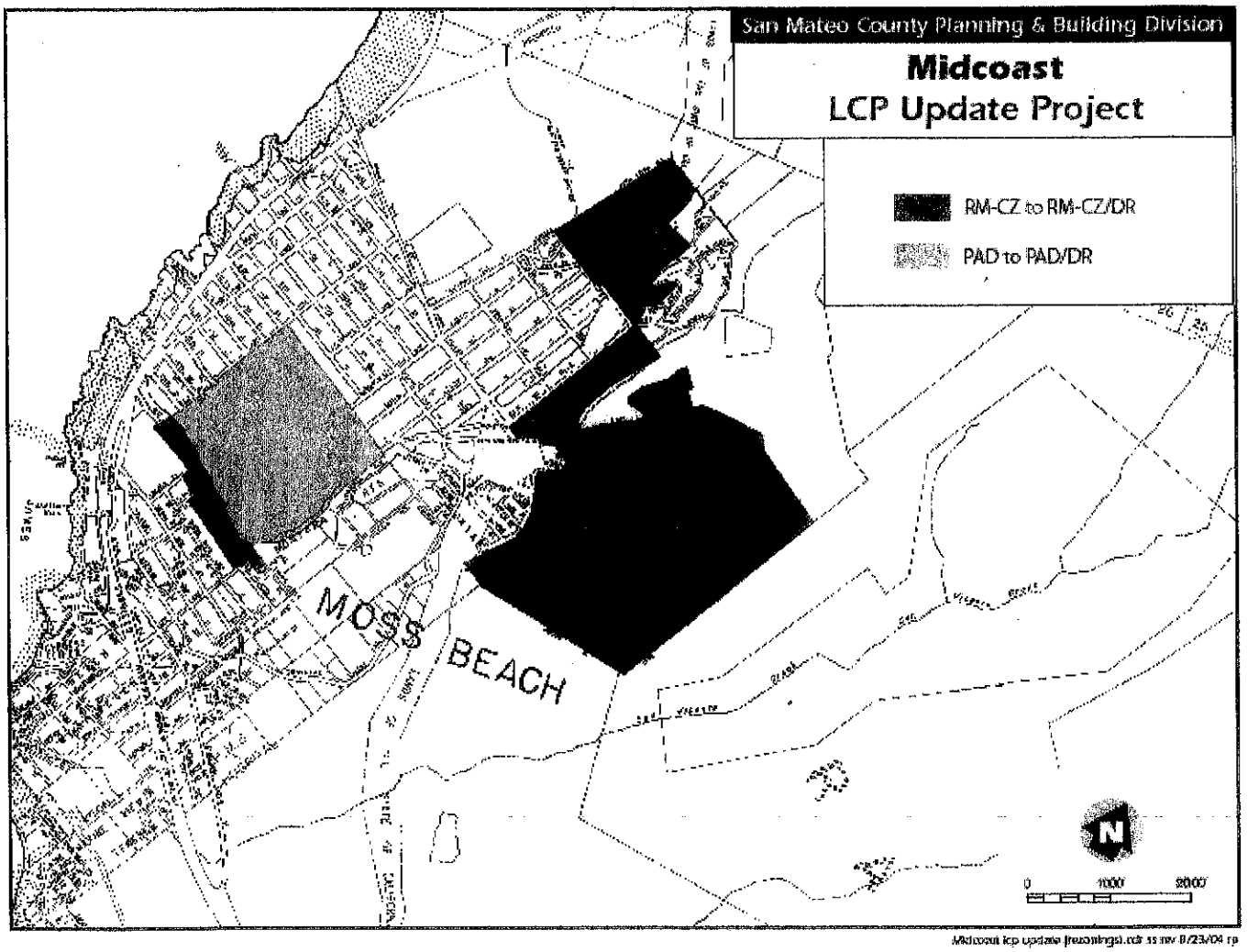
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or

3. A development agreement, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

EXHIBIT "A"


San Mateo County Planning & Building Division
Midcoast
LCP Update Project
RM-CZ to RM-CZ/DR
PAD to PAD/DR
MOSS BEACH
0
1000
2000

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

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; AND (3) ADD SECTION 6565.20(I) TO INCLUDE THE MIDCOAST DESIGN REVIEW GLOSSARY

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 (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 site 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. 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04567

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE CHAPTER 8, GRADING REGULATIONS TO REVISE SECTION 8605.6 TO INCLUDE WINTER GRADING CRITERIA FOR THE MIDCOAST LCP UPDATE PROJECT AREA

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 in the Appendix of San Mateo County Ordinance Code, Division IV, Chapter 15:

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. 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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero
Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04568

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 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

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. 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:

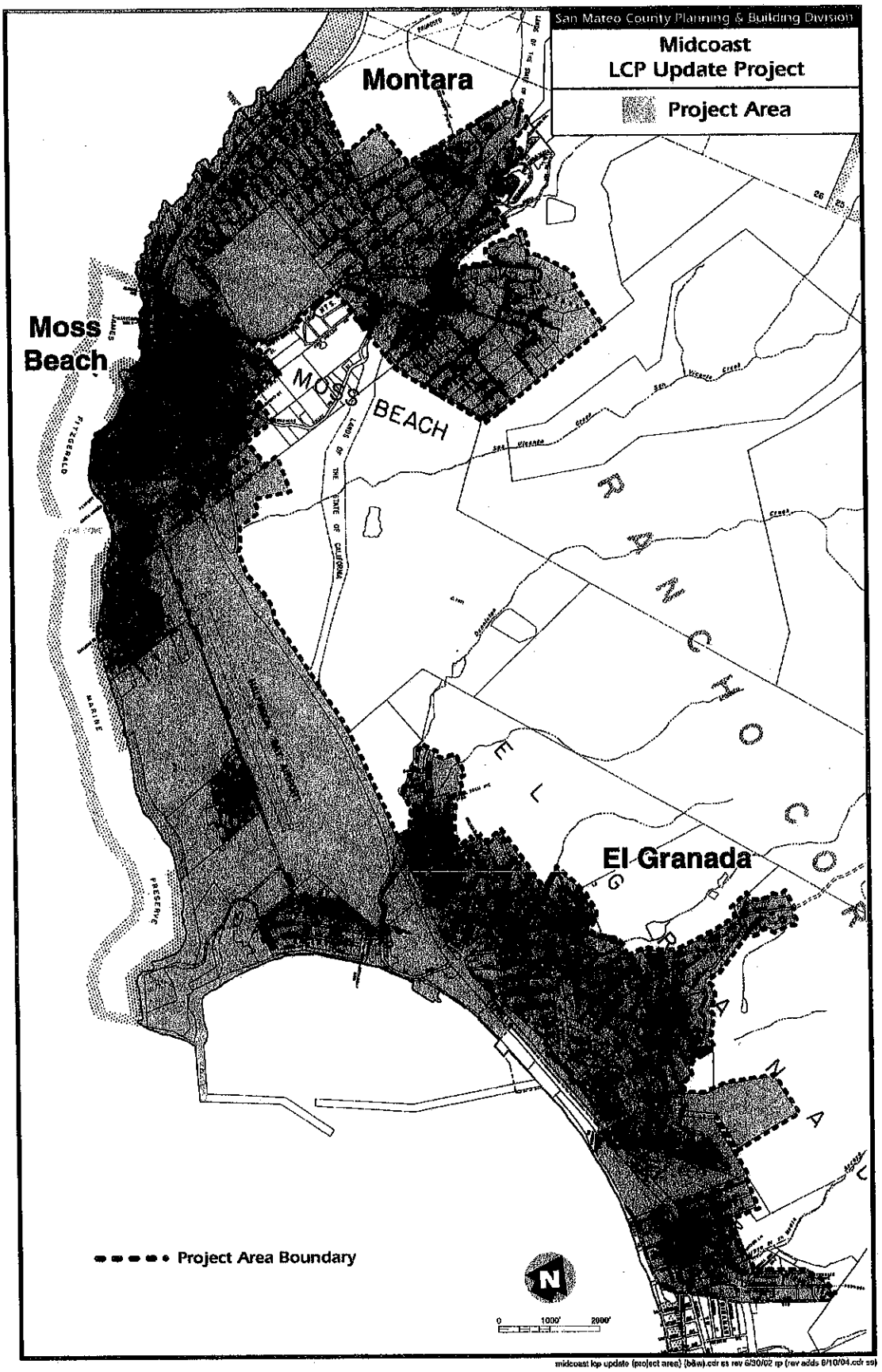
1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and deemed complete; or

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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *


San Mateo County Planning & Building Division
Midcoast
LCP Update Project
Project Area
Montara
Moss
Beach
MOSS BEACH
EL GRANADA
Project Area Boundary
N
0
1000'
2000'

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04569
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE SECTION 6115 (ZONING MAPS) TO ESTABLISH A LINEAR PARK AND TRAIL PLAN OVERLAY ON ALL PARCELS WITHIN THE DEVIL'S SLIDE BYPASS ALIGNMENT PROPERTY

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 establish a Linear Park and Trail Plan Overlay for that area shown within the boundaries on the attached map identified as Exhibit "A", including all areas of the Devil's Slide bypass alignment property between the National Park Service – Golden Gate National Recreational Area property known as Rancho Del Tierra and Highway 1, including the Peninsula Open Space Trust (POST) ownership south and east of Sunshine Valley Road.

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 deemed complete; 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, consistent with the provisions of the LCP then in effect, 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 being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero
Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ORDINANCE NO. 04570
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 1, GENERAL PROVISIONS, TO ADD SECTION 6102.49.05 TO DEFINE HYDROMODIFICATION

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 1, Section 6102.49.05 is hereby added to read as follows:

6102.49.05. 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 off-site 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.

SECTION 2. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as being consistent with, and adequate to carry out, the certified Land Use Plan.

* * * * * * * *

Regularly passed and adopted this 24th day of May, 2011.

AYES and in favor of said ordinance:

Supervisors: DON HORSLEY

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors: NONE

ABSTAIN:

Supervisor: DAVE PINE

Carole Groom
President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

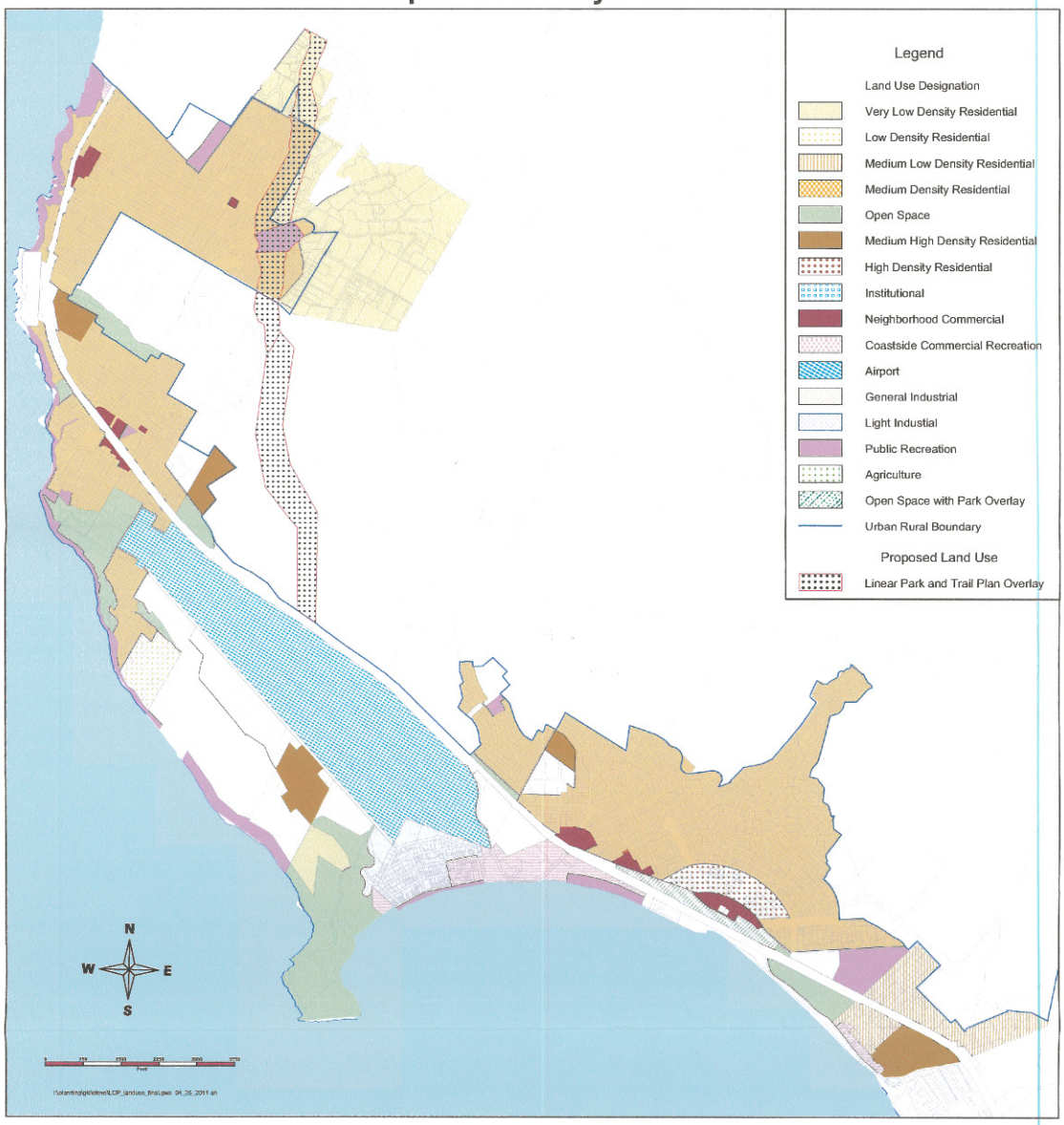
Rebecca Romero, Deputy
Clerk of the Board of Supervisors

EXHIBIT "O"

MAP 1.4

San Mateo County Planning & Building Department

Midcoast LCP Update Project -Land Use Plan



San Mateo County Planning & Building Department

Midcoast LCP Update Project -Implementation Plan

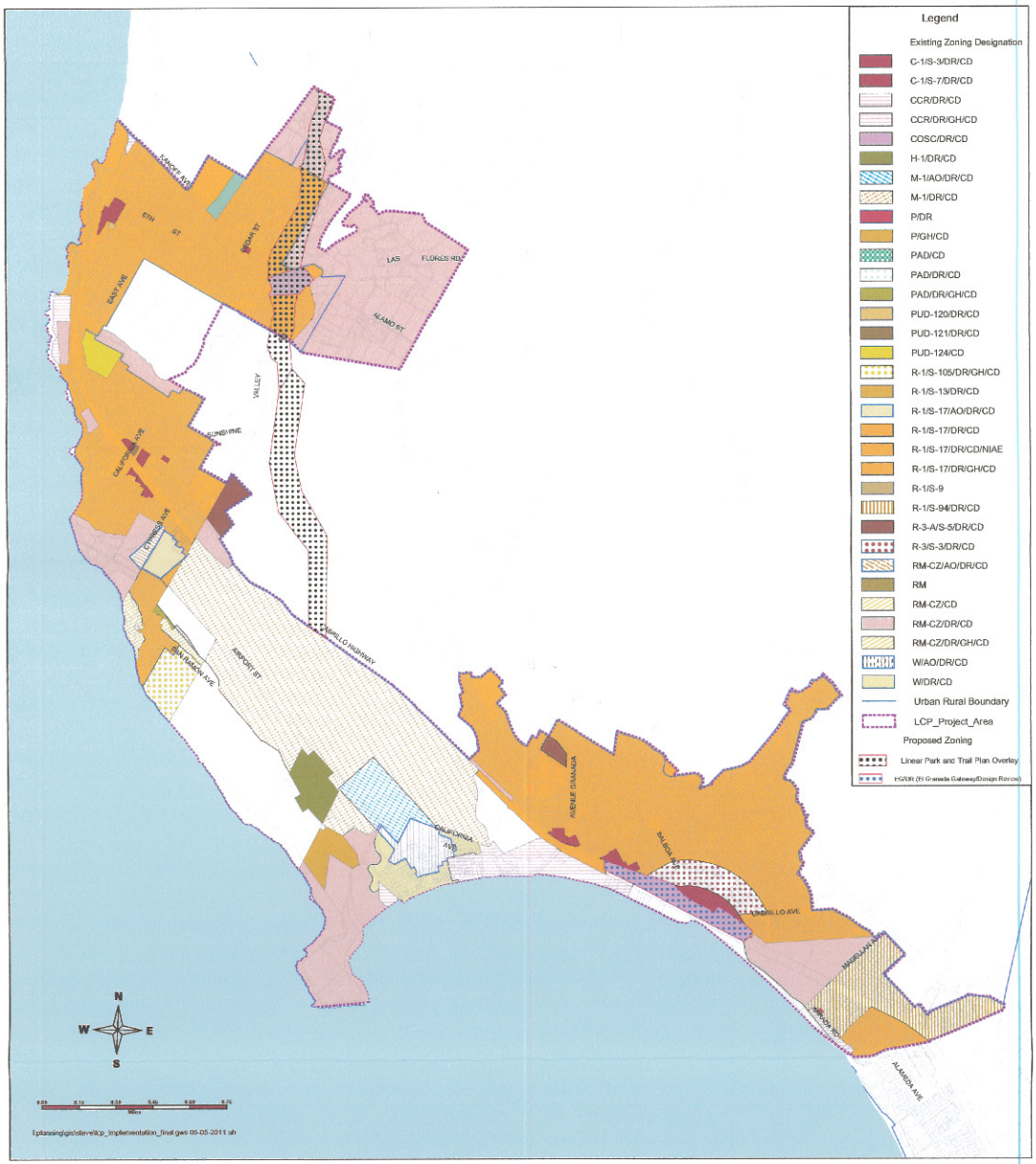
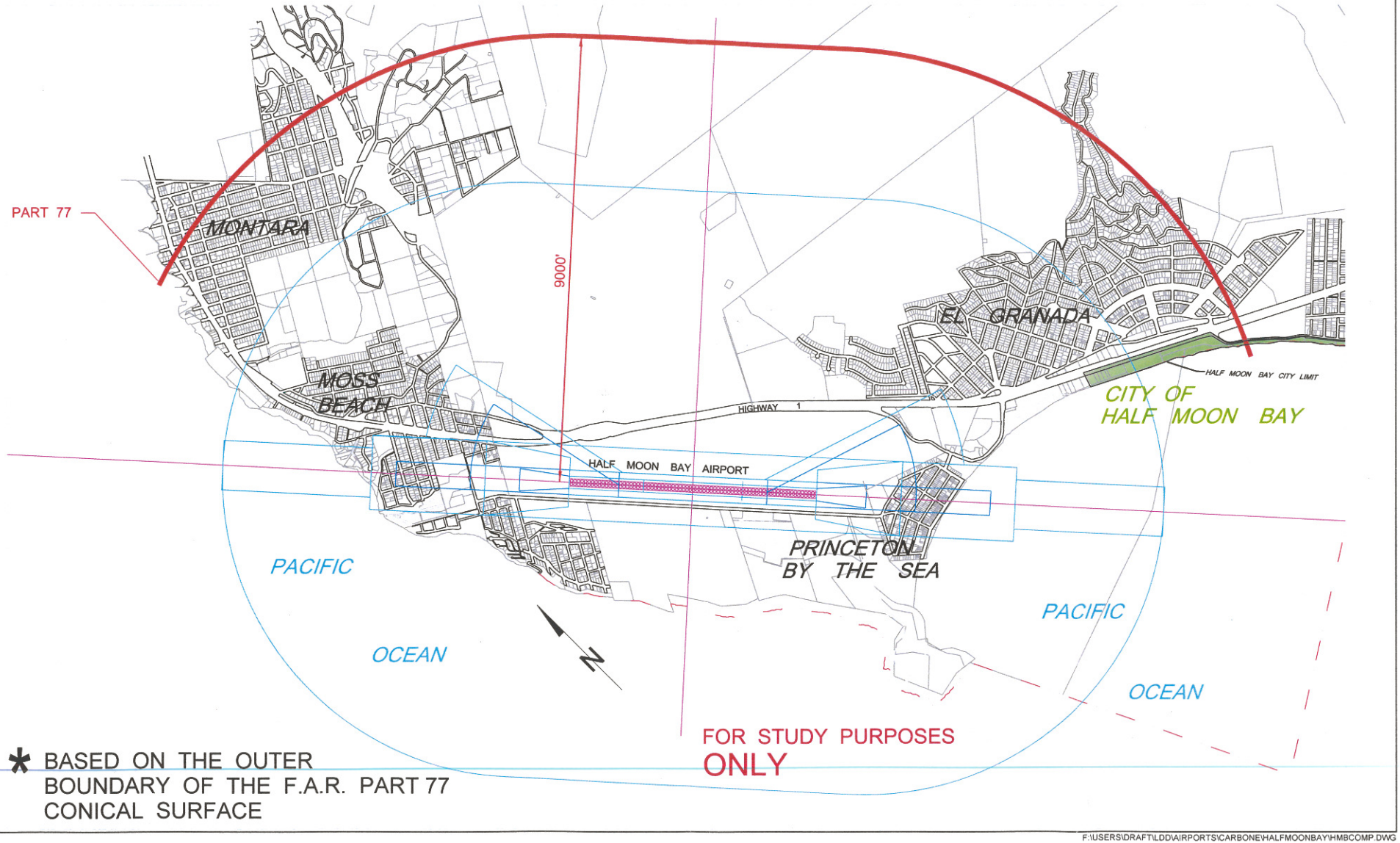


Exhibit No. 3
San Mateo County LCP Amendment No. SMC-1-11 (Midcoast Update)
Midcoast land use and zoning map
Page 2 of 3

DRAFT AIRPORT INFLUENCE AREA BOUNDARY, HALF MOON BAY AIRPORT*



* BASED ON THE OUTER BOUNDARY OF THE F.A.R. PART 77 CONICAL SURFACE

F:\USERS\DRAFT\LDD\AIRPORTS\CARBONE\HALFMOONBAY\HMBCOMP.DWG

Exhibit No. 3
San Mateo County LCP Amendment No. SMC-1-11 (Midcoast Update)
Midcoast land use and zoning map
Page 3 of 3

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

Th18a

ADOPTED FINDINGS

DATE: December 23, 2009

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
Charles Lester, Sr. Deputy Director
Ruby Pap, District Supervisor

SUBJECT: Adopted findings for the County of San Mateo LCP Amendment No. SMC-MAJ-1-07 (Midcoast LCP Update)

HEARING DATE: December 10, 2009

COMMISSION ACTION: Certified with suggested modifications

The Commission held a public hearing on December 10, 2009 and certified LCPA No. SMC-MAJ-1-07 with suggested modifications. The adopted findings for approval differ from those contained in the written staff recommendation dated November 20, 2009. At the hearing, Staff presented minor changes to the staff recommendation regarding public access and public works, to address concerns raised by other transportation and public works agencies. The Commission also made further changes to suggested modifications for the California Coastal Trail and requiring the use of non-invasive plants in landscaping.

The following staff summary, resolution, suggested modifications, and findings were adopted by the Commission on December 10, 2009 upon conclusion of the public hearing.

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, 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. Proposed changes include:

- 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).
- Reallocation and reservation of increased water supply from floriculture to failed private wells and affordable housing (Exhibit 1, County Exhibit C).
- A reduction in the residential growth rate limit from 125 to 75 units per year to address infrastructure constraints. (Exhibit 1, County Exhibit F).
- New traffic mitigation for development generating 50 trips or more peak trips to address road congestion (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 County's Stormwater Pollution Prevention Program into the LCP (Exhibit 1, County Exhibit M).
- A new LUP Policy on resolving LCP policy conflicts (Exhibit 1, County Exhibit Q).
- An update of LUP Policies concerning 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 limits 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).
- Improved winter grading controls in the CCR, M-1, S-17, S-94, S-105, C-1, W, EG, RM, PAD districts (Exhibit 2).
- Limiting residential uses to above the first floor in the C-1 District (Exhibit 2).
- Revised controls on caretaker's quarters in the W District (Exhibit 2).
- Re-zoning of El Granada's Burnham Strip from COSC to El Granada Gateway District, including a prohibition of new residences there (Exhibit 2)
- Limits on house floor area and height in the RM-CZ and PAD Districts (Exhibit 2).
- Incorporation of merger incentives into the LCP's Implementation Plan

Table of Contents

EXHIBIT LIST

16. Map 1.4 Half Moon Bay Airport Influence Area Boundary
17. County Feedback and Commission Response Table
18. Correspondence received from the public after publication of the 2.27.09 staff report

SUMMARY OF STAFF RECOMMENDATION

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's proposal 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; increasingly inadequate public works capacities; new water supply 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 proposing to update 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

2009 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 2001 Countywide Transportation Plan (CTP), most of these key travel and routes are projected to be at LOS "F" by 2010. LOS F indicates traffic exceeds the physical operational capacity of the roadway, with unacceptable delays and congestion. Given the recent economic downturn, development rates have slowed, therefore this scenario is unlikely in 2010. However, once the construction economy rebounds, congestion will worsen to LOS F. 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 that provide public access to the coast will still be at "F" albeit a much worse "F," with significant traffic delays. Therefore, the existing regional transportation capacity is both insufficient to serve current population, future population and development in the urban area, and significantly impacts the public's ability to access the coast.

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. In contrast, 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. This moratorium is also reflected in 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 their 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, approximately 1,056 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 approved CDP and PWP.

Private Wells

With limited access to municipal water connections, many residential property owners and developers have opted to construct homes relying on private on-site 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 one 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 are significant groundwater issues in numerous areas of the urban Midcoast. There are approximately

946 wells in the Midcoast, 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 the possibility of more failed wells in the future. 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. The data from the recently released report supports a conservative approach to managing groundwater, and that until a comprehensive groundwater management plan is developed, it is prudent to prohibit private wells in the Midcoast. If development of private wells continues, there could be significant adverse 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.

The County has proposed to limit growth on the Midcoast to 75 units/year (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 handled by the constrained existing public service capacities, particularly roads and wastewater treatment. Therefore, staff is recommending a suggested modification to lower the proposed growth rate to 40 units/year (approximately 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.

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.

Grandfathered Projects

The County proposes to exempt, or "grandfather" over 143 pending CDP applications from the provisions of this LCP Update. As proposed, these projects would still be subject to the existing certified LCP policies but would not be required to follow the rules of the Updated LCP. Some of these developments include large condominium and apartment housing projects, subdivisions, and domestic wells, all which have the potential to adversely impact coastal resources, public access, traffic capacity, water quality, and groundwater resources. Staff recommends that the Commission adopt suggested modifications deleting the provisions of the Update which "grandfather" pending CDP applications.

RESPONSE TO COUNTY AND PUBLIC CONCERNS

This is the second staff recommendation on the proposed San Mateo County Midcoast LCP Update (Update). The first staff report was published on February 27, 2009 in anticipation of the March 2009 Commission hearing. After the first staff report was published, the County requested that the hearing be postponed to allow for additional time to analyze and discuss the recommended suggested modifications. On March 20, 2009 the Commission granted a time extension of the 90-day time limit to act for one year.

The Commission has also received several letters from the public since publication of the February 27, 2009 staff report, many of which were in support of the staff recommendation. These letters can be found in Exhibit 18 online at http://documents.coastal.ca.gov/reports/2009/12/Th18a-12-2009-a1.pdf.

Since March 2009 Commission staff has been working with County staff and other interested parties to identify areas of agreement and to work out areas of disagreement. At the June 10, 2009 Midcoast Community Council[1] meeting, Commission staff and County staff presented perspectives on the Update, which was followed by a discussion with community members in attendance. On June 16th and July 7th Commission staff attended San Mateo County Board of Supervisors public meetings where the Commission staff's recommendation was discussed. At the July 7th meeting, the Board authorized County staff to transmit a letter to Commission staff identifying its concerns regarding the staff recommendation and requesting a number of changes to the

[1] The Midcoast Community Council is an elected Municipal Advisory Council to the San Mateo County Board of Supervisors serving the citizens of the Unincorporated Midcoast

suggested modifications. This letter was received on July 20th and is attached in Exhibit 15 of this staff report.

It is important to note that at the outset of the County June/July proceedings, the County was already in agreement with about half of the sixty-five suggested modifications recommended by staff in the February 27, 2009 staff report. Commission staff has since met with the County and other interested parties on numerous occasions, and has examined concerns regarding the remaining suggested modifications. Staff is recommending several changes to address outstanding issues. A summary table outlining each of the original, and remaining County concerns along with the recommended Commission response is attached as Exhibit 17. There remain approximately 10 issues that are the subject of on-going discussions, and have not been fully resolved between County and Commission staff: (1) Growth rate, (2) prohibition of private wells and septic systems, (3) traffic/transportation mitigation and planning, (4) phasing of public works facilities, (5) service district formation and expansion (6) re-allocation of water reserved for floriculture to affordable housing, (7) recycled water, (8) desalination, (9) access requirements along abandoned highway 1, and (10) re-designation of Devil's Slide bypass lands. Commission staff's recommendation on each issue is summarized below.

1. Growth Rate

In the February 27, 2009 Commission staff report, Staff recommended that the County proposed growth rate be lowered from 75 units per year (approximately 2% of population) to a 1% growth rate to ensure the LCP's consistency with Coastal Act Section 30250. Because public services (water, wastewater disposal, transportation) are significantly constrained on the Midcoast, the staff recommendation noted that a 1% growth rate is necessary to slow growth until such time that key infrastructural constraints are addressed. The County has responded that the 75 unit per year growth rate should be retained because it was carefully negotiated at the local level; but if any growth reduction were contemplated, that it be kept at a minimum and should be based on a dwelling unit per year measurement (instead of a percentage of population), and that secondary dwelling units and affordable housing units should be excluded from the limitations of the growth rate.

Staff continues to recommend that the Commission adopt the suggested modification lowering the proposed growth rate to 1%, albeit using the County's proposed measure (40 units/year), due to the severe constraints on development posed by the availability of water, transportation, and wastewater transmission capacity.

Staff agrees with the County that affordable housing units should be encouraged, including secondary dwelling units that are affordable. With regard to the County's proposed affordable housing exclusions from the growth rate, Staff believes that affordable housing can still be accommodated within the 1% allowable residential growth rate, by allowing the rate to be averaged over a three-year period to accommodate the case where an affordable housing project may cause the growth rate

to be exceeded in any one year. Therefore, the recommended suggested modification changed to reflect this concept.

2. Private Wells and Septic Systems

In the February 27, 2009 staff report, staff recommended suggested modifications prohibiting private wells and septic systems within the urban/rural boundary due to impacts to groundwater resources (see suggested policy 1.18.1, SM # 6).The County is opposed to a prohibition, and favors an approach that would place additional restrictions on private wells and septic systems rather than prohibiting them. In regards to private wells, Staff has not changed its recommendation due to all the reasons discussed in the original staff report (see Section 6.1.3). In addition, since the original staff report was published, the long-awaited Kleinfelder Midcoast Groundwater Study Phase II (October 2008) was released by the County. The results of the Kleinfelder study call for a system-wide management approach. A case-by-case review of each individual well application would not address the significant adverse cumulative impacts of individual domestic wells. Staff understands and supports the County's efforts to implement a system-wide approach through its Phase 3 Midcoast Groundwater Study, but suggests that a future LCP Amendment could change the well prohibition if supported by the data.

In regards to septic systems, since these systems have not proliferated within the urban/rural boundary like wells have and there have been no readily apparent coastal resource impacts, Staff has changed its recommended suggested modification (see SM # 6) to prohibit septic systems within the urban/rural boundary unless: (1) there is no public sewer hook up available; and (2) the system complies with all the requirements for individual septic disposal systems; and (3) the system is approved by San Mateo County Environmental Health and other applicable authorities; or (4) authorized pursuant to a groundwater management plan incorporated into the LCP.

3. Traffic/transportation mitigation and planning

   a. In the February 27, 2009 staff report, Staff recommended Suggested Modification No. 38 which added a new LUP Policy 2.57.1, which requires Traffic Impact Analysis and Mitigation Plans for all new development that generates a net increase in vehicle trips on Highway 1 or 92. This suggested policy also required all land divisions to retire or merge a number of existing legal lots equivalent to the number of lots created by the division. The County objects to this modification, and is requesting that it be revised to apply the lot retirement requirements only to land divisions that create 5 or more parcels. Since the recent Witt and Abernathy court decisions, the County has discovered that it will be processing Certificate of Compliance Type B(s) to legalize parcels, and is concerned about the broad application of the lot retirement and merger requirements for these subdivisions. In addition, the County has requested that Policy 2.57.1 exempt land divisions associated with affordable housing projects.

Staff has revised the recommended language of suggested policy 2.57.1 (now suggested modification no. 38) to exempt land divisions for affordable housing projects from the requirement to merge or retire lots as traffic mitigation, as a reasonable accommodation to encourage affordable housing. However, staff does not believe that the County's suggestion to apply these requirements only to land divisions that create 5 or more parcels is consistent with Coastal Act Section 30250. As described in the staff report, Highways 1 and 92 are currently at capacity, and the Midcoast is only half built out. It is projected that in the near future, the LOS on these highways will be "F." Lot retirement mitigation for all subdivisions is necessary to ensure the LCP's consistency with the Coastal Act. Therefore, legalization of parcels through conditional COCs should mitigate for traffic impacts by retiring and merging an equivalent number of lots.

An alternative in-lieu fee program for lot retirement may be of assistance to the County, but this program must be developed first. Staff notes that County implementation of suggested Policy 2.57.2 (Transportation Management Plan [see below]) can assist with this. In this spirit, staff has revised language to suggested Policy 2.72.1, allowing subdivision applicants to pay an in-lieu traffic mitigation fee for the purpose of acquiring and retiring development rights on existing legal parcels, if and when such a program is developed by the County and certified by the Coastal Commission.

b. In the February 27, 2009 staff report, Staff also recommended Suggested Modification No. 40, which requires the County to develop a transportation management plan for the Midcoast, based on a study that identifies the cumulative traffic impact of residential development at LCP buildout. The Plan must propose measures to offset the demand for all new vehicle trips from new residences, and mitigate for impacts on coastal access and recreation. This transportation management plan is also tied to any future changes to the growth rate (see suggested modification no. 2, LUP Policy 1.22). The County agrees with the spirit of the policy, but objects to policy language requiring the County to commission a formal traffic study. While the County agrees that their staff, in collaboration with other transportation agencies, will be conducting traffic analyses, they do not have the resources to Commission a study.

   Staff has revised the recommended suggested modification to reflect that the transportation management plan be based on an analysis of cumulative traffic impacts of residential development at buildout rather than a commissioned study. Staff believes this resolves all County concerns in this regard.

c. In the February 27, 2009 staff report, Staff also recommended Suggested Modification No. 6, which adds a new Policy 1.18.1 requiring that all new development be served with adequate public services, including roadway

capacity. The County objected to the language in this modification, stating that the proposed policy was not clear about the information required to demonstrate the adequacy of public services, and that the policy would essentially establish a moratorium on new development until existing service levels on Highways One 1 and 92 are resolved (since they are already at capacity). In addition, the County claims that because single-family residential development is largely excluded from CDP requirements, the policy will create a more intensive review process for commercial, mixed-use, and multi-residential infill projects.

Staff has revised the language of suggested Policy 1.18.1 to clarify what information is needed to demonstrate adequacy of public works. In regards to traffic/transportation, staff has incorporated the existing level of service (LOS) standard in the existing certified LCP (policy 2.49), such that development shall not be approved if the levels of service (LOS) on roads and highways exceed LOS D during commuter peak periods and LOS E during recreation peak periods, except that single family residential development permitted consistent with the growth rate and Coastal Act priority uses may proceed if consistent with all other applicable policies of the LCP.

Staff believes that the above recommended policy does not create a moratorium on new development (as the County claims) because new single family residences approved consistent with the 40 unit/year growth rate (and Coastal Act priority uses) are not required to demonstrate that the highways have adequate levels of service. This allows a limited amount of development to proceed at the same time that infrastructure problems, such as the transportation system and sewer wet weather overflows, are being resolved.

In addition, Staff does not agree that these policy limitations create an undue burden on commercial mixed use “infill” projects. As demonstrated in this staff report, the San Mateo Midcoast is already constrained in its ability to serve new development with public services, including roads and public transportation. Therefore, to characterize new projects as being “infill,” implying that they would not impact coastal resources, including the regional transportation system is not an accurate representation. Larger commercial, mixed-use, and multi-residential projects individually cause greater traffic impacts due to the demonstrable increase in vehicle trips on roads that are already at capacity. Therefore, these projects should have to demonstrate that the roads would have adequate levels of service as a result of the project before they can be approved. However, if a mixed use project were to demonstrate that because it is a mixed use development that provides services that would prevent the need to take vehicle trips, and vehicle trips would be offset and LOS would remain within the standard, then such a project could be approved under the suggested policy.

4. <u>Phasing Public Works Capacity</u>

In the February 27, 2009 staff report, staff recommended suggested modifications to Chapter 2 public works policies updating their existing phased development requirements to today's public works realities. The new recommended policy language would continue to limit the capacity of public works expansions to that which can be accommodated by existing and probable future capacity of other public works facilities, consistent with Coastal Act Section 30254. Further, since highway capacity is severely constrained in the Midcoast (see Section 6.1.2), the suggested modifications state that before expansion of water and wastewater disposal capacity to serve new development, the highways must meet the LCP level of service (LOS) standards for the levels of new development that would be accommodated by the public works expansions.

The County opposes these suggested modifications stating that they create barriers to necessary infrastructure improvements, and that public works facilities should be permitted to be sized to serve full buildout of the LCP. Staff notes that the existing LCP already requires public works facilities to be phased with each other and the Commission has already applied these policies in two decisions to expand public works facilities to meet existing needs (CDP no. A-1-HMB-99-20/A-2-SMC-99-63 and PWP no. 2-06-006). The recommended suggested modifications merely update these policies to today's public works constraints: whereas when the original LCP was certified the identified constraining factor was sewer treatment capacity, today it is transportation capacity, sewage transmission, and water supply. While the suggested modifications change the policies somewhat to clarify these issues, the general phasing concept in the existing LCP does not change.

Nevertheless, Staff has revised its recommended suggested modifications to further clarify that for public works expansion projects aimed at solving existing deficiencies for existing development (i.e. to serve existing development on private wells or new sewer pipes to solve the existing wet weather flow problem), other public works deficiencies do not need to be solved first as long as the project would not facilitate new development inconsistent with the LCP. Using a real example posed by County staff, if a special district proposed to replace sewer pipes with larger pipes to deal with wet weather transmission, but wanted to size the pipes to accommodate estimated buildout, the suggested policies would not preclude such sizing as long as the permit was conditioned to allow the phasing of new sewer connections, consistent with the availability of other public works (such as roads) and all other applicable LCP policies.

5. Service District Formation and Expansion

In the February 27, 2009 staff report, Staff recommended Suggested Modification No. 13, which added a new policy (2.15.1), which regulated the expansion and formation of special districts. As originally drafted, the formation or expansion of special districts (such as water or sewer) would be allowed only when existing or probable future capacity of other related infrastructure, is sufficient to adequately serve the level of development that would be supported by the proposed special district formation or expansion. This policy was designed to ensure the LCP's consistency with Section

30254 of the Coastal Act, and to be consistent with the rest of the recommended public works phasing policies (see above). The County is concerned that such a policy would preclude the formation of special districts that may be needed to meet the existing needs of the coastside or prevent the consolidation of existing service districts, which was recommended by the San Mateo County Local Agency Formation Commission.

In order to avoid any potential for misinterpretation of the suggested policy, staff has changed the recommended policy language to reflect the exact requirements of Coastal Act Section 30254 as it pertains to special districts, which allow the formation or expansion of special districts only where assessment for, and provision of, the service would not induce new development inconsistent with the Coastal Act (or LCP).

6. Reallocating Priority Water to Affordable Housing

In the February 27, 2009 staff report, staff recommended a suggested modification (SM #44) to LCP Table 2.17 "Amount of Water to be Reserved for Priority Land Uses" deleting the County's proposal to reallocate water reserved for floriculture, a Coastal Act priority use, to additional affordable housing units, an LCP priority use[2]. This suggested modification was due to the fact that the water districts are extremely limited in water supply, and the County never provided the necessary data supporting a reallocation from a Coastal Act priority use to a non Coastal Act (residential) priority use. The County is opposed to this modification, stating that it would interfere with County efforts to increase the supply of affordable housing.

Staff has worked closely with County staff to come to a resolution that addresses their concerns about providing additional priority water connections to facilitate affordable housing, while ensuring that the LCP Update is consistent with Coastal Act requirements to prioritize such uses as visitor-serving, recreation, coastal-dependent, and agriculture. Because the water districts are already extremely limited in water supply, it would inconsistent with the Coastal Act to reallocate water that is reserved for a Coastal Act priority use to a non-Coastal Act priority residential use unless adequate water capacity for all the Coastal Act priority uses in Table 2.17 has been reserved. Commission staff therefore recommends that the Commission certify the proposed reallocation only if modified to add language to the table requiring that where development of new public works facilities can accommodate only a limited amount of new development, adequate capacity must be reserved for Coastal Act priority uses before reserving capacity for Local Coastal Program priority uses, such as affordable housing. This language can be found in Suggested Modification Nos. 17, 24, and 44. County staff has indicated its preliminary agreement with this approach.

7. Recycled water

[2] The existing certified LCP contains two categories of priority uses: (1) Coastal Act priority uses, which include Marine Related Industrial, Commercial Recreation, Public Recreation, Floriculture, and Essential public services; and (2) LCP Priority uses, which include specifically designated affordable housing sites, consolidated lots in Miramar, and specific Historic Structures. The County is now proposing to add 40 additional affordable housing units to its list of LCP priorities.

In the February 27, 2009 staff report, Staff recommended suggested modifications to LUP Policies 2.18 sewage treatment and distribution (SM#15) and 2.27 water supply and distribution (SM #21). These policies govern the phasing of these facilities. The intent of the phasing policy was to ensure that new public works projects could not induce growth without first showing that the Highways and transportation system were of adequate capacity to accommodate that growth. The recommended suggested language also contains exceptions from this requirement. One of these exceptions was for the development of wastewater recycling facilities to serve existing development. The County objected to the language restricting the exception to projects that serve existing development only, maintaining that such a limited exception would unnecessarily restrict the reuse of treated wastewater, which can provide an alternative source of irrigation for landscaping and agricultural purposes and thereby reduce demands on limited groundwater supplies.

Staff agrees with the County's assessment, and in the spirit of cooperation and protecting the groundwater basin, and has revised the suggested language of the policies to except all wastewater recycling projects from the "phasing" requirement described above, as long as the project is shown not to be growth inducing.

8. Desalination

In the February 27, 2009 staff report, Staff recommended a suggested modification adding a new policy 2.28 (SM # 22) regarding desalination facilities. This policy required an LCP amendment for any proposed desalination plant, and establishes standards for the development of desalination projects. The County objected to certain elements of the policy, stating that the requirement for an LCP amendment should only apply to instances where a proposed desalination plant is not allowed by the existing LCP, and pointing out that it is unclear when a reverse osmosis or other desalting system would be considered a "desalination plant" subject to this policy.

Staff has revised the recommended suggested modification to eliminate the need for an LCP amendment and to provide a definition of "desalination plant," which clarifies that a desalination plant *creates potable water*, which distinguishes it from a reverse osmosis system, which already uses potable water.

9. Access Requirements Along the Abandoned Highway 1

In the February 27, 2009 staff report, staff recommended suggested modifications to the County's proposed amendment to LUP Policy 2.56 Bicycle and Pedestrian Trails. As proposed, this policy contained outdated language about the Devil's Slide tunnel and requirements for bicycle and pedestrian trails. Since the Coastal Development Permit (CDP) has since been approved for the tunnel and its construction is underway, the recommended suggested modification elaborated on trail requirements as imposed by the CDP. The County is opposed to: (1) including the details of the permit requirements for trails and access in the LCP; (2) requiring the County to provide access 365

days/year because it may conflict with sensitive habitat protection needs; and (3) provisions for temporary closure in the event that the trail becomes un-repairable.

Staff has revised the recommended suggested modification by more clearly tracking the language of the CDP to clear up confusion over what is required. The revisions continue to include the 365 day open requirement because it is required by the permit, but clarifies that it must also be operated in accordance with the approved Caltrans operations plan in consultation with the Devil's Slide Task Force. This operations plan will address sensitive habitat protection. The revisions also outline the circumstances where the responsible agency would not be required to return the access to its pre-failure condition in the event of catastrophic failure, and this outline reflects the specific language of the CDP.

Lastly, Staff disagrees with the County's opinion that it is unnecessary to include access requirements established by the permit in the LCP. As proposed, the amendments to Policy 2.56 were out of date, in that the proposed language did not acknowledge existing Devil's Slide tunnel permit requirements. In the interest of transparency to the public and in providing up to date information on future accessways and trails, it is important to include these details in the LCP especially when those details are already solidified through the permitting process.

10. Re-designation of Devil's Slide Bypass Lands

In the February 27, 2009 staff report, staff recommended suggested modifications requiring that the Devil's Slide bypass area be re-zoned to Linear Park and Trail and that a planning process be initiated for future public trails in the park zoning. This bypass area was formerly designated for relocation of Highway 1 before the alternative Devil's Slide tunnel location was chosen. Caltrans owns the subject property. Development is already underway on the Devil's Slide tunnel and therefore the bypass area is no longer needed for highway purposes. Caltrans and the County object to the immediate rezone of the property, stating that a more "careful" approach is needed. According to Caltrans, there are legal agreements with former landowners regarding the future dispensation of these lands in the event the bypass is not constructed. Caltrans has indicated a need to understand the form of compensation it would receive for transferring this land to a public agency, and stated the importance of preserving rights of access to lots that are within and east of the bypass alignment.

Staff has not changed its recommendation for the bypass area. The suggested modification does not affect land ownership nor does it require any land transfer; the land is already in public ownership (Caltrans) and it merely re-zones the bypass to linear park and trail to ensure consistency with Coastal Act public access policies. As described in the findings, the bypass area is clearly not needed for highway purposes since the alternative Devil's Slide tunnel is nearing completion. To ensure consistency with the Coastal Act, this area should be rezoned now and planned for future trails. The suggested modification is also consistent with the limitations on the sale and transfer of State land provided by Section 30609.5.

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 13 for recent filing letters). While the County has provided a great deal of useful information in response to Commission requests, certain informational gaps had not been addressed by the County at the time of publication of the initial staff report on February 27, 2009. These included, 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 (now submitted); (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 was 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 could be filed in conjunction with the writing of the initial staff report on 2/27/09, and that any remaining information concerns can be effectively addressed through suggested modifications.

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 ~~strikethrough~~ 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 on page 98 and insert the tables and accompanying text into LUP Chapter 1 before Table 1.2.

Updated Buildout Estimate (2006)

R-1 Zoning District	4,804 units
R-3 Zoning District	443 units
R-3-A Zoning District	513 units
RM-CZ and PAD Zoning Districts	160 units

C-1 and CCR Zoning Districts	99-495 units
Second Units	466 units
Caretaker's Quarters	45 units
~~El Granada Mobile Home Park~~Pillar Ridge Manufactured Home Community	227 units
TOTAL	**6,757-7,153** units

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 estimate also assumes that all contiguously owned substandard lots will be merged or subdivided into conforming legal lots pursuant to all applicable policies of the LCP. Two hundred seventy-one (271) solitary, non-contiguous substandard lots are counted as one unit each in the buildout estimation, however actual development of these lots is contingent on their legal status and all applicable policies of the LCP.

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~~ 40 units each calendar year until:

i. A comprehensive transportation management plan, as described in Policy 2.57.2, is incorporated into the LCP; and

ii. Facilities to adequately contain stormwater infiltration and inflow that exceed the existing Intertie Pipeline System (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 2-family dwelling, each new unit in a multiple-family dwelling, each new unit in a mixed-use development, each new caretaker quarter, each new affordable housing unit, and each new second dwelling unit as further defined in 'd'.

c. 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. ~~New dwelling units do not include affordable housing units, i.e. subject to income and cost/rent restrictions, and second dwelling units.~~

d. If the number of issued building permits for any given year has reached the 40 unit maximum, building permits for affordable housing, including second dwelling units, may still be issued under the following circumstances: (1) the units are "affordable" as defined by Section 6102.48.6 of the certified zoning regulations and subject to income and cost/rent restrictions for the life of the development; and (2) the growth rate average over the three year period, that includes the year of building permit issuance and the following two years, does not exceed 40 units/year.
~~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 units may only be approved if the proposed development can be found consistent with all applicable policies of the certified LCP.

~~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-Water Quality

Suggested Modification No. 3 – Modifications to 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.~~ protect coastal water quality among other ways by:

(a) Implementing appropriate site design and source control best management practices (BMPs). Site design BMPs are land use or site planning practices that aim to prevent runoff pollution by reducing the potential soil erosion or contact of runoff with pollutants. Source control BMPs are structural or non-structural practices that minimize the contact between pollutants and runoff.
(b) Implementing treatment BMPs along with site design and source control BMPs when the combination of site design and source control BMPs is not sufficient to protect water quality as required by the LCP, or when required by Regional Board per municipal permit provisions. Treatment BMPs are practices designed to remove pollutants and/or solids from polluted stormwater runoff. Projects that drain directly to a Sensitive Habitat shall implement post construction structural treatment BMPs.
(c) Where treatment BMPs are required, the BMPs (or suites of BMPs) shall be designed and implemented to remove pollutants from 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.

(d) Using multi-benefit, natural feature, stormwater treatment systems, such as landscape-based bioretention systems, bioswales and green roofs, where feasible, in place of single purpose treatment BMPs.
(e) Minimizing the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers, streams, and lakes)
(f) Minimizing the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible maximizing on-site infiltration of runoff.
(g) Preserving, and where possible, creating or restoring areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones.
(h) Limiting disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges.
(i) Avoiding development of areas that are particularly susceptible to erosion and sediment loss, where feasible and where not feasible incorporate appropriate BMPs to minimize erosion and sediment loss.
(j) In projects where the combined amounts of impervious surface created and replaced total one acre or more (or smaller areas where required by Regional Board), implementing hydromodification requirements as further detailed in Appendix A. Developments that are exempt from this requirement are stipulated in NPDES Permit No. CAS612008, Order No. R2-2009-0074, issued October 14, 2009, except for single family residences that drain directly to sensitive habitats.
(k) Implementing the minimum stormwater pollution prevention requirements contained in Appendix A

Suggested Modification No. 4-Modifications to proposed Appendix A

APPENDIX A

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. If existing vegetation consists of invasive plant species, this vegetation shall be removed and replaced with drought tolerant native or non-invasive species by the conclusion of construction.

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. All landscaping plants shall be drought tolerant, and consist of either native or non-invasive species.

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 Storm-water General Permit from the San Francisco Bay Area Regional Water Quality Control Board.

m. Require post-development peak flow (runoff) and velocity to be less than or equal to pre-development peak flow and velocity . No additional runoff, caused by development, shall cross property lines. If the development will connect to an existing storm drain system, then the development shall make improvements to the existing system as required 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.

3. ~~Specific New~~ Developments of Special Concern~~, 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.~~Developments with land use activities that have a high potential for generating pollutants shall incorporate BMPs to address the particular pollutants of concern, including but not limited to the following requirements:.

a. Development of parking lots shall incorporate BMPs to minimize runoff of oil, grease, car battery acid, coolant, gasoline, sediments, trash, and other pollutants to receiving waters.

b. Development of commercial facilities shall incorporate BMPs to minimize polluted runoff from structures, landscaping consisting of drought tolerant and either native or non-invasive plant species, parking areas, repair and maintenance areas, loading /unloading areas, and vehicle/equipment wash areas.

c. Development of automotive service stations, gasoline outlets, car washes, and vehicle repair facilities shall 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. Development of restaurants shall incorporate BMPs to minimize runoff of oil, grease, solvents, phosphates, suspended solids, and other pollutants.

e. Outdoor material storage areas shall 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. Roof or awning covers over trash storage areas shall be required in order to minimize off-site transport of trash and other pollutants.

g. Development of beachfront and waterfront structures and uses shall incorporate BMPs to minimize polluted runoff to beach and coastal waters.

h. Confined animal facilities, stables and similar animal keeping operations shall 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. Onsite sewage treatment systems (septic systems) shall be sited, designed, installed, operated, and maintained to avoid contributing nutrients and pathogens to groundwater and/or surface waters.

j. Onsite sewage treatment systems (septic systems) shall 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. New development with conventional or alternative onsite sewage treatment systems shall include protective setbacks from surface waters, wetlands and floodplains, as well as appropriate separation distances between onsite sewage treatment system components, building components, property lines, and groundwater as required by the Regional Board. Under no conditions shall the bottom of the effluent dispersal system be within five feet of groundwater.

~~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~~

4. Hydromodification Requirements

Development shall implement the hydromodification requirements stipulated in LUP Policy 1.35.j by use of on-site control measures, regional control measures, or in-stream measures, as required by the Regional Board NPDES Permit No. CAS612008, Order No. R2-2009-0074, issued October 14, 2009. Stormwater discharges from new development and redevelopment projects 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.

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. 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 works, consistent with the subsections below:

i. Development shall not be approved if there is: (a) insufficient water and wastewater public works capacity within the system to serve the development given the already outstanding commitments by the service provider or (b) evidence that the entity providing the service cannot provide such service for the development.

ii. Limit approval of new dwelling units within the Coastside County Water District service area to the 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) as amended;

iii. Allow new public 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 as amended;

iv. New private wells shall be prohibited within the urban/rural boundary of the Midcoast unless authorized pursuant to a groundwater management plan incorporated into the LCP. Development served by private wells shall connect to the public water system and abandon the well once public water connections are available;

v. New private septic systems shall be prohibited within the urban/rural boundary of the Midcoast unless: (1) there is no public sewer hook up available; and (2) system complies with all the requirements for individual septic disposal systems; and (3) the system is approved by San Mateo County Environmental Health and other applicable authorities;

vi. Development shall not be approved if the levels of service (LOS) on roads and highways exceed LOS D during commuter peak periods and LOS E during recreation peak periods, except for: (1) the residential development permitted consistent with Policy 1.22; and (2) Coastal Act priority uses including those shown on Table 2.17.

viii. Lack of adequate public works to serve the proposed development as defined above shall be grounds for denial of the project.

Suggested Modification No. 6.5 – Grandfathering of projects

Add the following policy to Chapter 1:

1.xx
The provisions of this chapter shall apply to all proposed development, regardless of the date of submittal of the CDP application, except for those developments for which: (1) any necessary CDP has already been obtained; (2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to the effective date of certification of LCPA # SMC-MAJ-1-07 and appropriate fees paid; and (3) a development agreement, consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner prior to the effective date of LCPA #SMC-MAJ-1-07, and the proposed development conforms with the terms of that development agreement.

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 all lands inside the urban/rural 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. 8 – 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, a pump station, and to provide tertiary wastewater treatment to produce recycled water.
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. 9 – 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. In accordance with Policies 2.12, 2.18, 2.27, 2.32, and 2.48 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. 10 – 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. All priority land uses shall exclusively rely on public sewer and water services.
b. For each public works development to serve vacant lands with new connections ~~phase~~, reserve capacity adequate to allow priority land uses to develop in conjunction with the non-priority development that would be facilitated by the public works development ~~to the amount buildout allowed by that phase~~.
c. Where development of new public works facilities can accommodate only a limited amount of new connections on vacant land, the service provider shall ensure that adequate capacity is reserved for Coastal Act priority uses before reserving capacity for Local Coastal Program priority uses shown on Tables 2.7 and 2.17.
~~c~~d. ~~Under the following circumstances,~~ Allow public agencies and utilities to reallocate capacity to non-priority land uses only through an amendment to the Coastal Development Permit, Public Works Plan, and/or LCP Amendment if applicable. ~~: (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 Coastal Development Permit, Public Works Plan, or 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. 11 – 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 these 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. 12 – Public works expansion policies:

2.12 Timing ~~and Capacity of Later Phases~~for New or Expanded 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.~~a. The amount of new or expanded 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) considering the availability of funds, and (4) 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;
~~d~~ b. Require every new public works facility or ~~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. 13 – Expansion of special district policy:

2.15.1
Allow the formation or expansion of special districts only where assessment for, and provision of, the service would not induce new development inconsistent with the Coastal Act or with the certified LCP

Suggested Modification No. 14 – 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. 15 – Expanding sewer capacity:

2.18 New and Expanded Sewage Treatment and Distribution Capacity
~~a. Use the results of Phase I monitoring to determine the timing and capacity of later phase(s).~~
a.~~ b~~. Allow new or expanded sewage treatment and distribution capacity to serve new development 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 in order to prevent wet weather overflows only, are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the projects do not: (1) induce growth; or (2) 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.

c. Projects to upgrade the SAM treatment plant from secondary to tertiary treatment to produce recycled water are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the recycled water project does not: (1) induce growth inconsistent with the LCP; (2) provide potable water connections to new non-priority development; or (3) increase the total number of non-priority connections made available by either the El Granada Pipeline Project (Coastal Commission CDP A-2-SMC-99-063; A-1-HMB-99-020) or the Montara Water and Sanitary District MWSD Public Works Plan (Coastal Commission PWP No. 2-06-006). Recycled water projects that would provide new potable water connections to new commercial, residential, or industrial development are subject to subsection (a), Policy 2.27, and all other applicable policies of the LCP.

~~c~~c. ~~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, collection, and transmission capacity is available and allocations are reserved for Coastal Act priority uses.

3. **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.

4. The project shall minimize the use of energy.

Suggested Modification No. 16:

~~2.19 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. 17 – Reserving sewer capacity for priority uses:

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. 18 – Private septic systems:

2.24.1 New private septic systems shall be prohibited within the urban/rural boundary of the Midcoast unless: (1) there is no public sewer hook up available; and (2) the system complies with all the requirements for individual septic disposal systems; and (3) system is approved by San Mateo County Environmental Health and other applicable authorities; or (4) authorized pursuant to a groundwater management plan incorporated into the LCP.

Suggested Modification No. 19 – 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. 20 – 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. 21 – Expansion of water supply:

2.27 ~~Timing and Capacity of Later Phases~~ New and ~~Expanded~~ 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 new or expanded water supply, service connections, treatment, storage 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 December 10, 2009, may be permitted notwithstanding traffic conditions on Highways 1 and 92 if: (1) new private wells are prohibited consistent with Policy 1.18.1 and 2.33, (2) existing capacity has been consumed, (3) the water supply projects are conditioned to restrict the resulting water connections to urban development served by private wells existing as of December 10, 2009.

"Consumption of existing capacity" shall be defined as either water serving district having no water connections available; or water district having no available water to serve existing connections;

c. Supplemental water supply projects to serve customers who purchased water connections before December 10, 2009 may be permitted notwithstanding traffic conditions on Highways 1 and 92, if: (1) existing capacity has been consumed; (2) the project is a component of a comprehensive water management plan consistent with f(5) below; and (3) conditioned to restrict the resulting water connections to customers who purchased water connections before December 10, 2009.

d. The capacity of water facilities may be sized for probable future service needs of new development notwithstanding the traffic conditions on Highways 1 and 92, only if conditioned to restrict the resulting water connections to existing development. Adding additional connections to the system for new development shall require an amendment to the CDP for the water supply project and must be phased appropriately with other public works facilities, consistent with all the provisions of 2.27(a).

e. Projects to upgrade the SAM treatment plant from secondary to tertiary treatment to produce recycled water are permitted notwithstanding traffic conditions on Highways 1 and 92 provided that the recycled water project does not: (1) induce growth, (2) provide potable water connections to new non-priority development; or (3) increase the total number of non-priority connections made available by either the El Granada Pipeline Project (Coastal Commission CDP A-2-SMC-99-063; A-1-HMB-99-020) or the Montara Water and Sanitary District MWSD Public Works Plan (Coastal Commission PWP No. 2-06-006). Recycled water projects that would provide new water potable connections to new commercial, residential, or industrial development are subject to subsection (a), Policy 2.18, and all other applicable policies of the LCP.

f. 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 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.

(6) The project shall minimize the use of energy.

(7) 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. 22 – Desalination:
2.28 Desalination

Definition: A desalination facility removes salts and minerals from seawater or groundwater to create potable water. A desalination facility does not include devices attached to existing wells or public water connections to remove minerals from an existing water source.

Desalination facilities must:
a. Provide public services within the urban area;
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 and greenhouse gas emission 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. 23 – 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. 24 – 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 water supply development, reserve capacity adequate to allow each priority land use to develop to the percent of buildout allowed by the phase.~~ For each water supply public works development to serve vacant lands with new connections, reserve capacity adequate to allow priority land uses to develop in conjunction with the non-priority development that would be facilitated by the water supply public works development.

~~c. Allow capacity to be reallocated to non-priority land uses in accordance with Policy 2.8.~~
c. Where development of new public works facilities can accommodate only a limited amount of new connections on vacant land, adequate capacity for Coastal Act priority uses shall be reserved before reserving capacity for Local Coastal Program priority uses shown on Tables 2.7 and 2.17.

Suggested Modification No. 25 – 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. 26 – Standards for groundwater production:
2.32 Groundwater Proposal
Require, if new or increased well production is proposed to increase public water 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. 27 – Private wells:

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

Suggested Modification No. 28 – 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. 29 – 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. 30 – 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 or facilitated by the road expansion project does not exceed the development levels that the existing and probable future 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. 31 – 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. 32 – 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 (~~2~~3) 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 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.~~

Suggested Modification No. 33 – 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.~~ Ensure that any data collected by transportation organizations, including

Caltrans', of peak commuter periods and recreation peak periods is applied in decisions related to the adequacy of roadway capacity.

b. Monitor the number and rate of new residential construction particularly in the rural and urban Mid-Coast.

Suggested Modification No. 34 – 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. 35 – 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. 36 – 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. 37 – 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 Component~~s~~ and the San Mateo County Comprehensive Bike ~~Route~~ways 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 consistent with Policy 10.37.1 and in accordance 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.~~ Consistent with San Mateo County Coastal Development Permit no. PLN2003-00428, 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 and in accordance with the operations plan developed by the County and CalTrans in consultation with the Devil's Slide Access Task Force. 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. In the event of a catastrophic failure of this public trail which renders all or part of it, in the opinion of the agency or organization which then has operational responsibility for it, unusable, un-repairable or un-maintainable, and such agency or organization further determines that repairs to restore the access to the pre-failure condition would not be feasible, that agency or organization shall not be required to return the access to its pre-failure condition. The agency or organization that owns the land and has operational responsibility for the trail

shall immediately apply for a separate Coastal Development Permit to modify the nature, extent, and operational parameters of the coastal access in a manner consistent with, the requirements of the Coastal Act, and the San Mateo County Local Coastal Program.

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, and consistent with AB 1396, that CalTrans protect and make available adequate right-of-way 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) and the California Coastal Trail (CCT) plan.

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~~

~~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 as part of the overall CCT system, consistent with Policy 10.37.1 .

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, as part of any new or improved roadway project other than repair and maintenance of existing facilities and consistent with AB 1396, require that CalTrans incorporate the following provisions (the size and scope of which will be commensurate with the size and scope of the proposed roadway project):

(1) A link within the vicinity of the project area necessary to facilitate 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 and within the right-of-way; 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; or
(3) Completion of any CCT segment gap that is in the vicinity of the new or improved roadway project; or
(4) Provide funding necessary to complete any of the above actions; or
(5) any combination of the above

h. Ensure that no roadway repair or maintenance project blocks or damages any existing or formally planned public trail segment or, if such an impact is not avoidable, that an equal or better trail connection is provided in conjunction with that repair and maintenance project either directly by Caltrans or through Caltrans' funding to a third party.

Suggested Modification No. 38 – 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 1and~~,~~ ~~9~~2 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 Route1, 92, and 84 in rural areas which do not serve recreation facilities; and (5~~4~~) 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. 39 – Traffic Mitigation

~~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.~~

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/or 92, except for a single family dwelling, a second dwelling unit, or a 2-family dwelling, 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 offset 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, except land divisions for the development of affordable housing as defined by Section 6102.48.6 of the certified zoning regulations, 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 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.

v. As an alternative to the method described in subsection c(1)(ii) and (iii) above, if an in-lieu traffic mitigation fee program for the purpose of acquiring and retiring development rights on existing legal parcels in the Midcoast has been developed by the County and incorporated into the LCP, as described in Policy 2.57.2, the applicant may pay an in-lieu traffic mitigation fee to the County.

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 prohibit all future development of the lots to be merged and 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. 40- Transportation Management Plan:

2.57.2 Transportation Management Plan

Develop a comprehensive transportation management plan to address the cumulative traffic impacts of residential development, including single-family, 2-family, multi-family, and second dwelling units, on roads and highways in the entire Midcoast, including the City of Half Moon Bay. The Plan shall be based on the results of an analysis 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 new residential development on Highway One, Highway 92, and relevant local streets, during commuter peak periods and peak recreation periods; and policies for new residential development to mitigate for, residential development's significant adverse cumulative impacts on public access to 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. 41 – Sewage treatment demand table:

TABLE 2.3

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

~~TABLE 2.3~~

~~ESTIMATE OF SEWAGE GENERATION FROM BUILDOUT OF LOCAL COASTAL PROGRAM LAND USE PLAN MONTARA SANITARY DISTRICT~~

~~Land Use~~	~~Number of Acres~~	~~Number of People~~	~~Sewage Generation Factor[1]~~	~~Sewage Generation (GPD)~~
~~MONTARA-MOSS BEACH~~				
~~RESIDENTIAL[2]~~				
~~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~~	
~~COMMERCIAL[4]~~				
~~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)~~
~~INDUSTRIAL[4]~~				
~~Developed~~	~~—~~	~~—~~		~~—~~
~~Marine-Related~~	~~—~~	~~—~~		~~—~~
~~General~~	~~—~~	~~—~~		~~—~~
~~Undeveloped~~	~~42.60~~	~~—~~		~~—~~

~~Marine Related General~~	~~(0.00) (42.60)~~	~~= =~~	~~1,250 gal/acre~~	~~= 53,250~~
~~PUBLIC RECREATION 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 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:

Non-Residential Use

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

Residential Use

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

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

* 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

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 gpd), the estimated sewer treatment capacity needed to serve Midcoast residential buildout is 1.65 ~~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:

Land Use/Zoning	Acres

Neighborhood Commercial (C-1)	24
Commercial Recreation (CCR)	45
Waterfront (W)	39
Light Industrial (M-1)	47
Institutional	49

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:

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

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 1.96~~61~~ million gallons per day.

…

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

Suggested Modification No. 42 – Water consumption table:

TABLE 2.9

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

~~TABLE 2.9~~

~~ESTIMATE OF WATER CONSUMPTION DEMAND~~
~~FROM BUILDOUT OF LAND USE PLAN~~
~~CITIZENS UTILITY COMPANY~~

~~Land Use~~	~~Number of Acres[1]~~	~~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-Family[6]~~	~~—~~	~~(3,549)~~		~~—~~
~~Multi-Family~~	~~—~~	~~(276)~~		~~—~~
~~COMMERCIAL[2]~~				
~~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)~~
~~INDUSTRIAL[2]~~				
~~Undeveloped~~	~~42.60~~	~~—~~		~~85,200~~
~~Marine Related~~	~~(0.00)~~	~~—~~		~~—~~
~~General~~	~~(42.60)~~	~~—~~	~~2,000 gal/acre~~	~~(85,200)~~
~~PUBLIC RECREATION[2]~~				
~~Parks and Beaches~~	~~—~~	~~408[3]~~	~~11.5 gal/day/capita~~	~~4,700~~
~~FLORICULTURE~~	~~—~~	~~—~~		~~40,000[4]~~
~~Developed~~	~~—~~	~~—~~		~~(20,000)~~
~~Expansion~~	~~—~~	~~—~~	~~100% increase~~	~~(20,000)~~
~~INSTITUTIONS[5]~~				
~~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:

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

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. 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:

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

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:

Land Use/Zoning	Gallons Per Day
Neighborhood Commercial (C-1)	18,000
Commercial Recreation (CCR)	6,000
Waterfront (W)	20,000
Light Industrial (M-1)	94,000

Institutional	15,500
TOTAL	**153,500**

Combined Residential and Non-Residential Demand at Buildout

Taking into account 14% percent of system losses, 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~~96 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				
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 Family[6]	--	(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				
Developed[5]	--	--		1,700
Undeveloped	--	--		6,425
PUBLIC RECREATION[2]				
Parks and Beaches	--	318[3]	11.5 gal/day/capita	3,700
FLORICULTURE[4]	--	--		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:

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.~~

~~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:

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

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:

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

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

Combined Residential and Non-Residential Demand at Buildout

Taking into account 9.5% percent of system losses, 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 ~~1.24~~ 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. 43 – 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. 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 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. 44: Priority allocation table:

TABLE 2.17

AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES[1]
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
Coastal Act Priorities				
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
Essential Public Services[2]				5,000
Local Coastal Program Priorities				
Specific Developments on Designated Sites Containing Affordable Housing (1) North Moss Beach Site (11 acres)	148	64,380	148	35,816 to 51,504
Other Affordable Housing			20	5,000
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		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
Coastal Act Priorities				
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~~220,000
Essential Public Services[2]		7,700		~~9,135~~14,135
Local Coastal Program Priorities[4]				
Specific Developments on Designated Sites Containing Affordable[5] 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
Other Affordable Housing[5]			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		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:

1. Capacity shall be reserved for additional priority land use development when service provider develops new supplies to serve new connections on vacant lands. Does not include existing, developed priority land uses at time of LCP adoption.

2. 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)

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

4. Where development of new public water facilities can accommodate only a limited amount of new connections on vacant land, adequate capacity for Coastal Act priority uses shall be reserved before reserving capacity for Local Coastal Program priority uses.

5. Affordable means as defined by Section 6102.48.6 of the certified zoning regulations, and subject to income and cost/rent restrictions for the life of the development

Suggested Modification No. 45 – Grandfathering

Add the following policy to Chapter 2:
2.xx
The provisions of this chapter shall apply to all proposed development, regardless of the date of submittal of the CDP application, except for those developments for which: (1) any necessary CDP has already been obtained; (2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to the effective date of certification of LCPA # SMC-MAJ-1-07 and appropriate fees paid; and (3) a development agreement, consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner prior to the effective date of LCPA #SMC-MAJ-1-07, and the proposed development conforms with the terms of that development agreement.

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. 46 – 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.,~~ that is defined by Section 6102.48.5 and 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 Table~~s 2.7 and~~ 2.17~~, respectively~~ and to the extent the water service provider has reserved the water supply capacity pursuant to an approved coastal development permit or a public works plan.

b. ~~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.

3.11 Protection of the ~~El Granada Mobilehome Park~~ Pillar Ridge Manufactured Home Community
Designate the existing ~~El Granada Mobilehome Park~~ Pillar Ridge Manufactured Home Community as an affordable housing site. Prohibit the demolition or displacement of this ~~mobilehome park~~ manufactured home community.

Suggested Modification No. 47
Add the following policy to Chapter 3:
3.xx
The provisions of this chapter shall apply to all proposed development, regardless of the date of submittal of the CDP application, except for those developments for which: (1) any necessary CDP has already been obtained; (2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to the effective date of certification of LCPA # SMC-MAJ-1-07 and appropriate fees paid; and (3) a development agreement, consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner prior to the effective date of LCPA #SMC-MAJ-1-07, and the proposed development conforms with the terms of that development agreement.

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. 48 – California Coastal Trail:

10.37.1 California Coastal Trail (CCT)

a. Definition: The California Coastal Trail (CCT) is a continuous interconnected public trail system along the California coastline. It is designed to foster appreciation and stewardship of the scenic and natural resources of the coast and serves to implement aspects of Coastal Act policies promoting non-motorized transportation. The Trail system is to be located on a variety of terrains, including the beach, bluff edge, hillsides providing scenic vantage points, and within the highway right-of-way. It may take many forms, including informal footpaths, paved sidewalks, and separated bicycle paths. When no other alternative exists, it sometimes connects along the shoulder of the road. While primarily for pedestrians, the Trail also accommodates a variety of additional user groups, such as bicyclists, wheelchair users, equestrians, and others as opportunities allow. The CCT consists of one or more parallel alignments.

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

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.
3. 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.
4. It is intended that the CCT system shall be designed and implemented to achieve the following goals and 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 the trail has connections to trailheads, parking areas ,interpretive kiosks, inland trail segments, etc. at reasonable intervals;
    e) Maximize ocean views and scenic coastal vistas;
    f) Provide an educational experience where feasible through interpretive facilities.

5. 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 may need to be incorporated into water-crossing structures and that may need to 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, except for those specific strands of the trail system that are specifically designed to service commuter needs and safely provide for the shortest distance between destination points. Providing such a commuter-purpose strand of the CCT does not replace the remaining need to provide a recreational strand of the CCT as close to the shoreline as possible. 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.

6. 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.

7. 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.

8. CCT Support Facilities:

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

9. 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, including updated Shoreline Destination/Access Maps.

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

10. 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. 49 – Policies on shoreline access agencies and providers:

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.

Suggested Modification No. 50 - Grandfathering

Add the following policy to Chapter 10:

10.xx

The provisions of this chapter shall apply to all proposed development, regardless of the date of submittal of the CDP application, except for those developments for which: (1) any necessary CDP has already been obtained; (2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to the effective date of certification of LCPA # SMC-MAJ-1-07 and appropriate fees paid; and (3) a development agreement, consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner prior to the effective date of LCPA #SMC-MAJ-1-07, and the proposed development conforms with the terms of that development agreement.

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. 51 – 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. 52 – 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. 53 – 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/bicycle/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 10.37.1) 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.

f ~~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, as part of any new or improved roadway project other than repair and maintenance of existing facilities and consistent with AB 1396, require that CalTrans incorporate the following provisions (the size and scope of which will be commensurate with the size and scope of the proposed 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 10.37.1) 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. 54 – 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 10.37.1 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. 55 – State Parks:

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. 56 – 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~~ develop~~ment of~~ the California Coastal Trail.~~including delineation of the Coastal Trail alignment.~~

Suggested Modification No. 57 – 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. 58 – 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 "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) The County will work with Caltrans and other affected agencies to complete a Linear Park and Trail Plan (LPTP) 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 plan 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 faculties;

3. identification of connections to other trail systems (including the California Coastal Trail network), public transit, and community faculties;

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.

Suggested Modification No. 59
Add the following policy to Chapter 11:
11.xx
The provisions of this chapter shall apply to all proposed development, regardless of the date of submittal of the CDP application, except for those developments for which: (1) any necessary CDP has already been obtained; (2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to the effective date of certification of LCPA # SMC-MAJ-1-07 and appropriate fees paid; and (3) a development agreement, consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner prior to the effective date of LCPA #SMC-MAJ-1-07, and the proposed development conforms with the terms of that development agreement.

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

Suggested Modification Nos. 60-67 – LUP and zoning map modifications:

60. 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.

61. 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.

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

63. 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.

64. 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.

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

66. 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.

67. Each map shall contain the following note:

The provisions of this map shall apply to all proposed development, regardless of the date of submittal of the CDP application, except for those developments for which: (1) any necessary CDP has already been obtained; (2) no CDP is required pursuant to the Coastal Act and a building permit application was submitted to the County prior to December 10, 2009 and appropriate fees paid; and (3) a development agreement, consistent with the provision of the certified LCP then in effect, has been recorded between the County and the property owner where the development will occur prior to December 10, 2009, and the proposed development conforms with the terms of that development agreement.

Suggested Modification No. 68 – Add policy regarding Half Moon Bay Airport Influence Area

1.36 Half Moon Bay Airport Influence Area Requirements
Within the Half Moon Bay Airport Influence Area, as shown on Map 1.4, the following shall apply:

a. New development and land uses must comply with all relevant Federal Aviation Administration (FAA) standards and criteria regarding (1) safety, (2) flashing lights, (3) reflective material, (4) land uses which may attract large concentrations of birds, (5) HVAC exhaust fans, and (6) land uses which may generate electrical or electronic interference with aircraft communications and/or instrumentation.
b. All transfers of real property must comply with the real estate disclosure requirements specified in Chapter 496, California Statutes of 2002.

Suggested Modification No. 69 – Airport Influence Area Map

The County shall insert the "Half Moon Bay Airport Influence Area (AIA) Boundary" map, as shown in exhibit 16, into LUP Chapter 1 as Map 1.5

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 Ordinances 04335 (S-17 District), 04336 (S-94 District), 04337 (S-105 District), 04338 (C-1 District), 04339 (S District), 04340 (CCR District), 04341

(W District), 04342 (M-1), 04343(EG District) 04344 (zoning map)

Suggested Modification No. 70 – Grandfathering

The County shall revise the following language in each of the ordinances 04335-04344 as follows:

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, consistent with the provisions of the certified LCP then in effect, 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.

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

Suggested modification No. 71:

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. 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. Temporary Urban Roadside Stands

Temporary 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. Temporary Urban Roadside Stands

14.Vegetative Stormwater Treatment Systems and Underground Storage Facilities

15.
Public Parking for Surfer's Beach

16. Public Restrooms and Showers

17. Public Pedestrian Trails and Bicycle Trails

18. 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

Front Setback: 50 feet

Side Setback: 20 feet

Rear Setback: 20 feet

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. All landscaping shall be drought-tolerant, and either native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California shall be employed. No plant species listed as 'noxious weed by the State of California or the U.S. Government shall be utilized within the property.

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 2.57.1 and 2.57.2.

Suggested Modification No. 72: Hydromodification definition

Add the following definition to Section 6102:

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 first staff report was published on February 27, 2009 in anticipation of the March 2009 Commission hearing. Following, the Commission received several letters from members of the public regarding the staff recommendation. These letters are contained in exhibit 18 online at http://documents.coastal.ca.gov/reports/2009/12/Th18a-12-2009-a1.pdf. After the first staff report was published, the County requested that the hearing be postponed to allow for additional time to analyze and discuss the recommended suggested modifications.

At the June 10, 2009 Midcoast Community Council[3] meeting, Commission staff and County staff presented perspectives on the Update, which was followed by a discussion with community members in attendance.
On June 16th and July 7th 2009 the San Mateo County Board of Supervisors held two public hearings to discuss the March 2009 Commission staff recommendation for the Midcoast Update. Members of the public representing different perspectives provided 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 properly 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

[3] The Midcoast Community Council is an elected Municipal Advisory Council to the San Mateo County Board of Supervisors serving the citizens of the Unincorporated Midcoast

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, including rural agricultural lands, public access, water quality, and scenic resources. 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 projected buildout in relation to 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 needs generated by development or uses that would be consistent with the Coastal Act or by extension, the LCP. Any public works development that potentially facilitates or supports development beyond that which could be accommodated consistent with the LCP may be "growth inducing" and not consistent with the Coastal Act. This policy prevents the uncontrolled growth of a coastal community beyond the capacity of some public services (for example, highway and sewer capacities), based on the expansion of another public service (for example water 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 (see Exhibit 3).

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 required by 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 Coastside 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 theoretical maximum amount of development that could occur in a community if all available land is developed to its full potential (i.e. zoning density allowances), before application of all other applicable development limitations. When the San Mateo County 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, page 98). 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 County emphasizes that its proposed changes to the buildout projections are simply a more accurate estimate of future buildout and population in the Midcoast and the only real land use density changes proposed by this Update include an increase the number of permitted caretaker's quarters at Princeton, and a reduction in the number of residential units in El Granada by prohibiting new houses at the Burnham Strip (see proposed El-Granada Gateway District, exhibit 2). 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.

Proposed Table 1 shows the estimated residential buildout in each zoning district that allows residential development (see below). 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.[4] 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.

[4] 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 Pillar Ridge Manufactured Home Community.

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

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

Substandard Lots

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.

The legality of these substandard lots has been called in question, since they are shown on subdivision maps filed during the period from 1900 - 1915. Two recent California Court of Appeal decisions, *Witt Home Ranch, Inc. v. County of Sonoma* (2008) 165 Cal.App.4th 543 and *Abernathy Valley, Inc. v. County of Solano* (2009) 173 Cal.App.4th 42, hold that mere reference to a subdivision map filed in compliance with the state subdivision map law in effect before 1915, without more, does not conclusively establish the legality of parcels described on the filed map.

Commission History

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 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.

Contiguously Owned Substandard Lots Not Counted in Proposed Buildout Figure

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. The proposed LCPA was submitted prior to the decisions of *Abernathy* and *Witt*, which call into question the legality of many of these lots. These decisions provide support to the County's position that it is unlikely that all of the 2,400 substandard lots will be developed.

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.[5] 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.[6] Two Hundred Seventy-One (271) 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 by the County before the implications of the *Witt* and *Abernathy* decisions came to light. Actual development of the 2,400 substandard lots is contingent on whether the lots are legal, or will be legalized through a conditional certificate of compliance, and can be developed in full conformance with LCP policies.

If these lots were determined to be legal consistent with the *Witt* and *Abernathy* decisions, and 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.[7] This scenario is unlikely given the questionable legality of these lots due to the *Witt* and *Abernathy* decisions. As County Counsel, Michael Murphy states in his July 7, 2009 Supplemental Memorandum to the Board of Supervisors,

> "…Witt and Abernathy should not significantly affect the "theoretical" buildout assumptions, which are assumptions that are contained in the Local Coastal Program. While the precise impact of *Witt* and *Abernathy* can only be determined as property owners apply for development approvals and establish the legality of their lots, the ultimate result can only be a reduction in buildout from that which would have occurred absent *Witt* and *Abernathy*."

5 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 Pillar Ridge Manufactured Home Community.

6 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.

7 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.

County Merger Program

In late 2006, prior to the *Witt* and *Abernathy* decisions, the County Board of Supervisors adopted a two phase merger incentive program to deal with the substandard lot issue. This program, authorized by Resolution 068386 (the same resolution authorizing the LCP update), is included as Exhibit G of the Resolution of Transmittal.[8] This Board of Supervisors policy 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. The merger program would not go into effect until the LCP is certified by the Commission, however, 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.

It is unclear at this time how this program would be carried out in light of the *Witt* and *Abernathy* decisions. According to a County Counsel memo dated June 16, 2009 to the County Board of Supervisors, *Abernathy* and *Witt* affected in a substantial way the manner in which conforming lots can be created.

> "Rather than merging substandard lots described on an ancient subdivision map, as is currently the process, a parcel described in a deed would have to be either merged or subdivided (as appropriate) to result in lots that conform to current zoning regulations. This will result in a more involved process in order to create a legal lot conforming to the minimum parcel size, with the possibility that owners will choose not to subdivide. This could result in fewer, large lots than would have been the case before the *Witt* and *Abernathy* decisions…the subdivision process is much more involved than the merger process, and because the decision is discretionary, could result in a decision to deny the subdivision."

In conclusion, full development of the 2,400 substandard lots would only occur under the following circumstances:

(1) All of the lots are determined to be legal, pursuant to the recent Abernathy and Witt decisions,
(2) 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),
(3) Each existing house that spans multiple substandard lots is demolished,
(4) The County does not administer its existing non-LCP policy (since 1998) 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,

(5) Each substandard lot is sold to a separate owner, and

[8] 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 the end of the two year period, and would apply to all applicable substandard lots not voluntarily merged during Phase 1.

(6) A discretionary Use Permit and Coastal Permit is approved to build a house on each substandard lot.

Therefore, the Commission finds that omission of more than 2,000 units from the estimated buildout figure may be a realistic interpretation of these substandard lots' development potential. However, certain textual modifications to Table 1 are necessary to explain how these lots were treated in the buildout estimation, to include reference to the recent Witt and Abernathy decisions, and ensure that LCP policies continue to govern development on the Midcoast, consistent with the Coastal Act. Therefore, the Commission adopts Suggested Modification No. 1.

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".[9]

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.

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

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 can be 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).

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".[10] 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 LOS 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 2009 San Mateo County Congestion Management Program (CMP) shows the existing service levels for roadway segments of Highways 1 and 92 during the peak commute, as summarized below. The LOS shown represents the most congested section of each roadway segment.[11]

[10] CCAG 2001

[11] C/CAG. 2009. Final Congestion Management Program for 2009; Fehr and Peers. September 2009. 2009 San Mateo Congestion Management Program Final Traffic Level of Service and Performance Measure Monitoring Report .

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 5 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 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. According to 2007 traffic counts conducted by Fehr and Peers for the State Route 1 Calera Parkway Project, 24% of the traffic congestion that occurs between Fassler and Reina Del Mar Avenues comes from the

Midcoast area.[12] 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 2009 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 2009 Congestion Management Program (CMP), this intersection is currently at LOS D during the peak afternoon commuter periods, the lowest level allowable under the LCP (Fehr and Peers 2009).[13] During the peak morning commuter period, the intersection is currently at LOS C, an improvement from 2007's LOS D. Any significant increase in traffic will cause the roadway to exceed its LCP standard.

Traffic congestion is high on the Midcoast for a number of reasons. First, 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 the Midcoast 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.

Second, 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 requires that Highway 1 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.

[12] personal communication with Joe Hurley, San Mateo County Transportation Authority, November 17, 2009
[13] This result was generated using the 2000 Highway Capacity Manual "HCM 2000" methodology (Fehr and Peers 2007)

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.[14] 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 were expected to begin before the end of 2008. However, these future improvements are not expected to alleviate congestion, and, in fact, traffic congestion is projected to be worse, as described below.

Projected Traffic Levels

According to the 2001 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.[15] The CTP 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 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"

According to the County, 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.

[14] Unrelated to the City of Half Moon Bay Residential Growth Initiative also known as Measure A.
[15] C/CAG 2001

LCP Buildout Analysis

The CTP's 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." Given the recent economic downturn, development rates have slowed, therefore this scenario is unlikely in 2010. However, once the construction economy rebounds, congestion will worsen to LOS 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 are projected to be at "F" in the near future, with one segment at "E" (El Granada to Montara) (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.

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.[16]

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. Using the proposed growth rate of 75 units per year (and subtracting 257 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 x 365 = 3504 per year), and the proposed growth rate of 75 units per year, this results in an additional 262,800 vehicle trips (75 x 3504) per year on Highways 1 or 92, for a total of between 9,723,600 additional vehicle trips at buildout.

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

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

Coastal Act section 30253 requires new development to minimize energy consumption and vehicle miles traveled. Section 30252 addresses the need to prioritize provision of convenient public transit and to site and design development in a manner that facilitates provision of public transit. Major coastal recreational areas should be well served by public transit and easily accessible to pedestrians and bicyclists. Street, sidewalk, bicycle path, and recreational trail networks (including the Coastal Trail) should be designed and regulated to encourage walking, bicycling, and transit ridership. Commercial and retail developments should be required to design their facilities to encourage walking, bicycling, transit ridership, and ridesharing. For example, developments could locate and design building entries that are convenient to pedestrians and transit riders. LCP Policies need to encourage development to be designed accordingly. Implementation of the above policies addresses global warming and climate change, and the need to implement so-called 'smart growth' measures.

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 and public transit policies of the Coastal Act (30210, 30211, 30223, and 30252). 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. Further, the lack of alternatives to vehicle travel and the lack of effective LCP policies designed to reduce energy consumption and vehicle miles traveled, as further described below, is inconsistent with Section 30253 of the Coastal Act.

<u>County Proposal</u>

The County proposes two policies to address traffic issues in the LCP: (1) the proposed reduced growth rate of 75 units per year [down from 125] (see Exhibit 1, County Exhibit F), and (2) the proposed traffic mitigation policy (see Exhibit 1, County Exhibit H). The

County also maintains that specified and unspecified future road improvement projects will help to alleviate traffic problems.

Reduced Growth Rate

The County states 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 37 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. 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[17], 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

[17] Given the recent economic downturn, development rates have slowed, therefore this scenario is unlikely in 2010. However, once the construction economy rebounds, congestion will worsen to LOS F.

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 and reduce vehicle miles traveled on the Midcoast. Since most of the lands in the Midcoast are divided into small parcels, it is unlikely that many individual 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 the congestion problems that are caused by their cumulative development. Most significant, this proposed policy would not mitigate the largest threat to traffic and transportation capacity - cumulative residential development on individual legal lots - development of 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.

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" and "E" as required in the LUP).

Suggested Modifications

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. Nor does it encourage public transit, reduce vehicle miles traveled, or reduce energy consumption, inconsistent with Section 30252 and 30253.

Therefore, the Commission adopts the following suggested modifications: Suggested Modification No. 38 deletes the proposed traffic mitigation policy 2.51 and replaces it with LUP Policy 2.57.1, which requires traffic mitigation for all non-residential development, including subdivisions regardless of the amount of vehicle trips it produces . Mitigation options include lot retirement and mandatory lot merger.

San Mateo County has expressed concern over the recommended lot retirement program laid out in policy 2.57.1, as modified by the Commission. The County notes that the proposed lot retirement requirement involves a complex program under which applicants proposing a land division would have to locate and purchase other land with equivalent development potential, and record legal documents prohibiting their future development. It also places the responsibility for long-term management of retired lots on public agencies, private associations, or adjacent landowners. In light of the recent Witt and Abernathy court decisions, the County is concerned that this requirement will have a much broader application than originally anticipated by CCC staff, and will pose significant challenges for development.

The Commission finds traffic mitigation of all development, including subdivisions, is necessary to ensure the LCP's consistency with the Coastal Act. Highways 1 and 92 are currently at capacity, and the Midcoast is only half built out. It is projected that the LOS on these highways will be "F" in the near future. Therefore, in legalizing these substandard lots through certificates of compliance Type B, which would be treated as a brand new subdivision under the Coastal act, property owners should mitigate for traffic impacts by retiring other lots or merging with other lots. In order to encourage affordable housing, the suggested modification exempts land divisions for affordable housing projects from the lot retirement requirement. However, the physical development of the affordable housing project, if larger than a single residence, would still have to mitigate for its traffic impacts through TDMs, as specified in the policy (see SM # 38). Only as modified can the Commission find that the proposed LCP Amendment is consistent with Coastal Act sections 30250, 30252, 30253, 30210, and 30211.

In order to mitigate for the cumulative impacts of residential development to the regional transportation system. Suggested modification no. 2 reduces the growth rate to one percent (40 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, as set forth in new LUP Policy 2.57.2 (see suggested modification no. 40). (see Section 6.1.5 on growth rate).

Lastly, the Commission adopts Suggested Modification No. 6, which adds an explicit LUP Policy (1.18.1) that prohibits approval of new development unless it can be served

by adequate public services. This type of policy is common in many LCPs coastwide. In San Mateo's case, while the existing certified LCP contains several public works policies that speak to the availability of public services, there is no explicit policy in the Locating and Planning New Development Chapter that applies to the public service standards that must apply to all new development in order to be approved.

The County had concerns about the language of this suggested modification as it was recommended in the February 27, 2009 staff recommendation to the Commission. It was expressed that staff's proposed policy was not clear about the information required to demonstrate the adequacy of public services, and it established a moratorium on new development until existing service levels on Highways One 1 and 92 are resolved and a solution to existing wet weather overflow problems is implemented. Because single-family residential development is largely excluded from CDP requirements through a categorical exclusion order approved by the Commission in 1981, the County opined policy will create a more intensive review process for commercial, mixed-use, and multi-residential infill projects. Lastly, the County put forth that prohibiting new development until infrastructure and service capacities are increased does not consider the role that new development plays in implementing such improvements.

Suggested modification No. 6 has been revised to clarify what is meant by adequacy of public works-specifically water, wastewater, and transportation consistent with the existing provisions of the certified LCP. The Commission finds that the suggested modification does not establish a moratorium on new development because new single family residences approved consistent with the 1% growth rate and visitor serving uses are not required to demonstrate that the highways have adequate levels of service. Larger commercial, mixed-use, and multi-residential projects that individually cause greater traffic impacts due to the demonstrable increase in vehicle trips that would be generated on roads that are already at capacity would still have to demonstrate that the roads would have adequate levels of service as a result of the project. If a mixed use project were to demonstrate that because it is a mixed use development that provides services that would prevent the need to take vehicle trips, and vehicle trips would be offset and LOS would remain within the standard, then it could be approved consistent with all other applicable policies of the certified LCP.

Conclusion

With respect to the regional transportation system capacity of the County's urban Midcoast, as proposed, the San Mateo County Midcoast LCPA is inconsistent with the Coastal Act policies dealing with the adequacy of public services (Section 30250), public access (30210, 30211, and 30223), and the provision of public transit, and reduction in energy use, and vehicle miles traveled (Sections 30252 and 30253). Therefore, the proposed LCPA must be denied. However, if modified as described above, the proposed LCPA is consistent with the Coastal Act.

6.1.3. Water Supply and Transmission

Relevant Coastal Act Policies:

In addition to the overarching policies of 30250 and 30254 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 remainder 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 Midcoast[18]. The number of existing residential units is approximately 3,928. This 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).

Table 1

Supply Source	**Capacity (gpm)**
Montara Creek	70
Airport Wells Water Treatment Facility	225

[18] 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."

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 within the District's service area without municipal service, and these homes must rely on individual wells even though they are located within the urban area.[19]

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

[19] Personal communication with Clemens Heldmaier, Montara Water and Sanitary District 2/11/09

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.

Non-residential water consumption is estimated as follows:

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

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:

Land Use/Zoning	Acres
Neighborhood Commercial (C-1)	9
Commercial Recreation (CCR)	4
Waterfront (W)	8

Light Industrial (M-1)	47
Institutional	31

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:

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

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 million 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 Visa 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, 2007, and 2008 actual production numbers for comparison.

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[20]	800[21]	717	817.96	753.64
Pilarcitos Well Field	16[22]	53[23]	49	21.92	29.65
Denniston Surface Water	101[24]	204[25]	103	121.07	52.92
Denniston Groundwater	43[26]	55[27]	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

[20] Based on the SFPUC Agreement less 25% mandatory rationing which has been imposed by SFPUC during recent droughts.
[21] Based on SFPUC Agreement amount
[22] Based on historical year of lowest production, 1977
[23] Average production since 1983
[24] Based on historical year of lowest production, 1977
[25] 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.
[26] 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.
[27] Based on well production during 1995 during which production was maximized

The 2006 Water Supply Evaluation Report states that available water during non-drought years is above the District's current requirements, but that 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, 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.[28]

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.[29] 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 1985, it allowed CCWD to supply a total of 2,503 non-priority and 1,043 priority water connections. CCWD has sold all but 72 of the non-priority connections and approximately two thirds of the priority connections. While nearly all of the non-priority connections have been sold, there are approximately 1,056 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. 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

[28] Personal communication with Cathleen Brennan, CCWD Water Resources Analyst, January 2009
[29] CCWD 2006 Water Supply Evaluation Report

time of the sale, there are approximately 1,056 sold connections that remain uninstalled today.[30] In practice, these uninstalled connections are often transferred through sale from one APN to another.

There are also 99 priority connections sold but uninstalled, 167.5 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.

Assuming that the 1,056 non-priority connections and 202.5 reserved affordable housing 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 111,098,995 gallons of water demand per year.

The 266.5 uninstalled/unsold priority connections equal roughly 77.28 million gallons per year in demand[31].

In total, outstanding connections from the Phase I Crystal Springs Project represent approximately 188 million gallons per year of additional water demand which means, assuming a 10% systems loss of water, CCWD would need to produce approximately 207 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 999 to 1,092 mg per year (using the lowest and the highest amounts of annual water production from the year 2001 to 2008 as a base), which is within the normal year capacity of 1,120 mgy CCWD has available according to the 2006 water supply evaluation report, but drastically exceeding the 760 mgy available during drought years. CCWD's 2008 Annual Water Quality Report states that from 2007-2009, CCWD's area has experienced drought conditions, and contains a water shortage advisory asking its customers to curtail water use by 10%.[32]

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:

[30] CCWD 2008 Annual Report to Special Condition No. 3 of Permit Application Nos. A-2-SMC-99-063; A-1-HMB-99-20, dated March 27, 2009
[31] The total sale of priority water in 2008 was 168 mg. According to CCWD, in 2008 there was a total of 574 priority connections installed. Each priority connection therefore consumes 0.29 mgy on average.
[32] Coastside County Water District. July 2009. 2008 Annual Water Quality Report.

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:

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

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:

Land Use/Zoning	**Acres**
Neighborhood Commercial (C 1)	15
Commercial Recreation (CCR)	41
Waterfront (W)	31
Institutional	18
Agriculture (Floriculture) (PAD)	(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:

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

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.

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. Therefore, Midcoast and Half Moon Bay water demand will exceed CCWD's capacity during drought years. In addition, because the estimation above of 1,100 million gallons per year for combined water demands at 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 average yield 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 6).

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 the Bay Area Water Supply and Conservation Agency (BAWSCA) to its member agencies, illustrates the uncertainties exist in terms of future supply from the SFPUC (exhibit 8).

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 6). 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 mgy during drought years to 259 mgy 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.

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 party[33], 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.

[33] 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.

There have been numerous 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 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. Within the past year (2009), Commission staff has become aware of at least two failed wells in Moss Beach and Montara, through media reports and a phone call from a property owner. In addition to the Midcoast area, there have been six failed wells in the City of Half Moon Bay. 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 residential categorical exclusion order in 1987 due to concerns for groundwater impacts and the lack of public services to serve an urban area. However the Commission 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 drilled within the Midcoast.

Kleinfelder Report

On April 21, 2009 San Mateo County released the long-awaited Midcoast Groundwater Study Phase II ("Kleinfelder report").[34] The Commission's Staff Geologist reviewed the study, and found that while it failed to meet its goal of determining a "safe yield" for each of the aquifers in the region, the conceptual model developed of the region's basins and subbasins, the pumping test data and, especially, the subarea water-balance assessment provides important data that support a conservative approach to managing Midcoast groundwater. Most important, it is evident from the water-balance assessment that several of the subbasins are in overdraft conditions during dry years, and that in fact, the elevation of the water table appears to dip near or below sea level in very dry years. Such conditions likely lead to saltwater intrusion (although no water quality data were collected), with contamination of existing wells likely. Accordingly, even without the calculation of a "safe yield," it is apparent that increased exploitation of groundwater resources in these basins (through domestic wells, for example) will lead to a greater frequency of times when saltwater intrusion is likely.

The Kleinfelder report does not address the potential for resource damage from continued, or increased, groundwater exploitation. Clearly, any groundwater that is extracted for domestic use (unless it is returned to the aquifer through septic systems,

[34] Kleinfelder. January 8, 2007 (Revised October 2008). San Mateo County Midcoast Groundwater Study, Phase II, San Mateo, California.

which is a rare occurrence in the urban area) is not available for recharge to wetlands and streams. This has serious implications for the cumulative impacts of continued and increased use of domestic wells. When combined with the saltwater intrusion data described above, the importance of a solid planning and regulatory approach to groundwater management becomes clear.

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 potential impacts to groundwater resources and 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. Most of the wells drilled in the Midcoast tap into shallow aquifers. As described above, it is clear from the Kleinfelder study that any groundwater that is extracted for domestic use (unless it is returned to the aquifer through septic systems, which is a rare occurrence in the urban area) is not available for recharge to wetlands and streams. This has serious implications for the cumulative impacts of continued and increased use of domestic wells. When combined with the likelihood of saltwater intrusion, the importance of a solid planning and regulatory approach to groundwater management becomes clear.

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 evidence of groundwater impacts provided by the Kleinfelder report, 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 adopts suggested modification numbers 6 and 27 prohibiting private wells in the urban area, until such time that a comprehensive groundwater management plan is incorporated into the LCP.

The County is opposed to a prohibition on private wells and favors an approach that would place additional restrictions on private wells rather than prohibiting them. In regards to private wells, the Commission finds that the data in the Kleinfelder report calls for a system-wide management approach and supports the suggested modification adopted by the Commission. A case-by-case review of each individual well application would not address the cumulative impacts of individual domestic wells. The Commission supports the County's efforts to implement a system-wide approach through its Phase 3 Midcoast Groundwater Study, and suggests that a future LCP Amendment could change the well prohibition adopted by the Commission in its suggested modifications if the proposed amendment is supported by the data and consistent with the Coastal Act. Suggested modifications also address 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.

<u>Failed Wells</u>
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.

The County has demonstrated that the water needs for floriculture have decreased, due to the economic slowdown of the floriculture industry.[35] 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.

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).

Affordable Housing

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, including affordable housing 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.

According to CCWD's most recent accounting, it currently has reserved 167.5 connections for priority uses. 202.5 connections are reserved for affordable housing, which includes the two specified affordable housing sites in the Midcoast (North El Granada and South Moss Beach) and affordable housing sites in Half Moon Bay. The County's proposal is for CCWD to allocate 20 more future connections to additional affordable housing when it develops additional water supplies.

The reallocation of water from floriculture to affordable housing, as proposed, does not correspond with the reality of MWSD's existing capacity deficit and uncertain future supply capacity for both MWSD and CCWD, 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. The Commission notes that while the Coastal Act (section 30604 [f, g] encourages affordable housing, Chapter 3 of Act, which contains substantive policies regulating new development, priorities uses such as visitor serving, recreational, agricultural, and coastal-dependent land development (Sections 30220, 30221, 30222, 30223, 30241, 30242, 30254, and 30255). The Commission is supportive of County efforts to encourage and facilitate affordable housing within its planned housing supply on the coast, but to do so at the expense of Coastal Act priorities would be inconsistent with the Coastal Act.

Commission staff has worked closely with County staff to come to a resolution that addresses their concerns about providing additional priority water connections to facilitate affordable housing, while ensuring that the LCP Update is consistent with the Coastal Act as described above. Because the water districts are already extremely

[35] Personal communication with representatives of the floriculture industry revealed that floriculture in the Half Moon Bay area struggling due to increased competition overseas.

limited in water supply, it would be inconsistent with the Coastal Act to reallocate water that is reserved for a Coastal Act priority use to a non-coastal Act priority residential use unless adequate water capacity for all the Coastal Act priority uses in Table 2.17 has been reserved. The Commission therefore adopts suggested modification language to the table requiring that where development of new public works facilities can accommodate only a limited amount of new development, adequate capacity must be reserved for Coastal Act priority uses before reserving capacity for LCP priority uses, such as affordable housing. Suggested modifications also require that Table 2.17 be updated when any capacity expansion projects are approved. This language can be found in Suggested Modification Nos. 17, 24, 44, and 46.

6.1.4. WASTEWATER TREATMENT AND TRANSMISSION 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 approximately12 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.[36]

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.[37] The rest

[36] personal communication with John Foley III, Manager of SAM, February 5, 2009
[37] EPA Report

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.

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.[38]

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.[39] 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 the 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.

[38] EPA 2006
[39] EPA 2006

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 Bay[40]

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:

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

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, the

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

portion of ADDWF that was generated by the City of Half Moon Bay should be subtracted.

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 fully built out to the level designated in the LCP. The buildout level in the Midcoast portion of the LCP was considered to be 6,728 potential dwelling units. The certified LCP estimates that the residential buildout population served by GSD would be 8,593 people and for MWSD, the residential buildout 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 Midcoast.

Residential Wastewater Treatment Demand

The LCP Update proposes to change the wastewater or sewage generation factor (SGF) estimate for residential use in the Midcoast. 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 Midcoast, including units on the Midcoast 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.

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

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.

Land/Use Zoning	Acres
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 1 (County 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.

- 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 the combined sewage treatment demand for residential and nonresidential uses at build out will be 1.65 mgd. This estimate is also within the 1.71 mgd of SAM capacity allotted to the Mid-coast.

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 10 – 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.

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 close to 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.

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.

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

(1) Existing capacity is limited by the 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 a 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.

As described above, the overall SAM treatment system currently faces capacity challenges with its sewage collection and transmission system (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. The proposed LCPA does not address sewage transmission capacity. Yet the LCP update build-out capacity calculations for sewage treatment rely on improvements to the IPS in order to meet the projected demand. In other words, the County faces wet weather overflow challenges with the existing levels of development in the Midcoast. Future development will exacerbate this problem. While the treatment plant may have capacity to serve estimated buildout, the sewage transmission lines are the limiting factor.

Therefore, the proposed LCP Update is inconsistent with Coastal Act Section 30231 and 30250 because it does not propose policies mandating improvements to the IPS; 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.

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 the County has not provided for or discussed future planned public works facilities that are necessary to maintain capacity for existing and future development, and how capacity for priority uses will be provided. Suggested modifications to the Update must ensure that where existing or planned sewage treatment facilities can accommodate only a limited amount of new development, sewage collection, transmission, and treatment services to Coastal Act priority uses are appropriately allocated.

Suggested Modifications

Suggested Modifications to the proposed LCPA are necessary to ensure that future development does not over-tax the system, including policies requiring that the wet weather overflow problems 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. (Suggested Modification No. 41).
(2) Limit growth rate for new residential development until such time that improvements to the IPS system have been developed and capacity issues with wet weather flows have been resolved (see Section 6.1.5) (Suggested Modification No. 2).
(3) New LUP Policy 1.18.1, which requires that new development shall not be approved if there is insufficient wastewater public works capacity within the system to serve the development (Suggested Modification No. 6).

The County has expressed concern that suggested modifications to the LUP growth rate policy (Policy 1.22, Suggested Modification No. 2) that tie changing the growth rate on whether there are adequate facilities to control wet weather overflows are unnecessary because any future changes to the LCP growth rate will require an analysis against all Coastal Act policies (see Exhibit 15). The Commission finds that the Midcoast is severely constrained in its ability to provide adequate wastewater transmission facilities. Once public works have been developed to accommodate a higher growth rate, the County can amend the LCP to have a higher growth rate. The Commission agrees that changes in future growth rate would have to be consistent with all applicable coastal act policies, however elimination of specific language pointing out the requirement for resolution of wastewater collection issues would eliminate requirements that are necessary to ensure that the LCP will remain consistent with the Coastal Act.

The County has also expressed concerns that suggested Policy 1.18.1 would establish a moratorium on any new development until such time that public works capacity issues, such as wet weather flow issues, are resolved. The Commission finds that the language of Policy 1.18.1 reflects its intent that the lack of adequate facilities to control wet weather flows do not result in a de facto moratorium on new residential development as long as the new residential development can be approved consistent with the parameters of the 1% growth rate as modified by the Commission (Suggested Modification No. 2, LUP Policy 1.22).

As modified, the Commission finds that the proposed LCPA is consistent with the Coastal Act. Although the data submitted above demonstrates that the sewer 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 under 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 during peak periods 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 over-burden 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 the actual growth rate, it is apparent that both the existing and proposed County 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. Both contribute to the wet weather overflow problem, use the same distribution system and the same treatment plant, and both 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 as submitted. However, if the LCP is modified to incorporate a 40 unit/year (1%) growth rate until these constraints are addressed, and in conjunction with the other public service policy modifications to assure adequate public works for new development, the Commission can find that the LCP is consistent with the Coastal Act.

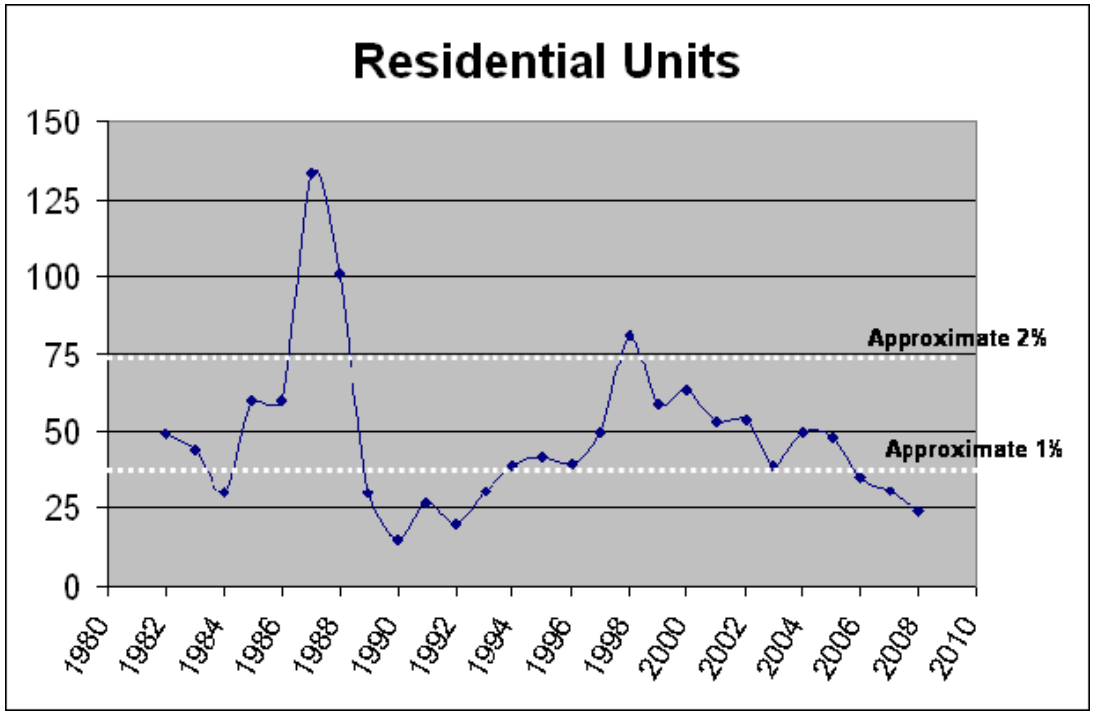
Therefore the Commission adopts suggested modifications to LUP Policy 1.22 (Suggested Modification No. 2), lowering the growth rate to 40 units/year (approximately 1% of population). With regard to the County's proposed affordable housing exclusions from the growth rate, the Suggested Modification includes affordable housing, including secondary dwelling units, within the 40 unit/year (1%) allowable residential growth rate, but allows the rate to be averaged over a three-year period to accommodate the case where an affordable housing project may cause the growth rate to be exceeded in any one year. 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. The suggested modification also requires that the 40 unit/year 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.

The Commission finds that the Midcoast is severely constrained in its ability to provide adequate wastewater transmission and transportation facilities, and a 40 unit/year growth rate is necessary to ensure the proposed LCPA's consistency with the Coastal Act. Once public works have been developed to accommodate a higher growth rate, the County can amend the LCP to have a higher growth rate. The Commission also finds

that the specific language in the suggested modification pointing out the requirement for resolution of wastewater collection issues and the transportation management plan is necessary to ensure that the LCP will remain consistent with the Coastal Act.

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. Commission staff also worked closely with the applicant and the City of Half Moon Bay to implement a one-to-one lot retirement for the Carnoustie subdivision at Ocean Colony (Appeal No. A-2-HMB-07-034).

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 1980s to expand the sewage treatment plant.[41] 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 adopts 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 serve new development, both to 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 existing development and the growth that would be facilitated by the particular public works expansion. In simple terms, any public works expansion project designed to serve new development must meet the tests described above. If a water serving district, for example, were to propose development of a new water supply to serve new development in its service area, it would first need to show that the roadway and transportation capacity is capable of serving the additional development that would be served by the project, that the sewer wet weather overflow problems have been resolved, and that the sewer collection, transmission, and treatment system has adequate capacity to serve the level of development that the water supply project would serve.

Exceptions to the above include public works expansion projects aimed at solving existing deficiencies for existing development (e.). In these cases, other public works deficiencies (e.g. transportation capacity and sewer wet weather overflows) would not need to be solved first as long as the project would not facilitate new development inconsistent with the LCP. Examples of this include water projects to serve existing development on private wells, projects designed to correct existing problems associated with wet weather flows in the sewage/wastewater transmission lines, wastewater recycling projects designed to serve existing development, and supplemental water supply projects to serve CCWD customers who purchased water connections before December 2009 if existing capacity has been consumed.

[41] 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.

The County opposes these suggested modifications stating that they create barriers to necessary infrastructure improvements, and that public works facilities should be permitted to be sized to serve buildout of the LCP. The Commission notes that the existing LCP already requires public works facilities to be phased with each other and the Commission has already applied these policies in two decisions to expand public works facilities to meet existing needs (Montara Water and Sanitary District Public Works Plan #2-06-006 and Coastside County Water District CDP #A-1-HMB-99-20/A-2-SMC-99-63). The suggested modifications merely update these policies to today's public works constraints: whereas when the original LCP was certified the identified constraining factor was sewer treatment capacity, today it is highway capacity, sewage transmission, and water supply that constrain future development scenarios. While the suggested modifications change the policies somewhat to clarify these issues, the general phasing concept does not change.

To address County concerns, the suggested modifications clarify that for public works expansion projects aimed at solving existing deficiencies for existing development, but sized for ultimate buildout to reduce costs, other public works deficiencies do not need to be solved first as long as the project would not facilitate new development inconsistent with the LCP. Using a hypothetical example posed by County staff, if a special district proposed to replace sewer pipes with larger pipes to deal with wet weather transmission, but wanted to size the pipes to accommodate estimated buildout instead of existing development, as long as the project were consistent with all other applicable LCP policies, the suggested policies would not necessarily preclude that pipe size as long as the permit was conditioned to require the phasing of new sewer connections consistent with the availability of other public works (such as roads and transit). In other words, in recognition of inherent inefficiencies in putting physical size limitations on public works projects, it is feasible to put virtual/regulatory limitations on the use of such facilities, such that it does not induce growth that is inconsistent with the LCP. The Commission utilized this approach in the CCWD El Granada Pipeline approval (CDP #s A-1-HMB-99-20) and the MWSD Public Works Plan Phase I (PWP # 2-06-006).

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 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

10.37.1 (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 an 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 no longer needed for the alignment to open space and linear park and trail through this update (Suggested Modification Nos. 58, 62, 63). 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.

Caltrans and the County object to the immediate rezone of the property, stating that a more "careful" approach is needed. According to Caltrans, there are legal agreements

with former landowners regarding the future dispensation of these lands in the event the bypass is not constructed, and Caltrans has indicated a need to understand the form of compensation it would receive for transferring this land to a public agency, and stated the importance of preserving rights of access to lots that are within and east of the bypass alignment.

The Commission finds that the suggested modification does not affect land ownership nor does it require any land transfer; the land is already in public ownership (Caltrans) and it merely re-zones the bypass to linear park and trail to ensure consistency with Coastal Act public access policies. As described above, the bypass area is clearly not needed for highway purposes since the alternative Devil's Slide tunnel is nearing completion. To ensure consistency with the Coastal Act, this area should be rezoned now and planned for future trails. The Commission notes that this suggested modification is also consistent with the limitations on the sale and transfer of state land provided by Section 30609.5 (see discussion below).

Access Requirements Along the Abandoned Highway 1 at Devil's Slide

The County has also proposed amendments to Policy 2.56 Bicycle and Pedestrian Trails. As proposed, this policy contains outdated language about the Devil's Slide tunnel and requirements for bicycle and pedestrian trails on the abandoned portion of Highway 1. Since the permit has since been approved for the tunnel and its construction is underway, the Commission adopts suggested modifications to Policy 2.56 elaborating on the trail requirements imposed by the CDP. The County is opposed to including the details of their permit requirements for trails and access in the LCP and is opposed to language requiring the County to provide access 365 days/year because it may conflict with sensitive habitat protection needs, and there are no provisions for temporary closure in the event that the trail becomes un-repairable.

The Commission finds that the suggested modification clearly tracks the language of the CDP. In terms of the 365 day open requirement, the suggested modification clarifies that it must be operated in accordance with the approved Caltrans operations plan in consultation with the Devil's Slide Task Force, consistent with the language of the CDP. This operations plan can address temporary closures for sensitive habitat protection. The suggested modification also outlines the circumstances where the responsible agency would not be required to return the access to its pre-failure condition in the event of catastrophic failure, and this outline tracks the exact language of the CDP.

Lastly, the Commission disagrees with the County's opinion that it is unnecessary to include access requirements established by a coastal development permit (CDP) in the LCP. As proposed, the amendments to Policy 2.56 are out of date and do not update the language about the Devil's Slide tunnel. In the interest of transparency to the public and in providing up to date information on future accessways and trails, it is important to include these details in the LCP especially when those details are already specified through the permitting 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 10.37.1) 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 (a) – (k). The minimum broad standards from STOPPP OR SMCWPP are incorporated into the LUP-standards that are unlikely to change overtime—hence reducing the need to amend the LUP each time water quality protection measures are updated in those programs. Including these minimum standards assure the LCPA's consistency with the Coastal Act. 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. The detailed standards proposed by the County in proposed Appendix A are minimally supplemented with additional standards to ensure consistency with the Coastal Act. 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.[42]

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).*

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.[43] 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.[44] 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.[45]

---

[42] Commission staff previously advised the County in September of 2004 that such a policy could not be certified (see Exhibit 14).
[43] 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)).
[44] PRC 30604(b).
[45] 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.

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 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.[46] 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.[47]

[46] 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).

[47] 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.

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 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.[48]

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

[48] 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.

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 adopts suggested Modification 5, deleting proposed LCP Policy 1.3.

6.6. Grandfathering

The County proposes to exempt, or "grandfather" over 143 pending projects from the provisions of this LCP Update. More specifically, the proposed changes to the LUP and IP would not apply to development that has fulfilled at least one of the following requirements:

1. An application for an applicable development permit, including a CDP, has been submitted and appropriate fees paid;
2. A building permit application has been submitted, and fees are paid, as long as no other development permit is required; or
3. A development agreement has been recorded between the County and the property owner and the proposed development conforms with the development agreement

There are over 143 pending coastal development permit applications that would not be required to follow the rules of the Updated LCP. Some of these developments include large condominium and apartment housing projects, subdivisions, and domestic wells, all which have the potential to impact coastal resources, such as traffic capacity, public access, water quality, and groundwater resources. As discussed herein, the potential for these significant adverse impacts is exacerbated by existing public service capacity constraints. New policies contained in the updated LCP, as modified, explicitly set forth the rules and processes for dealing with these issues in a manner that provides both clear guidance to coastal planners, permit applicants and the public as well as necessary protection of coastal resources. Other projects on the list do not appear to be implicated by updated LCP provisions, so it is unclear as to why there is a need to exempt them from the updated LCP. In either case, the Commission finds that it is not in the interest of the public to have one set of rules for certain projects, and a different set of rules for others—and with a growing list of over 143 projects, it would be very confusing to permit applicants, the public, and potential planners, to determine which policies provide the legal standard of review for a particular project. Therefore, the Commission adopts Suggested Modification No. 6.5, 45, 47, 50, 59, 67, and 70 which

requires the County to delete the provisions of the Update which "grandfather" those projects for which a CDP has been submitted and fees paid. [49]

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 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. As proposed, 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 urban roadside stands were temporary in nature, the Open Space/Park attributes of the Burnham Strip would be preserved.

Therefore, the Commission adopts suggested modifications to the El Granada Gateway District language, specifically adding the word "Temporary" to the Urban Roadside Stand allowed use. In addition, the Commission adds the following allowable conditional uses: Public Parking for Surfer's Beach, Public Restrooms and Showers,

[49] There are currently no development agreements pending at the local level, and the submittal of building permit applications for projects that do not require coastal permits do not raise issues of Coastal Act consistency.

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 adopts 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.

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 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)

TABLE 1 ESTIMATED BUILDOUT OF THE LAND USE PLAN		
	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 San Gregorio	(200) (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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 173 of 405)

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

GDB:kcd - GDBQ0442_WKS.DOC
(5/24/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 174 of 405)

EXHIBIT "B"

MAP 1.3

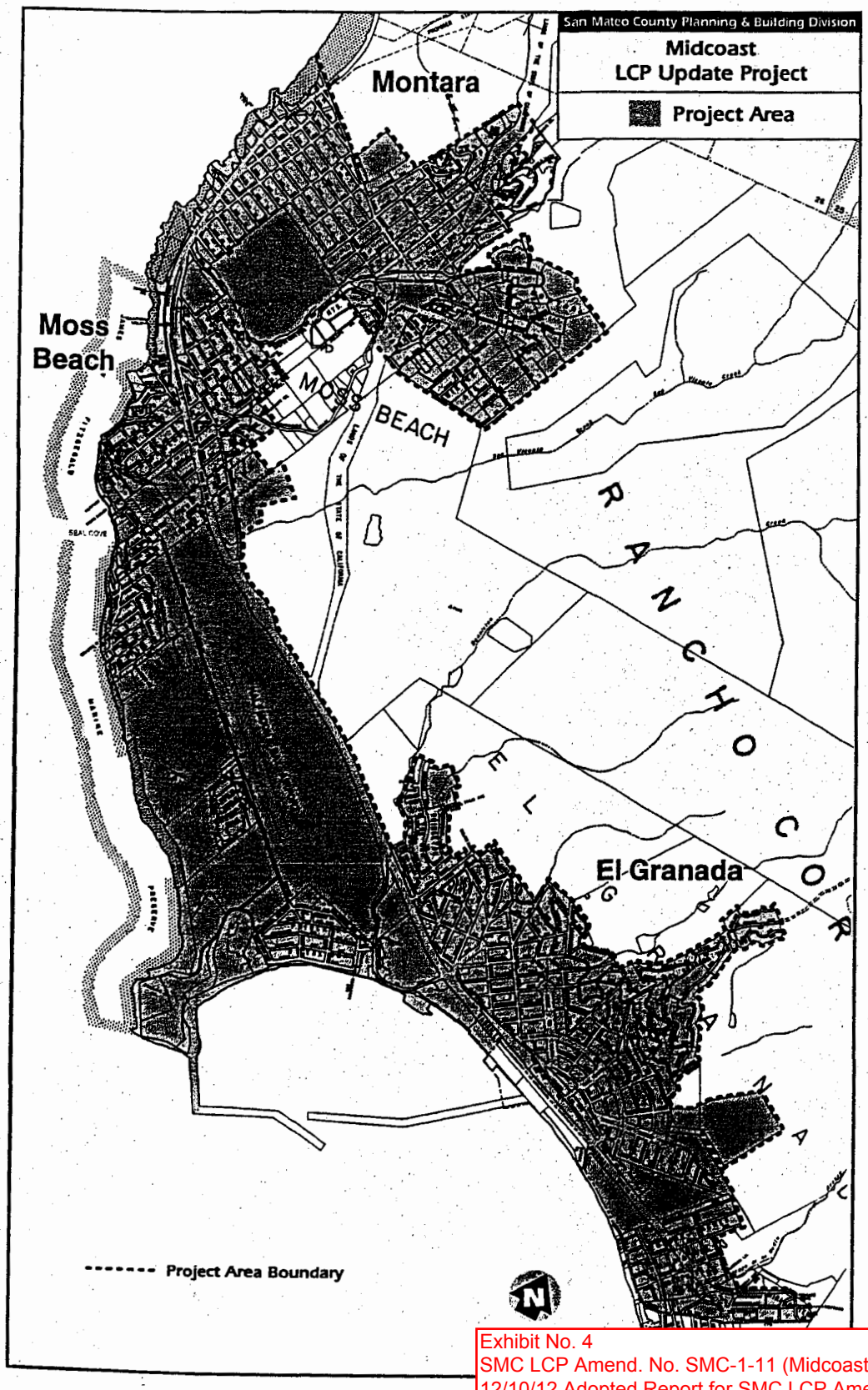


EXHIBIT "C"

TABLE 2.3

a. Original Sewage Generation Estimate (1980)

TABLE 2.3

ESTIMATE OF SEWAGE GENERATION FROM BUILDOUT OF LOCAL COASTAL PROGRAM LAND USE PLAN MONTARA SANITARY DISTRICT

Land Use	Number of Acres	Number of People	Sewage Generation Factor[1]	Sewage Generation (GPD)
MONTARA-MOSS BEACH				
RESIDENTIAL[2]				
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	
COMMERCIAL[4]				
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)
INDUSTRIAL[4]				
Developed	--	--		--
Marine Related	--	--		--
General	--	--		--
Undeveloped	42.60	--		--
Marine Related	(0.00)	--		--
General	(42.60)	--	1,250 gal/acre	53,250

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 176 of 405)

PUBLIC RECREATION 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:

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 177 of 405)

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

Residential Use

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

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

* 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.

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:

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

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 178 of 405)

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:

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

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 179 of 405)

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 Factor[1]	Sewage Generation (GPD)
EL GRANADA-PRINCETON				
RESIDENTIAL[2]				
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)		
COMMERCIAL[3]				
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)
INDUSTRIAL				
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	--	--		--
ESSENTIAL PUBLIC SERVICES[10]				
Essential Public Services	--	--		5,125

PUBLIC RECREATION 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] RESIDENTIAL[2] Developed Single-Family Undeveloped Single-Family	 -- --	 660 798	 70-100 g/d/c 70-100 g/d/c	 46,200-66,000 55,860-79,800
COMMERCIAL Developed Retail Undeveloped Retail	 1.00 5.00	 -- --	 2,000 gal/acre 2,000 gal/acre	 2,000 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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 181 of 405)

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.

GDB:kcd - GDBQ0443_WKS.DOC
(6/26/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 182 of 405)

EXHIBIT "D"

TABLE 2.9

a. Original Water Consumption Estimate (1980)

TABLE 2.9
ESTIMATE OF WATER CONSUMPTION DEMAND
FROM BUILDOUT OF LAND USE PLAN
CITIZENS UTILITY COMPANY

Land Use	Number of Acres[1]	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-Family[6]	--	(3,549)		--
Multi-Family	--	(276)		--
COMMERCIAL[2]				
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)
INDUSTRIAL[2]				
Undeveloped	42.60	--		85,200
Marine Related	(0.00)	--		--
General	(42.60)	--	2,000 gal/acre	(85,200)
PUBLIC RECREATION[2]				
Parks and Beaches	--	408[3]	11.5 gal/day/capita	4,700

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 183 of 405)

FLORICULTURE	--	--		40,000[4]
Developed	--	--		(20,000)
Expansion	--	--	100% increase	(20,000)
INSTITUTIONS[5]				
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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 184 of 405)

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:

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

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:

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

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 185 of 405)

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:

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

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 186 of 405)

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				
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-Family[6]	--	(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				
Developed[5]	--	--		1,700
Undeveloped	--	--		6,425
PUBLIC RECREATION[2]				
Parks and Beaches	--	318[3]	11.5 gal/day/capita	3,700
FLORICULTURE[4]	--	--		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:

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 188 of 405)

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:

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

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).

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 189 of 405)

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:

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

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

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.

GDB:kcd - GDBQ0444_WKS.DOC
(6/26/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 190 of 405)

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 191 of 405)

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.

GDB:fc – GDBQ0782_WFS.DOC (7/20/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 192 of 405)

TABLE 2.17

AMOUNT OF WATER CAPACITY TO BE RESERVED FOR PRIORITY LAND USES[1]
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
Coastal Act Priorities				
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
Essential Public Services[2]				5,000
Local Coastal Program Priorities				
Specific Developments on Designated Sites Containing Affordable Housing (1) North Moss Beach Site (11 acres)	148	64,380	148	35,816 to 51,504
Other Affordable Housing			20	5,000
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		BUILDOUT	
	Units	Gallons/Day	Units	Gallons/Day
Coastal Act Priorities				
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~~ 220,000
Essential Public Services[2]		7,700		~~9,135~~ 14,135
Local Coastal Program Priorities				
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
Other Affordable Housing			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		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:

1. Capacity reserved for additional priority land use development. Does not include existing, developed priority land uses at time of LCP adoption.

2. 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)

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

GDB:fc – GDBQ0782_WFS.DOC (7/20/06)

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.

GDB:kcd - GDBQ0445_WKS.DOC
(5/4/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 197 of 405)

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.

GDB:kcd - GDBQ0447_WKS.DOC
(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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 199 of 405)

~~(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.

~~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.

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

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 201 of 405)

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.

GDB:kcd - GDBQ0449_WKS.DOC
(6/6/06)

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.

GDB:kcd/cdn - GDBQ0540_WKS.DOC
(10/25/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 203 of 405)

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 204 of 405)

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 205 of 405)

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 Storm-water 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

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 206 of 405)

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

GDB:kcd - GDBQ0541_WKS.DOC
(6/26/06)

EXHIBIT "P"

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 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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 208 of 405)

(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.~~

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 209 of 405)

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 No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 210 of 405)

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.

GDB:kcd - GDBQ0539_WKS.DOC
(9/6/06)

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 211 of 405)

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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07 (Midcoast LCP Update) (Page 212 of 405)

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).

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 213 of 405)

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).

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 214 of 405)

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

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 215 of 405)

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 Polices 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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 216 of 405)

*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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 217 of 405)

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 (Thanmophis 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 (Graptholitha 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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 218 of 405)

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 neresis)

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 (Miroungo 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.

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 219 of 405)

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.

GDB:kcd - GDBQ0470_WKS.DOC
(6/6/06)

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-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-parcel size) x 0.0002) x 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.

GDB:kcd - GDBQ0479_WKQ.DOC
(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-parcel size) x 0.0002) x 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.

GDB:kcd - GDBQ0481_WKQ.DOC
(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 site) 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.

GDB:kcd - GDBQ0480_WKQ.DOC
(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) ~~(b)~~ The following retail stores, shops, or businesses:

1. Automobile service stations for only the sale of gasoline, oil, and new accessories, including washing and lubrication services. Used tires accepted in trade on the premises may be resold.

2. Bakeries but not including the wholesale baking or bakery goods to be sold off the premises.

3. Banks.

4. Bars.

5. Barber shops.

6. Beauty parlors.

7. Book or stationary stores.

8. Clothes cleaning agency or pressing establishment.

9. Confectionery stores.

10. Conservatories for instruction in music and the arts.

11. Dressmaking or millinery.

12. Drug store.

13. Dry goods or notion store.

14. Florist or gift shop.

15. Grocery, fruit or vegetable store.

16. Hardware or electric appliance store.

17. Jewelry store.

18. Laundry agency.

19. Meat market or delicatessen store.

20. Offices, business or professional.

21. Photographic or camera store.

22. Restaurant, tea room, or cafe.

23. Shoe store or shoe repair store.

24. Tailor, clothing or wearing apparel.

25. Theaters.

26. Dry cleaning establishments using self-service coin operated machines.

27. Bowling alleys.

28. Massage establishments.

29. Maintenance and operation of up to five electronic amusement devices, provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.

30. Reverse vending machines.

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

32. Pet sales and/or grooming establishments.

33. Limited keeping of pets.

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

1. Signs shall not exceed one hundred fifty (150) feet in area on one face and not more than three hundred (300) sq. ft. in total area on the premises. Larger areas may be authorized by the use permit in exceptional cases.

2. Signs shall not project more than one (1) foot beyond the street property line, but if a building is set back from a street property line, then such sign shall not project more than eight (8) feet from the face of the building.

3. Attached signs shall not project above the 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) (d) The following uses subject to securing a use permit as specified in Chapter 24 of this Part.

1. Mortuaries.

2. Outdoor advertising structures or signs as defined in Sections 5202 and 5203 of the Business and Professions Code of the State of California.

3. Retail dry cleaning establishments.

4. Patio and garden supply sales.

5. Bulk storage plants for liquefied petroleum gas and similar types of home fuels.

6. Veterinary hospitals for small animals.

7. The sale of used merchandise or vehicles.

SECTION 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.

GDB:kcd/cdn - GDBQ0478_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 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
[1]See Section 6300.1 for precise lot area requirements in S-11 and S-12 Districts.
[2]See Section 6300.2 for precise requirements in the S-17 District.
[3]For 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.

GB:fc – GDBQ0491_WFQ.DOC (6/1/06)

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING ANNEX) CHAPTER 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

* * * * * *

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.

GDB:kcd - GDBQ0495_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) 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, 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. 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

Front Setback	Side Setback	Rear Setback
50 feet	20 feet	20 feet

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

* * * * * *

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

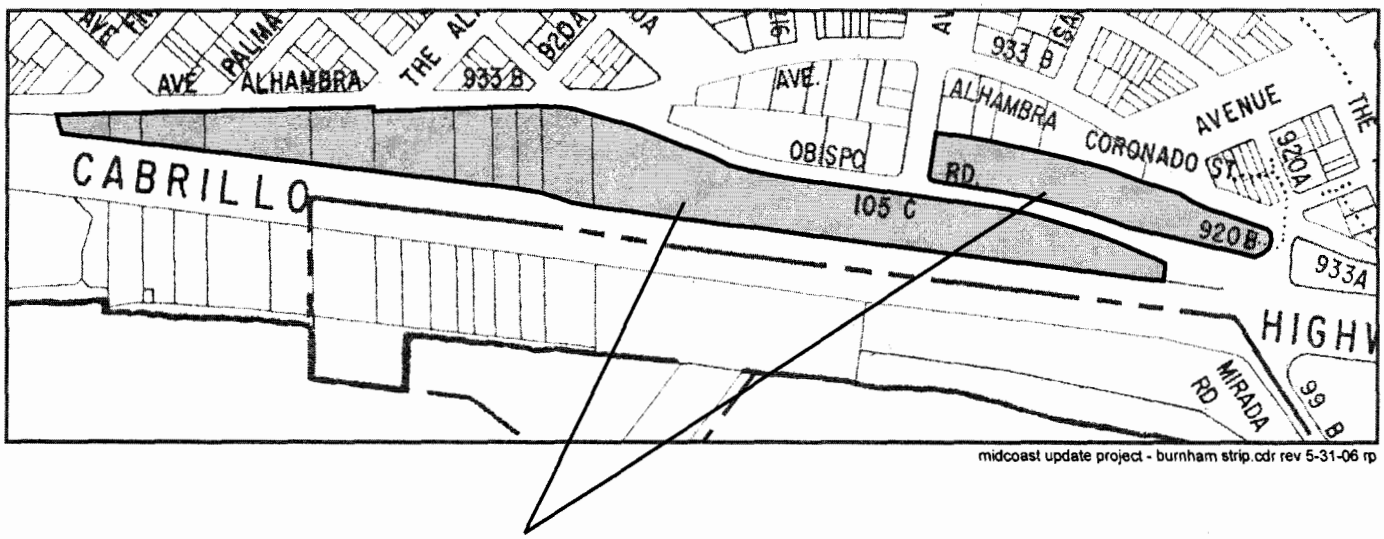
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or

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.

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-parcel size) x 0.0002) x 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.

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

* * * * * *

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:

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-parcel size) x 0.0002) x 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

* * * * * *

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.

GDB:kcd - GDBQ0494_WKQ.DOC
(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).

Exhibit No. 2

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 site 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.

GB:fc – GDBQ0490_WFQ.DOC (7/5/06)

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

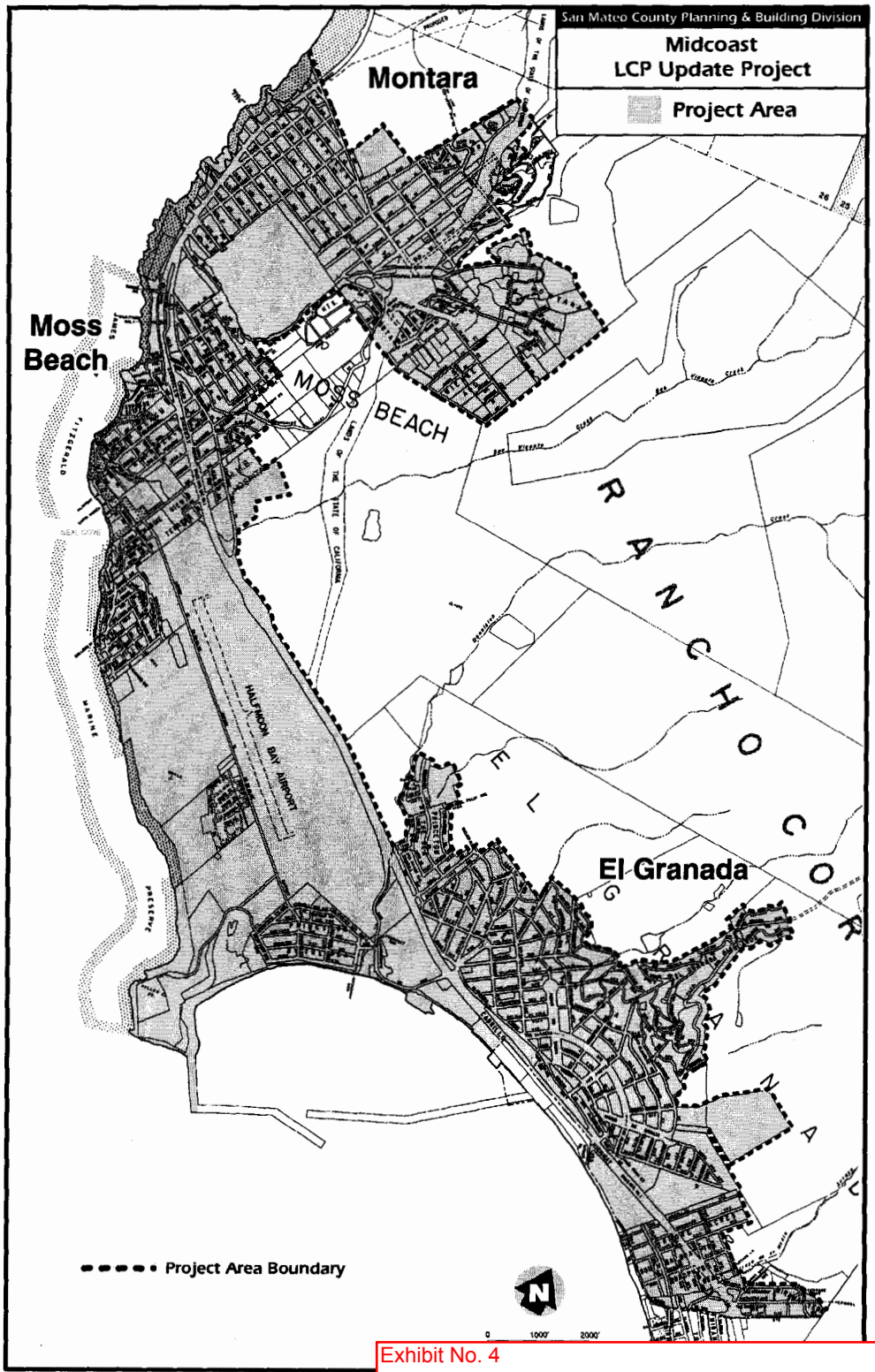
Within the Midcoast LCP Update Project Area, as shown on the map that is a part of this Chapter:

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:

APPENDIX

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.

GDB:kcd - GDBQ0500_WKQ.DOC
(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.

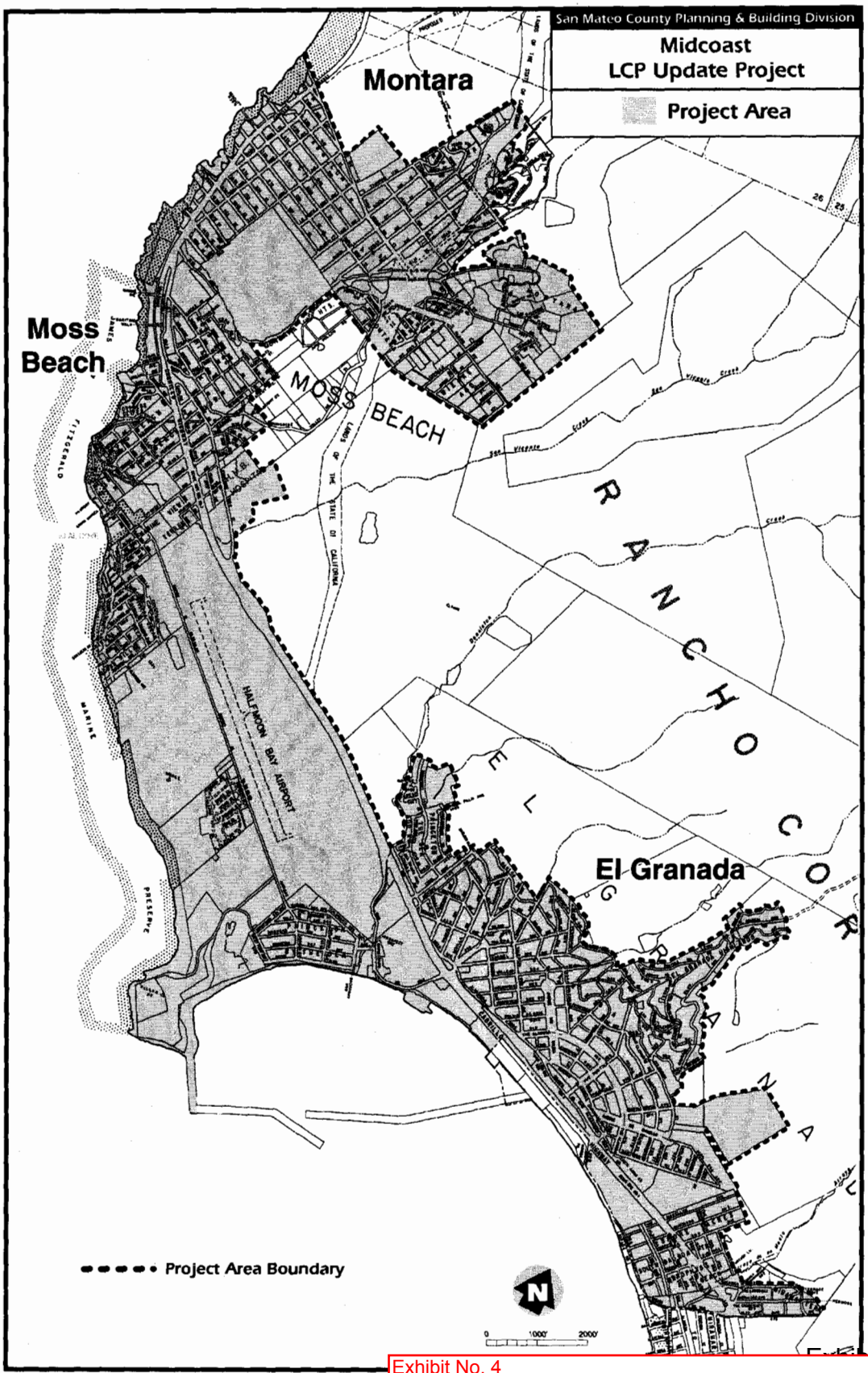


Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07 (Midcoast LCP Update) (Page 281 of 405)

San Mateo County Planning & Building Division

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. f 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: 5,000 sq. ft.v Maximum Density: One unit per 1,250 sq. ft. parcel area
- General Plan: INSTITUTIONAL Zoning: R-1 or RM/CZ Permitted Uses: Pubic/ 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 Perrmitted 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: COSC Permitted Uses: Community open space, public recreation and commercial recreation; Residential Minimum parcel size: 2 acres
- OS — 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
- AG — 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

Exhibit No. 3
San Mateo Co. LCP Amend. No. SMC-MAJ-1-07
Midcoast Land Use and Zoning Map
Page 1 of 1

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07
(Midcoast LCP Update) (Page 282 of 405)

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)

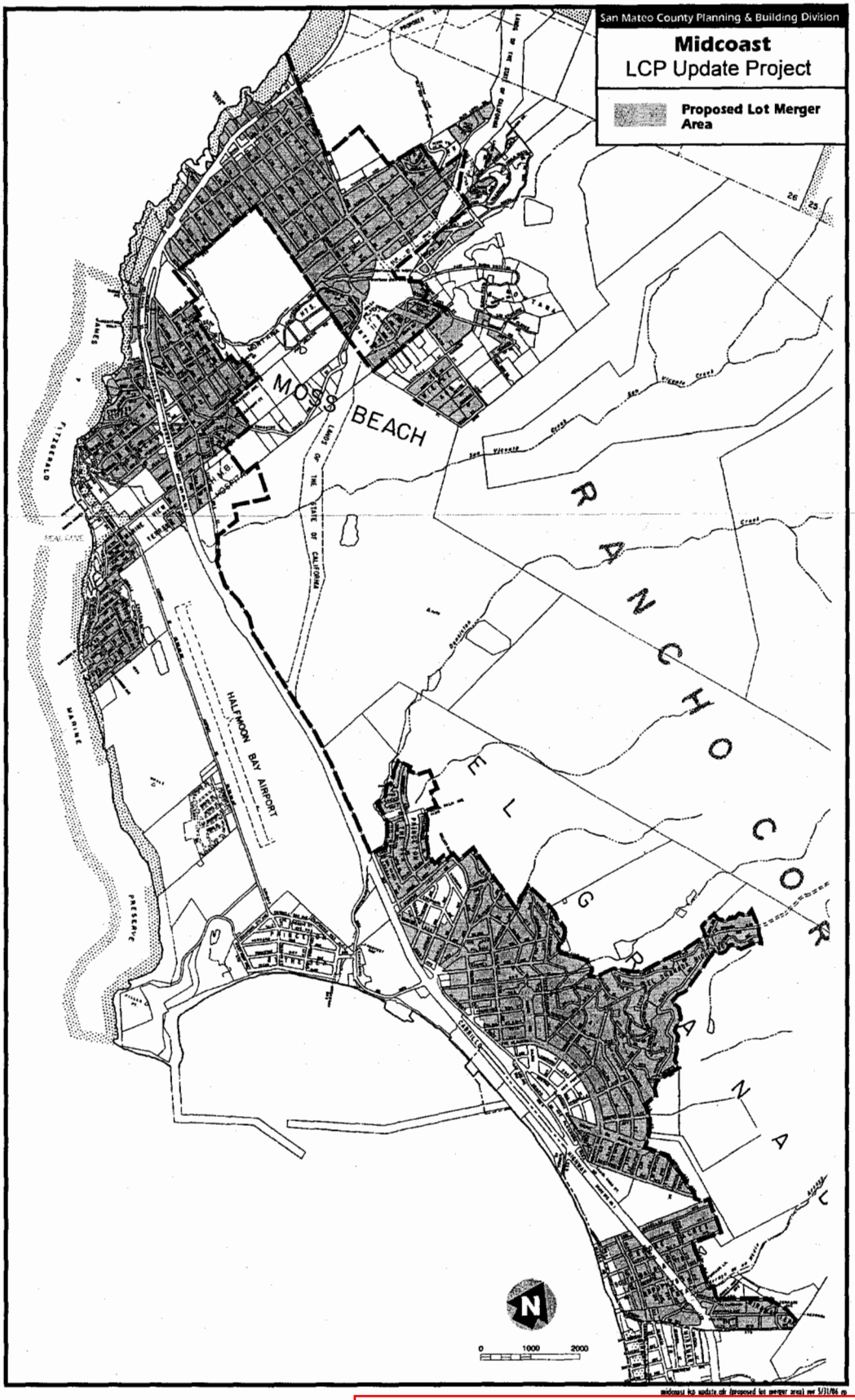
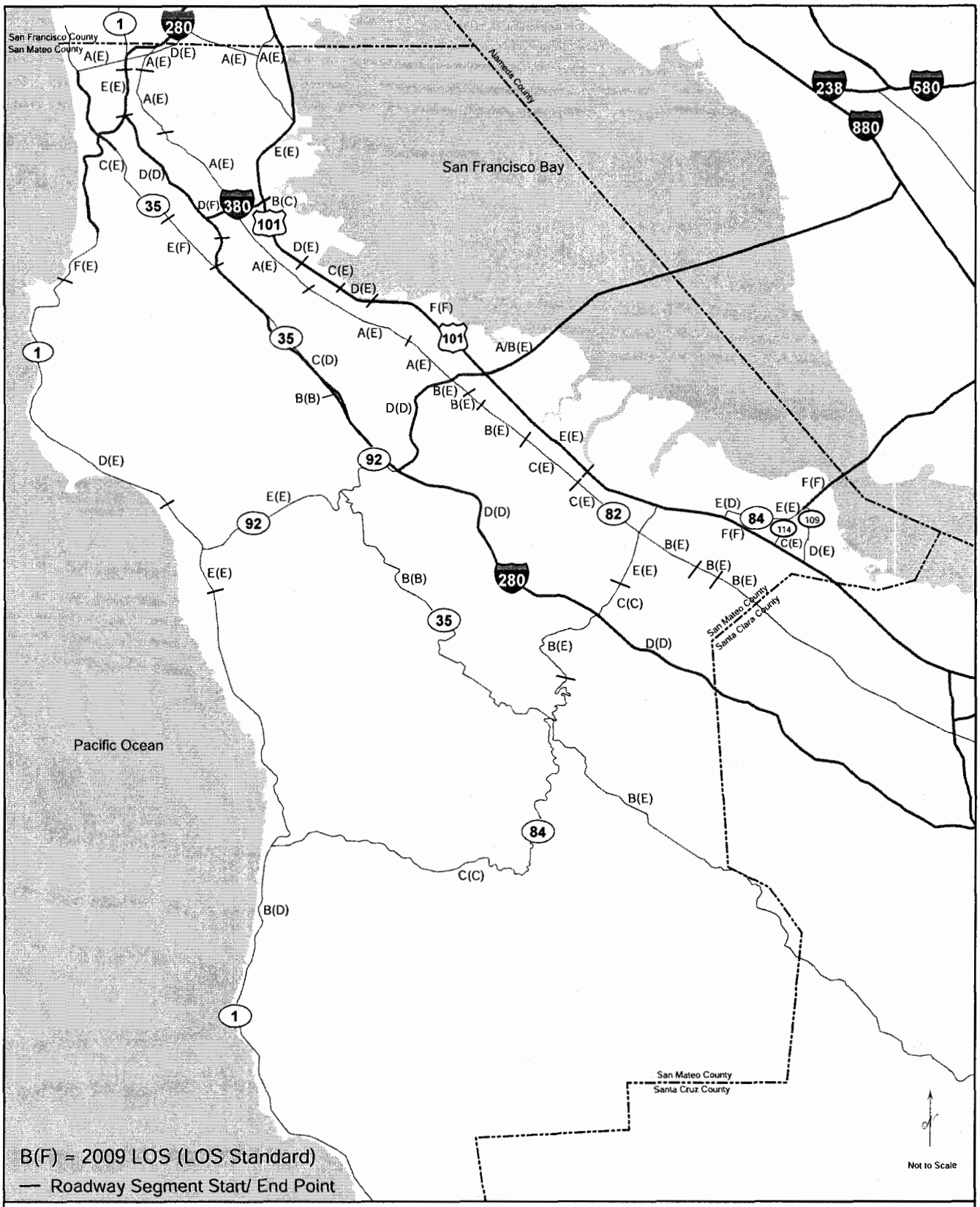


Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07 (Midcoast LCP Update) (Page 287 of 405)



2009 CMP Monitoring Report

2009 CMP Roadway Segments LOS

Figure 3

FEHR & PEERS
TRANSPORTATION CONSULTANTS

RECEIVED
MAR 1 1 2009
CALIFORNIA
COASTAL COMMISSION

March 10, 2009

Mr. Charles Lester
California Coastal Commission
45 Fremont Street
San Francisco, California 94105

RE: Postponement of March 12, 2009 Hearing on San Mateo County Local Coastal Program Amendment No. 1-07 (Midcoast Update)

Dear Mr. Lester:

Coastside County Water District appreciates the Coastal Commission staff's decision to postpone the hearing on the San Mateo County Local Coastal Program Amendment. The staff report raises a number of issues which are important to the District, and we will need more time to work with County and Commission staff to understand and resolve these issues.

We support the County's request that the hearing be rescheduled for the August 2009 meeting in San Francisco in order to facilitate participation by coastside agencies and residents.

Thank you for your consideration.

Sincerely,

David R. Dickson
General Manager
Coastside County Water District

cc: Patrick Miyaki, District Counsel
Lisa Grote, San Mateo County

Exhibit No. 4
SMC LCP Amend. No. SMC-1-11 (Midcoast Update)
12/10/12 Adopted Report for SMC LCP Amend.No. SMC-MAJ-1-07 (Midcoast LCP Update) (Page 289 of 405)

July 7, 2009

President Mark Church and Members,
San Mateo County Board of Supervisors
400 County Center
Redwood City, CA 94063

Re: Midcoast LCP Update

Dear President Church and Members of the Board:

Coastside County Water District (CCWD) appreciates the opportunity to comment on the Midcoast LCP Update. The California Coastal Commission staff's proposed amendments to the LCP Update represent substantial changes to the County's proposal and raise a number of new issues for the District. These recommendations would significantly alter an LCP update developed over six years with ample opportunity for affected agencies and residents to provide detailed comments. Before making significant modifications to the update, we urge the Board of Supervisors to provide similar opportunity – beyond today's hearing and the one held on June 16 – for input.

The District's principal concern is that the LCP should establish clear criteria for water supply planning. As a water utility, CCWD is responsible for providing our present and future customers with a safe, adequate, reliable supply of drinking water at a reasonable cost. In order to provide water for buildout as allowed under the LCP and to diversify our water supply portfolio to improve our response to drought and other challenges, the District will need to plan and execute a number of water supply and infrastructure projects. The proposed LCP modifications would subject these projects to a number of requirements which are not well defined. This lack of definition will lead to delays, increased costs, and water supply hardships for our customers.

CCWD would like to comment specifically on the following Midcoast LCP Update modifications proposed by Coastal Commission staff and on the County Planning and Building Department staff recommendations in their June 22, 2009 report to the Board of Supervisors:

Proposed Modification No. 6 – New Adequacy of Public Services Policy
We support the County staff recommendation to delete Sections a, b, g, and h of proposed Policy 1.18.1. In addition, we recommend that Section c be deleted or clarified.

In Section b of the proposed new Policy 1.18.1, we are concerned with what criteria would be applied to our water system to determine whether "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.

We are also concerned with how Section c of the proposed new Policy 1.18.1 would be applied and with how it would affect CCWD's ability to plan projects necessary to serve LCP-allowed development. This policy would appear to set the water planning horizon for the current LCP at an unknown number of units well short of what the LCP defines elsewhere as buildout. The number of CCWD non-priority connections "available" to serve new dwelling units in the County portion of CCWD's service area cannot be precisely determined. There are approximately 1,000 Crystal Springs Phase 1 non-priority connections which have not been installed and which CCWD does not own or control. These may be used in the unincorporated part of the District's territory or in the City of Half Moon Bay. Further, those who currently own the connections may or may not choose to make them available. Because sets a vague limit on development and will prevent effective water supply planning, we recommend Section c of Policy 1.18.1 be deleted or clarified.

Suggested Modification No. 7 – Service area boundaries
We recommend that the proposed Section b of Policy 2.22 be revised to properly clarify SAM's role as a producer, not a supplier, of reclaimed water:

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

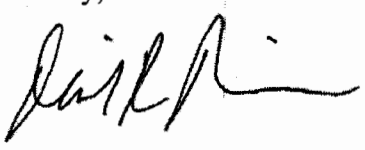
The authority to supply reclaimed wastewater is governed by the California Water Code. CCWD, as the retail water supplier, has the exclusive statutory authority to distribute and sell reclaimed water within its boundaries (California Water Code 13580.5(b)). Montara Water and Sanitary District has similar authority within its territory.

Suggested Modification No. 14 – Expanding sewer capacity
CCWD recommends that Policy 2.18(c) be revised to remove restrictions on use of treated wastewater. Achieving the broadest possible application of reclaimed wastewater, including possible use by Skylawn Cemetery, will diversify our water supply and improve drought resistance.

We look forward to working further with County and Coastal Commission staff on the LCP update.

Thank you for your consideration.

Sincerely,



David R. Dickson
General Manager
Coastside County Water District

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 Coastside 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 mgy (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 mg. During the 1970's and early 1980's production from the wells during non-drought years was always above 60 mgy, often above 80 mgy, and sometimes over 100 mgy. Since year 2001, production has dropped below 40 mgy even though rainfall has been above normal. It is estimated that production from this source could be increased by 30-40 mgy 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 mgy during drought years to 259 mgy during normal precipitation years.

D. Water Conservation. Estimated annual savings are .183 mg/d

E. Water Recycling (Reclamation). Estimated annual savings are average day demand .77 mg/day; peak day demand 1.09 mg/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

Ed Schmidt
General Manager

G13-V

COASTSIDE COUNTY WATER DISTRICT

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

Tel: (650) 728-3358
Fax: (650) 728-8556
E-mail: msd@montara.com
Visit Our Web Site: http://www.msd.montara.com

RECEIVED
JUL 0 1 2009
CALIFORNIA
COASTAL COMMISSION

June 24, 2009

President Mark Church and Members,
San Mateo County Board of Supervisors
400 County Center
Redwood City, CA 94063

Re: Midcoast Local Coastal Program Update

Dear President Church and Honorable Supervisors:

The Montara Water and Sanitary District ("MWSD" or "District") appreciates the opportunity to comment on the pending San Mateo County Midcoast Local Coastal Program ("LCP") Update proposed amendments currently awaiting Coastal Commission approval, with possible recommended modifications. We thank County Long-Range Planning staff, especially George Bergman and Steven Monowitz, for their efforts in researching and drafting the proposed LCP amendments, as well as the Planning Commission for their efforts working with the community in refining those recommendations. We also thank Coastal Commission staff, especially Ruby Pap and Charles Lester, for their thorough analysis of coastal issues and recommendations for approval or modification of the proposed amendments as submitted by the County.

MWSD is the public agency responsible for both domestic water and sanitary sewer service within approximately half of the Urban Area included in the Midcoast LCP Update Study Area, as well as solid waste and recycling throughout the entire District service area. An accurate estimate of buildout population within the District together with the maximum rate of growth, plus the adequacy of local water resources to serve eventual buildout population, are the most critical issues for the District.

Our comments follow the sequence of the Coastal Commission staff recommendations as contained in the 71-page attachment to the Staff Report for your June 16 public hearing held at the Half Moon Bay High School. We also include by reference our prior letters to the County and the Coastal Commission on this package of LCP updates.

Suggested Modification No. 1 – Buildout Table

Separate buildout projections for MWSD and CCWD / GSD service areas are essential

Our District, and our neighboring utility service districts, need accurate buildout projections for our respective district service areas as a separate component of the overall Midcoast buildout, in order to make accurate utility service planning decisions for our service areas. Now is the time, while background data is readily available, to add two columns to the proposed Updated Buildout Estimate (2006) table, showing residential housing units within the MWSD service area and within the area under County jurisdiction served jointly by Coastside County Water District ("CCWD") and Granada Sanitary District ("GSD").

This is especially important because the proposed replacement Water Consumption Table (Table 2.9) deletes all of the detailed data from the 1980 tables and replaces it with the assumption that, because MWSD serves approximately 47.4% of the Midcoast water supply area, it therefore will serve approximately 47.4% of the total Midcoast buildout. In fact, the MWSD service area has a far higher proportion of sub-standard lots than the CCWD / GSD service area. It is unknown at this time how the recent Court of Appeal Decisions in *Witt Home Ranch, Inc. v. County of Sonora (2008)* and *Abernathy Valley, Inc. v. County of Solano (2009)* will affect the buildout numbers where substandard lots are in common ownership. Nevertheless, the MWSD needs to be able to plan for its future service needs based on the best available information.

The County's obligation under the Coastal Act, in consultation with the Coastal Commission, is to comply with Coastal Act section 30254 and prevent excess of capacity that exceeds buildout projections and thus devise a more precise estimate of buildout and indicate the assumptions used. Special districts are prohibited from overbuilding infrastructure. Lack of certified district by district buildout estimates will likely invite challenges to project Environmental Impact Reports on growth inducing grounds. See LCP Policies *2.6 and 2.13.

Suggested Modification No. 6 – New Adequacy of Public Services Policy

MWSD supports the proposed new policy 1.18.1 (e) requiring a groundwater management plan prior to construction of additional wells within the Midcoast area

MWSD is concerned about continuing development on individual private wells without adequate studies assuring the adequacy of groundwater supplies during drought periods.

The Board of Supervisors adopted Resolution 53059, "Policy Regarding the Use of Water Wells in the Urban Mid-Coastside", allowing development on private wells until an adequate public water supply was available, at which time those homes were to be required to connect to the public water supply. As far as we can determine, this major change to Coastal Zone development policy was never submitted to the Coastal Commission for approval, even though this policy appears to be in conflict with the

requirements of Coastal Act section 30250 and LCP Policy 1.3 that development be served by adequate public services.

As far as we can document, the County has never determined that an adequate public water supply was available, and never required those homes to connect to a public water supply. The result is that there may be more than 1,000 private wells serving about one quarter of the approximately 3,950 developed parcels within an urbanized area without assurance that local groundwater resources can meet community needs during periods of drought. The recent Kleinfelder groundwater study did not provide the necessary assurances; indeed, it indicated major potential for harm with more wells.

LCP Policy 2.32 protects coastal resources from public agency misuse, but there is no corresponding requirement for private wells. Hence, a safe-yield study and groundwater management plan is critical.

Historical trends since the LCP was certified in 1980 indicate a gradual reduction in average daily water consumption per capita, largely as a result of water conservation measures such as low-flow toilets or flow-restricted shower heads. It may be dangerous to expect future savings in water usage to continue along the same trend line as recent history. Furthermore, because most customers are already using close to their minimum ordinary needs, emergency conservation measures during a drought may have limited effectiveness. The resilience of the water system may already have been compromised.

The expectation that during drought periods water consumption can be reduced by 20% or more without serious inconvenience or economic impact is no longer realistic. We believe that water supply should be planned to meet ordinary usage requirements even during anticipated and foreseeable drought periods, rather than permitting over-building beyond reliable long-term capacity and then considering a drought an emergency situation requiring unrealistic sacrifices by all customers.

Preservation of agriculture and visitor-serving land uses are Coastal Act priorities. If the Board of Supervisors and the Coastal Commission decide to base adequacy of water supply on typical rainfall years, and not drought periods, then it is essential that water allocations meet the needs of priority land uses first, even if that requires larger drought period reductions for residential users. The Board of Supervisors or Coastal Commission might also recommend to water agencies such as CCWD and MWSD that they adopt lower pricing tiers for Coastal Act priority land uses such as agriculture and floriculture. The recent approval by the Coastal Commission of a Land Use Plan and Zoning Amendment from Agriculture to Visitor Serving in Half Moon Bay was in large part due to the prohibitive cost of water ($2,000 per acre foot) which made continued agricultural use infeasible.

Suggested Modification No. 7 – Service Area Boundaries

MWSD recommends complete deletion of policy 2.22 (c)

MWSD already limits new sanitary sewer and domestic water connections to the urban areas, but continues to serve "grandfathered" development outside this area. Furthermore, MWSD provides solid waste collection and recycling services throughout the entire District, including rural areas.

Suggested Modification No. 8 – Phasing Public Works Development

MWSD recommends removing the connection between traffic capacity and other public works

The local water districts are not land use planning agencies, and have no expertise, authority, or jurisdiction over such decisions. Furthermore, water agencies are not transportation planning agencies nor are they authorized to construct or maintain public highways. It is appropriate to require San Mateo County to show adequacy of traffic infrastructure prior to allowing new development that will increase highway demand and restrict visitor access to the coastal zone, but the cost of those studies should not be burdened on the current and future users of water and sanitary sewer services.

Other policies and Coastal Act provisions give the County and the Coastal Commission adequate grounds to deny an over capacity water supply or sewer treatment expansion project proposed prior to improvements in the transportation system. MWSD's Public Works Plan, Phase I, already includes language limiting new connections to existing development on wells and Coastal Act priority land uses.

Suggested Modification No. 9 – Priority Uses

MWSD supports the allocation of priority water capacity to serve properties on private wells within the Urban Area

MWSD worked hard to get language allocating priority capacity into the LCP Update as submitted by San Mateo County so that the District would have the legal basis to make water available to property owners with failed private wells earlier than other non-priority development. It is important to existing property owners in our community that this portion of the update be adopted.

We consider it important, prior to transportation improvements, to be allowed to serve all existing urban development currently on private wells.

The decision to allow development on private wells by the Board of Supervisors without adequate studies to show the long-term viability of those water sources and adequate protection for coastal riparian and aquatic resources, together with an escape provision to rescue non-priority development with failed wells, amounts to giving non-priority residential development back-door access to priority water capacity. We therefore

support a mechanism to correct for previous County planning shortsightedness and preserve the value of existing residential structures for the benefit of subsequent buyers, but only if the County is prohibited from exacerbating the situation through continued issuance of new private well permits without a groundwater management plan.

Suggested Modification No. 12 – Expansion of Special District Policy

MWSD expects to complete consolidation of County Service Area 12 into MWSD

MWSD has a pending application before the Local Agency Formation Commission to consolidate County Service Area 12, which was formed to define the boundaries of the former Citizens Utilities Company of California ("CUCC") service area, into the Montara Water and Sanitary District. District property owners are paying on a $17,500,000 bond to acquire CUCC's assets, including the right to serve water to its franchised service area, and the Coastal Commission must not impose conditions that would abrogate contractual arrangements without compensation. MWSD's pending consolidation proposal merely conforms the District boundary to the existing water service area acquired from CUCC.

We therefore support County staff's analysis and recommendation to delete the proposed new Policy 2.15.1.

Suggested Modification No. 14 – Expanding Sewer Capacity

Recycled water originating from MWSD must be allowed for uses within MWSD

The Sewer Authority Mid-Coastside ("SAM") is currently progressing with plans for a tertiary treatment facility to provide recycled water for agricultural, floricultural, and irrigation uses to supplement the regional water supply. Approximately 20% of the wastewater inflow originates from the MWSD service area, and therefore approximately 20% of any proposed recycled water produced by SAM should be allocated for MWSD's use. A portion of this allocation could be used to fulfill MWSD's existing priority water requirement for floricultural uses. MWSD should also be enabled to enter into an agreement with CCWD such that potable water offset by MWSD's share of recycled water can be delivered to meet MWSD's current and future potable water needs.

The County's analysis claims that, "Since treated wastewater is not allowed to be used for domestic uses, it is unlikely to be growth inducing." This statement directly contradicts the stated goal of CCWD, which is to use recycled water to reduce existing potable water use, thus freeing up capacity for new development. This substitution of recycled water is thus growth inducing unless appropriate controls are put in place.

Suggested Modification No. 17 – Private Septic Systems

MWSD recommends inserting the word "New" into this policy

The resulting language would read: "2.24.1 New 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." This would clarify that existing systems are grandfathered.

Suggested Modification No. 20 – Expansion of Water Supply

MWSD recommends that the policy clearly indicate the County must do the traffic studies, and that new water supply projects that replace existing private wells with service connections be given high priority

Utility districts such as CCWD and MWSD are not land use planning agencies. We respond to demonstrated need for new service capacity through expanded supply sources consistent with existing LCP policies. The transportation evaluation and planning requirements are County obligations, not the special districts.

In the nearly six years since MWSD acquired the old Citizens Utilities water system serving the Montara / Moss Beach community, MWSD has acted to increase long-term access to reliable water supplies to meet the existing and future needs of the community.

Suggested Modification No. 21 – Desalination

MWSD recommends that desalination facilities be limited to public water agencies

The Coastal Act anticipates that urban development will be served by public services. Local water agencies are best positioned to design, permit, construct, and operate needed water supply facilities for the benefit of the entire community. Urban development under LCP Policy 1.3 must be served by a public utility. A regional desalination facility could be expedited using a Public Works Plan, rather than an LCP amendment. We agree with County staff's analysis and recommendation on the proposed new Policy 2.28.

Suggested Modification No. 40 – Sewage Treatment Demand Table

MWSD recommends amending the table to show MWSD and GSD demands separately

The existing certified LCP Table 2.3 estimates sewage generation from buildout for Montara Sanitary District, and a separate LCP Table 2.4 makes similar estimates for GSD. The proposed revisions to the LCP would delete these tables and replace them with a Midcoast-wide estimate. The allocation of treatment capacity to MWSD and GSD is based on the existing tables, and replacement tables are necessary to support either retaining the existing allocation of capacity or to justify any modifications to those allocations that might be appropriate given differential development potential in the two districts based on revised buildout projections.

Suggested Modification No. 41 – Water Consumption Table

MWSD recommends amending the table to show MWSD and CCWD demands separately

The existing certified LCP Tables 2.9 and 2.10 estimate water consumption demand from buildout for the former CUCC service area, now served by MWSD, and for CCWD. The proposed revisions to the LCP would delete these tables and replace them with a Midcoast-wide estimate. As noted earlier, MWSD needs accurate water demand estimates based on realistic buildout projections within our own service area in order to formulate appropriate water supply projects needed to meet that demand. Combining the entire Midcoast into a single planning region complicates future water supply planning.

Suggested Modification No. 42 – Reservation of Public Works for Priority Uses

See comments for Suggested Modification No. 9, which appears to duplicate this item

Suggested Modification No. 43 – Priority Allocation Table

Proposed Table 2.17 needs extensive work prior to certification

This table proposes to require MWSD to reserve 82,480 gallons per day for additional priority land uses as of March 2009 (i.e., this capacity must be available and held in reserve prior to any non-priority development receiving any water capacity), but only 61,126 to 76,814 gallons per day for additional priority land uses for buildout. It is counter-intuitive that buildout can require less priority capacity than is needed today.

MWSD has corresponded with San Mateo County's Long-Range Planning Department (see letter to Steve Monowitz dated March 24, 2008, attachment "A") regarding priority water capacity allocations and the underlying assumptions behind the 1980 certified allocations. We have attempted to identify the parcels for which capacity is intended to be reserved, particularly regarding floriculture. In the MWSD service area, where all water comes from local sources, it does not make sense to pump groundwater from wells, treat it to drinking water standards, and then use it for floriculture, when any potential growers could draw on the same aquifers using agricultural wells and avoid expensive treatment.

We understand that the 1980 LCP intended that floriculture within CCWD's service area would be served by water imported from the Hetch Hetchy system, replacing local stream diversions, to help restore the ecological balance in the Pilarcitos Creek watershed. Today the Hetch Hetchy system is over-obligated and does not have sufficient supply to supply water for agricultural uses. MWSD does not have access to imported water and the existing floriculture priority reservation seems both unnecessary and obstructive to meeting the needs of other water users. MWSD proposes to use a portion of the recycled water from the planned SAM tertiary treatment plant to meet its priority capacity requirement for floriculture, if this priority reservation cannot be removed.

Concluding Comments

The Midcoast LCP Update has been the product of over ten years of participation by local residents, elected officials, County staff, Planning Commissioners, and the Board of Supervisors, together with review by the Coastal Commission staff. We anticipate that reasonable policy language can be approved that meets the needs of the community.

Sincerely yours,

Paul Perkovic, President
MWSD Board of Directors

Attachment: Letter to Steve Monowitz, Long Range Planning, San Mateo County (3/24/2008)

Cc: California Coastal Commission staff (Ruby Pap, Charles Lester)
Coastside County Water District
Granada Sanitary District
Steve Monowitz, San Mateo County

MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

P.O. Box 370131
8888 Cabrillo Highway
Montara, CA 94037-0131

Tel: (650) 728-3358
Fax: (650) 728-8556
E-mail: msd@montara.com
Visit Our Web Site: http://www.msd.montara.com

March 24, 2008

Steve Monowitz
Long-Range Planning Services Manager
San Mateo County Planning and Building Department
455 County Center
Redwood City, CA 94063

RE: Water Capacity Reserved for Priority Land Uses in Montara / Moss Beach

Dear Mr. Monowitz:

Our staff has been reviewing the requirements for reservation of water capacity for priority land uses given in San Mateo County Local Coastal Program (LCP) table 2.17, originally for Citizens Utilities Company of California's (CUCC) Montara District but now governing the water system operated since August 2003 by Montara Water and Sanitary District (MWSD). As you may know, MWSD has recently brought a major new water supply source online during biological and environmental testing. When approved by the California Coastal Commission, our new Alta Vista Well will significantly increase our water supply. This new well and other system improvements may reduce the deficit in the reliable water supply that has existed since about 1976 in the Montara / Moss Beach service area, which resulted in the moratorium on new domestic water service connections imposed by the California Public Utilities Commission.

We are facing the prospect of lifting the District's moratorium on new domestic water service connections and making water available to priority and non-priority customers, depending on the safe yield of the Alta Vista Well or possible future water sources. This may still be several years in the future, but due to the long time required for LCP amendments, it seems appropriate to review priority capacity reservations now.

Because of the long-standing moratorium on new water connections, all current water customers were also customers in 1980. This means that all existing, developed priority land uses at the time of LCP adoption in November 1980 may still be current customers. Table 2.17 explicitly reserves capacity for *additional* priority land use development. We are trying to identify zoning districts or land use designations where such priority land uses might occur, and to review if those priority allocations are still appropriate.

Table 2.17 sets aside 1,100 gallons per day for additional "Commercial Recreation" uses. We can only identify two Coastside Commercial Recreation (CCR) zoning districts within our District, both corresponding to existing developed parcels (the Distillery Restaurant in Moss Beach and the former Chart House Restaurant in Montara). There are also several Neighborhood Commercial (C-1) zoning districts, most corresponding to existing developed parcels. Can Coastal Act priority land uses be developed in a C-1 zoning district? If so, can you please advise us what specific allowed developments in the C-1 zoning districts would qualify? Also, please identify where the 0.57 acres set aside for Phase I, and the 0.82 acres

set aside for Buildout, are located within our District – parcels not already developed and receiving water service from MWSD, that is.

Table 2.17 sets aside 3,200 gallons per day for "Public Recreation," to serve an additional 282 persons in Phase I, and 4,080 gallons per day to serve 408 persons at Buildout. Can you explain why the Phase I requirement is 11.35 gallons per day per person, whereas the Buildout requirement is only 10.00 gallons per day per person? Does the County still believe these demand estimates are appropriate, and that the estimated number of additional daily visitors to be served in Public Recreation facilities is still 282 persons for Phase I and 408 for Buildout? Can you reference any updated demand estimates, perhaps from County Parks and Recreation or State Parks, for parcels in our service area?

There are several Resource Management-Coastal Zone (RM-CZ) zoning districts within our District also designated Public Recreation on the Land Use Plan map. The District currently provides domestic water service to the James M. Fitzgerald Marine Reserve facilities in Moss Beach. Can you identify which other parcels would potentially qualify for priority water capacity? Does that also include the Moss Beach Park, owned and operated by a non-profit 501(c)(3) group, Coastside Preservation and Recreation?

Table 2.17 sets aside 13,800 gallons per day for additional "Floriculture" uses during Phase I, and 20,000 gallons per day for Buildout. (Note: The pending LCP amendments would reduce this to 10,000 gallons per day at Buildout.) At present we are unaware of any floriculture customers connected to the MWSD water facilities. The County has allowed the area designated Agriculture in the middle of the Montara community to be developed by several large estate homes, none of which is engaged in agricultural or floricultural uses. Another area designated Agriculture to the west of the Half Moon Bay Airport is not currently in use for floriculture. These are the only areas identified on the Midcoast LCP Update Project map. Can the County please identify other areas suitable for floriculture within the District that we might have overlooked?

The allocation of priority water capacity for floriculture raises a number of policy issues. We can understand the allocation for floriculture within the Coastside County Water District service area, especially the intention to replace dependence on Pilarcitos Creek water for floriculture by using imported water from the Hetch Hetchy system. This has the potential of restoring stream flows in Pilarcitos Creek and restoring coastal habitat. There is no similar benefit within the MWSD service area, however. MWSD's sources include a local stream diversion from Montara Creek and a number of groundwater wells drawing on local aquifers. Existing floriculture growers (e.g., Coast Wholesale Florists) depend on riparian rights to those same local streams or agricultural wells drawing from the same aquifers. It is not immediately apparent what benefit would accrue by pumping the same water by a public utility, treating it to drinking water standards (including chlorination), and selling the water for floriculture use when a landowner already has access to the same water without utility intermediation.

We understand that floriculture remains a significant component of the coastal agricultural economy and do not want to eliminate the priority allocation if it still serves a genuine need. However, as explained above, it seems to make more sense to use treated public utility water to serve domestic needs, and expect floricultural users to draw on their riparian or groundwater sources directly. In that case, perhaps the floriculture allocation should be revised or eliminated entirely.

If the floriculture priority reservation is retained, it is also important to understand the seasonality of floriculture water use. During a severe drought, overall water supplies in the Montara / Moss Beach communities will be severely stressed. Does the LCP require the full floriculture allocation to be held in reserve, even if that means major cutbacks in commercial, institutional, and residential use during a drought? For planning purposes, does floriculture water use have the same peak day demand characteristics, requiring 1.8 times the average day use at peak times? Do those peaks correspond with urban peaks? For comparison, the rated capacity of each of the five smallest wells in the MWSD system is less than the Buildout floriculture priority water use reservation with the 1.8 peaking factor. Two of those wells are currently inactive due to water quality issues (high iron and manganese). If the floriculture priority reservation is retained, may MWSD serve future floriculture users with water that does not meet drinking water standards?

The proposed revisions to Table 2.17 set aside an additional 5,000 gallons per day at Buildout for additional "Essential Public Services." The District already serves the Farallone View Elementary School, Seton Coastside Medical Center, the Montara and Moss Beach Post Offices, and the Moss Beach Sheriff's Substation. What additional Essential Public Services does the County envision within our District? Which zoning districts or land use designations identify the potential sites of such uses?

These questions are critically important for the District because the existing LCP would require us to set aside for priority land uses 82,480 gallons per day of new water capacity, before the District could even consider issuing new domestic water service connections to non-priority development. If a careful review of the Phase I and Buildout estimates made in 1980 shows that corrections are appropriate, we would like to have those changes made by the County or the Coastal Commission during review of the Midcoast LCP Update amendments, if possible, or else processed as separate amendments.

Thank you for your assistance in this matter.

Sincerely yours,

Paul Perkovic, President
Board of Directors

Cc: San Mateo County Department of Parks and Recreation
California State Parks
Jack Olson, San Mateo County Farm Bureau
Kellyx Nelson, San Mateo County Resource Conservation District
California Coastal Commission

Yin Law

MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

P.O. Box 370131
8888 Cabrillo Highway
Montara, CA 94037-0131

Tel: (650) 728-3545
Fax: (650) 728-8556
E-mail: msd@coastside.net

Visit Our Web Site: http://www.msd.montara.com

December 11, 2007

Ms. Ruby Pap, Coastal Planner
California Coastal Commission
North-Central Coast Region
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

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 rur

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 Mid-coastside (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,

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**

[1]Assumes one density credit for all prime agricultural soils of 40 acres or more on a parcel.
[2]Estimates 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.

Yin Lan
FYI - make copy as needed

County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

January 31, 2008

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-Coastside 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 Perkovik, 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 Perkovik 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

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

P.O. Box 370131
8888 Cabrillo Highway
Montara, CA 94037-0131

Tel: (650) 728-3545
Fax: (650) 728-8556
E-mail: msd@coastside.net

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

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

MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

P.O. Box 370131
8888 Cabrillo Highway
Montara, CA 94037-0131

Tel: (650) 728-3545
Fax: (650) 728-8556
E-mail: msd@coastside.net

Visit Our Web Site: http://www.msd.montara.com

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,

Bob Ptacek, President
BOARD OF DIRECTORS

Enclosures

cc: Department of Public Health, State of California
California Coastal Commission

MONTARA WATER & SANITARY DISTRICT

Serving the Communities of Montara and Moss Beach

P.O. Box 370131
8888 Cabrillo Highway
Montara, CA 94037-0131

Tel: (650) 728-3545
Fax: (650) 728-8556
E-mail: msd@coastside.net

Visit Our Web Site: http://www.msd.montara.com

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:

- Montara Water System Master Plan.
- Department of Water Resources Water Supply Study dated June 1999.
- 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:

- 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.

- 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.

- 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.

- 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 bringing 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)

ATTACHMENT B

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

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 Brodsly).** KNN is a Bay Area-based firm specializing in advising public agencies on financing. PRAG is a similar national firm. David Brodsly, 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 Coastside).
- 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.

GRANADA SANITARY DISTRICT
OF SAN MATEO COUNTY

Board of Directors
Ric Lohman, President
Ron Fenech, Vice-President
Gael Erickson, Secretary
Matthew Clark, Treasurer
Leonard Woren, Board Member

RECEIVED
MAR 09 2009
CALIFORNIA
COASTAL COMMISSION

March 9, 2009

California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 94105

Re: Granada Sanitary District Comments on San Mateo County Midcoast LCP Update (Item Th6a)

Dear Chair Neely and Commissioners:

The Granada Sanitary District submits the following brief comments in support of the Coastal Commission Staff Report for the above-referenced agenda item. The Granada Sanitary District has participated in the San Mateo County Midcoast LCP Update process during the past several years, on its own behalf and as a member agency of the Sewer Authority Mid-Coastside ("SAM"). A copy of the District's most recent letter to the County Board of Supervisors regarding the LCP Update is enclosed.

In the Staff Report for the LCP Update, the Coastal Commission Staff ("staff") provides a detailed analysis of the parameters for future growth on the Midcoast in light of the limited capacity of its infrastructure (e.g. water supply, sewage disposal, and transportation systems). The District particularly appreciates the staff's efforts to update methodologies and data to make use of current information that was unavailable when the LCP Update was originally drafted by County of San Mateo, especially as it relates to matters which affect the District's ability to provide sewage and garbage services within its jurisdiction.

The District supports the findings and recommendations of the staff that "neither existing development nor future development, at levels reflected in the proposed buildout estimation, is adequately supported by available services." This is certainly true with respect to its analysis of sewage matters.

Further, the District supports the staff's findings that the County's proposal to lower sewage generation estimates to 66.8 gallons per day per person based on a single instance of lowered sewage generation (sewage generation for the year 2001) should be replaced with the more appropriate approaches to sewage generation estimates used by SAM when it planned for its treatment plant expansion. The staff recommends that the LCP Update, with current analysis based on the County's estimate of 66.8 gpd of sewage generation, be replaced with SAM's figure for sewage generation of 85 gpd which staff indicates accounts for wet weather flows, and variations in residential

504 Avenue Alhambra, 3rd Floor ~ P. O. Box 335 ~ El Granada, California 94018
Telephone: (650) 726-7093 ~ Facsimile: (650) 726-7099 ~ E-mail: gsd@granada.ca.gov

sewage generations and non-residential uses. The District submits that the 66.8 gpd estimate used by the County is too low to serve as an accurate measure of the amount of sewage generation in the Midcoast area.

Further, the District concurs with the staff's recognition that the County has not yet adequately addressed the substandard lot problem. The County's LCP Update assumes that the substandard lots will all be merged rather than built upon as separate legal parcels. If this does not occur (and as of now a number of substandard lots are being built upon), then the buildout figure will be substantially higher than estimated by the County and will place the District (as sewer service provider) in an even more untenable position.

Furthermore, the District notes that the County has proposed language which would support its apparent claim that the County has jurisdiction over septic system approvals within the District's jurisdictional boundaries. The District has repeatedly informed the County (as has the adjoining Montara Water and Sanitary District) that sanitary districts have primary (if not exclusive) authority to regulate private wastewater disposal systems, including septic systems. A District permit for a private wastewater disposal system within the District's boundaries has long been required. *West Bay Sanitary District v. City of East Palo Alto* (1987) 191 Cal.App.3d 1507, held that the board of a sanitary district is statutorily empowered with exclusive authority over sanitary matters, based on Health & Safety Code Sections 6481 and 6521.

Finally, the County cannot redraw a sanitary district's boundary lines as suggested at page 24 of the Staff Report. That is a function of LAFCO. In addition, it should be kept in mind that there are rural areas within the GSD shown as "rural areas in the urban area." These "rural areas in the urban area" should remain within the District if there is any proposal to redraw the District's boundary lines to correspond to the County's urban/rural boundary line. The "rural areas within the urban area" should remain in the District's jurisdictional control as to private wastewater disposal systems (septic systems).

Sincerely,

Chuck Duffy, General Manager

Enclosure: October 12, 2006 Letter to County Board of Supervisors

cc: Granada Sanitary District Board of Directors
District General Counsel

504 Avenue Alhambra, 3rd Floor ~ P. O. Box 335 ~ El Granada, California 94018
Telephone: (650) 726-7093 ~ Facsimile: (650) 726-7099 ~ E-mail: gsdsanitary@comcast.net

Jonathan Wittwer
William P. Parkin
Shandra D. Handley
Brott W. Bennett

WITTWER & PARKIN, LLP
147 SOUTH RIVER STREET, SUITE 221
SANTA CRUZ, CALIFORNIA 95060
TELEPHONE: (831) 429-4055
FACSIMILE: (831) 429-4057
E-MAIL: office@wittwerparkin.com

PARALEGAL
Miriam Celia Gordon

October 12, 2006

Jerry Hill, President
Board of Supervisors, County of San Mateo
400 County Center
Hall of Justice and Records
Redwood City, CA 94063

Re: Midcoast Local Coastal Program (LCP) Update Project
Staff Report Received September 19, 2006

Dear Members of the Board:

The Granada Sanitary District ("GSD") has reviewed the County Staff Report dated September 5, 2005 and received September 19, 2006 ("Staff Report") for the Midcoast Local Coastal Program Update Project ("LCP Update"). GSD has previously provided comment letters to the County regarding the LCP Update which we request be considered by the Board of Supervisors ("County Board"). The most recent previous comment letter from GSD was dated December 1, 2005. The new Staff Report contains some new recommendations, still differing from those made to the County Board by the County Planning Commission. The GSD Board of Directors has asked its General Counsel to submit this letter addressing those new recommendations and other mission critical aspects of the LCP Update affecting GSD's ability to provide wastewater services to its ratepayers.

EXECUTIVE SUMMARY

At the time of GSD's December 1, 2005 comment letter, Sewer Authority Midcoastside ("SAM") and its member agencies (including GSD) had been the subject of an ongoing compliance evaluation inspection of the collection system since 2004. This was generated by wet weather sewage overflows ("SSOs") from SAM's wastewater collection system. EPA issued its NPDES Compliance Evaluation Report on August 18, 2006 ("EPA Report"). The EPA Report cites the applicable regulations as being the Clean Water Act and the National Marine Sanctuaries Act and describes a prior warning letter to SAM from NOAA for a violation of the National Marine Sanctuaries Act and a prior RWQCB Penalty Order, both based on SSOs.

The EPA Report finds that while SAM and its member agencies are taking appropriate steps to address the collection capacity insufficiency, "[t]he SAM Sewer System does not have sufficient capacity to convey peak flows during the winter rains." The EPA Report further states that "[c]apacity assessment studies conducted by SAM indicate that the capacity problems stem primarily from excess inflow and infiltration (I/I) from the member agencies' sewer systems. ...

The largest spills, however, have occurred when the excess wet weather flow hits bottlenecks in the SAM IPS [Intertie Pipeline System] at the Montara and Portola Pump Stations."

The EPA Report goes on to indicate that SAM and its member agencies are taking appropriate steps to address the collection capacity insufficiency, noting, for example, the Carollo Engineering studies which outline potential solutions to the wet weather overflows, and recent improvements to member agency collection systems which have resulted in I/I reduction of approximately 1,000,000 gallons. Nevertheless, the EPA Report observes that I/I remains "high" and that funding for the remedial alternative selected by SAM was still being pursued." **The EPA Report concludes that "I/I remains and SAM is faced with making capacity fixes on the IPS."**

Thus, despite responsible actions and proactive infrastructure improvements by SAM and its member agencies to prevent wet weather overflows (as acknowledged in the EPA Report), the problem has not yet been solved and there is no assurance that it will be solved. Of SAM's $940,391 capital improvements budget for FY 2004-2005, the EPA report notes that $600,000 (nearly 2/3) was for Wet Weather Capital Improvements. Indeed, SAM and its member agencies (including GSD) are doing all they can reasonably be expected to in improving the collection system. The findings in the EPA Report require recognition that the impact of the insufficiency of the wastewater collection system to Midcoastside residents and property owners could still be very substantial and warrants very serious consideration by the County Board in making decisions regarding this LCP Update. **An increase in buildout capacity will clearly increase the risk of future Sanitary Sewage Overflows.**

GSD has previously submitted letters to the County regarding currently insufficient collection capacity for wastewater and the resultant SSOs. However, until this latest version of the LCP Update there had been no mention of SSOs resulting from the lack of collection capacity. GSD appreciates the County Staff's inclusion of the following statement in this latest version of the LCP Update: "SAM has undertaken major tank and pump station improvements to accommodate wet weather flow." However, this statement results in an LCP Update which continues to misstate the status of the "INFRASTRUCTURE DEMAND AT BUILDOUT" under which topic the statement is made. It is a disservice to all in the Midcoast LCP area not to state the full situation, as found by the EPA Report. The EPA Report acknowledged and considered the "major tank and pump station improvements" identified, as well as numerous other improvements by SAM and its member agencies to prevent wet weather sanitary sewage overflows (SSOs). **After considering those improvements, the EPA Report concluded that the collection system remains "insufficient."**

SAM provides for collection through the Intertie Pipeline System, and GSD (as well as other member agencies of SAM) provide additional collection and transmission infrastructure connected to the Intertie Pipeline System individually within its jurisdictional boundaries. The fact that the EPA Report has found this critical collection system to be "insufficient," even after the "major

improvements" already made, **must be included in the LCP Update. That is necessary for the LCP Update to comply with its stated intention to provide accurate updated "baseline data" critical to the stated goal of the "Vision Alignment" that "[l]and use decisions consider ... infrastructure demand" and "not overburden infrastructure."**

GSD would be put at significantly increased risk of having wet weather SSOs if the new recommendations in the Staff Report are adopted (rejecting the Planning Commission recommendations) so as to:

(1) increase the Residential Buildout Estimate;
(2) delay merger of substandard lots not included in buildout (and thereby enhance potential for avoidance of merger);
(3) set the Residential Growth Rate Limit higher than the recent average;
(4) allow unlimited residential floor area in the C-1 Zoning District above the first floor for "affordable" housing;
(5) rezone Community Open Space and Conservation ("COSC") Zoning District properties to a newly to be created "El Granada Gateway ("EG") Zoning District to facilitate building more and much larger houses (a use recommended for elimination in COSC by the Planning Commission) rather than encourage community open space as was the purpose of this LCP land use designation; and
(6) decline to utilize the "proportionality rule" applicable in Half Moon Bay to limit house size on substandard lots.

In addition, the Staff Report recommends that the LCP Update specifically request GSD to repeal its policy described as "adding regulatory barriers for a sewer connection serving a house on a nonconforming parcel." In one of its publications, the EPA listed as a method of reducing wet weather SSOs "curtail new development until problems are corrected." Furthermore, in a February 16, 2005 letter to the County Board, **Coastal Commission Staff recommended "prohibiting new residential sewer hookups"** as a method of addressing another type of wastewater capacity problem. GSD has taken a far more targeted approach than across the board curtailment of sewer connections. It has established a gatekeeping device allowing it to review and limit the number of new sewer connections for nonconforming lots or residential development not included in buildout calculations. To date, no sewer connections have been denied based on this regulation. GSD's targeted regulations would appear to be reasonable and appropriate given that future wet weather SSOs would likely result in EPA orders, sanctions and penalties for which GSD and other member agencies of SAM would be liable.

As GSD pointed out before, neither GSD, nor (to the best of GSD's knowledge) any other member agency of SAM, was contacted to discuss the impacts of the above described new recommendations rejecting the Planning Commission recommendations. In the interest of the

public, the Midcoastside ratepayers and property owners, and intergovernmental cooperation, it is respectfully requested that the County Board take no action on the above-described new recommendations and that the Board Subcommittee first meet with the SAM Board and the member agency Governing Bodies.

DISCUSSION AND ANALYSIS

A. The Wastewater Collection System Is Currently Insufficient as Determined by the August 18, 2006 EPA Report Despite "Major Improvements" Recognized by the County and the EPA and Future Resulting Wet Weather SSOs Would Likely Result in More Severe EPA Action.

The Staff Report states at Section 2 (addressing collection and transmission for the first time) that "SAM has undertaken major tank and pump station improvements to accommodate wet weather flow." However, this statement results in an LCP Update which continues to misstate the status of the "INFRASTRUCTURE DEMAND AT BUILDOUT" under which the statement is made. **The LCP Update is intended to "update LCP baseline data," including "Infrastructure Demand at Buildout." The Staff Report further states that it is a goal of the "Vision Alignment" that "[l]and use decisions consider ... infrastructure demand" and "not overburden infrastructure."** GSD has previously submitted letters to the County regarding currently insufficient collection capacity for wastewater during wet weather. The EPA Report acknowledged and considered the "major tank and pump station improvements" identified in the County's latest version of the LCP Update, as well as numerous other improvements by SAM and its member agencies to prevent wet weather sewage overflows (SSOs). After considering those improvements, the EPA Report concluded that the collection system remains "insufficient." SAM provides for collection through the Intertie Pipeline System, and GSD (as well as other member agencies of SAM) provide additional collection infrastructure connected to the Intertie Pipeline System individually within its jurisdictional boundaries. The fact that the EPA Report has found this critical collection system to be "insufficient" even after the "major improvements" already made must be included in the LCP Update. That is necessary for the LCP Update to comply with its stated intention to provide accurate updated "baseline data" critical to the stated goal of the "Vision Alignment" that "[l]and use decisions consider ... infrastructure demand" and "not overburden infrastructure."

The failure to include the full situation in the LCP Update, namely that despite "major improvements" the collection and transmission system is still insufficient, and the **resultant failure of the LCP Update to "plan growth to the level that the [infrastructure] resources can support" as recommended by the Planning Commission places an unfair burden on the infrastructure providers and the affected residents and property owners.**

The County of San Mateo and the California Coastal Commission, with their direct land use authority, have the opportunity through the LCP Update to take critical action to limit a major source of wet weather SSO problems. Instead, the new recommendations in the Staff Report increase the risk that SAM and its member agencies will face adverse consequences from the EPA in the event of a future SSO.

B. Increase in the Residential Buildout Estimate Will Add to Risk of Wet Weather SSOs

GSD's previous objection to the increased Residential Buildout Estimate is only strengthened by the finding of the EPA Report that the current collection system is insufficient. The Staff Report states at Section 1 that, in terms of residential buildout estimates, "[t]here are 3,719 existing Midcoast residential units, and at buildout, there will be between 6,757 and 7,153 units. Thus, the Midcoast is approximately half built out." The January 5, 2005, Staff Report to the Board of Supervisors stated that this information was based on "2001 parcel information and existing LCP land use policy, and *assumes that applicable substandard lots will be merged.*" **As GSD commented before, given that wet weather SSOs are a problem with only 55% buildout, there is clearly insufficient wastewater collection capacity for full (and proposed increased) buildout** and more SSOs will be the result. **As the letter to the County Board from Coastal Commission Staff dated March 7, 2005 states, one of the strategies for addressing infrastructure issues is "[r]educing residential growth and buildout level in the Midcoast."** Regulators at all levels are moving toward "zero tolerance" requirements for SSOs. SAM and its member agencies (and the real people who fund them) cannot afford the infrastructure improvements necessary for zero tolerance if buildout levels are increased as proposed.

C. Raising the Residential Growth Rate Limit Will Add to the Risk of Wet Weather SSOs

This issue is addressed in Section 3 of the Staff Report. The Coastal Commission Staff states in a letter to the County Board dated March 28, 2005 that "it appears that improvements to the areas' ... wastewater systems needed to adequately serve existing, let alone future development are not likely to be provided for several years." That letter notes that Sections 30250 and 30254 of the Coastal Act require there to be adequate infrastructure and recommends a quantitative analysis to demonstrate that the required findings can be made. The letter also states that the Coastal Staff does not support the proposed exclusions from the Residential Growth Rate limit for affordable housing, second units, and caretakers and mixed use units.

The November 9, 2005 Staff Report stated at Section 3 that, in terms of alignment with the vision principles, "[m]aintaining the 125 units per year [Growth Rate] limit ... holds a greater potential to over-burden infrastructure...." The Planning Commission recommended a Growth Rate limit of 1% per year (40 units in 2005 and not to exceed 52 units per year). The current Staff report

recommends 75 units per year, nearly double the limit recommended by the Planning Commission for 2005. Given the existing problem with an insufficient collection system to prevent wet weather SSOs despite the "major improvements" that SAM and its member agencies have undertaken to address the problem, the position of the Coastal Commission Staff should be adopted and at maximum the Growth Rate limit recommended by the Planning Commission should be adopted. Any other approach would add to the risk of wet weather SSOs.

D. Delay in Merger of Substandard Lots Enhances Potential for Avoidance of Merger and Increased Wastewater Production Leading to Increase Wet Weather SSOs

The Staff Report states at Section 4 that, in lieu of mandatory lot merger as recommended by the Planning Commission, Staff prepared a phased approach to lot merger: Phase 1 being an 18 month period for voluntary merger with incentives; and Phase 2 being mandatory merger. However, GSD previously expressed concern that during the 18-month voluntary Phase 1 merger program, property owners may be tempted to place their substandard lots into separate ownership in an effort to avoid mandatory merger. The latest LCP Update takes a positive step to address this by automatically shifting to the Phase 2 mandatory merger program should more than three lots eligible for merger change ownership such that the lot is no longer eligible for merger. Although this would not be optimum from GSD's perspective, it would be acceptable if there was assurance that no other lots could be allowed to advance to a stage where they, too, would be able to avoid the mandatory merger. This latter element is critical because as set forth above, buildout calculations assume merger will occur. **Without such merger, there would be an increase the amount of wastewater production because, as the Staff Report states (possibly understates), if a housing unit was built on each vacant substandard lot, LCP buildout would be exceeded by over 700 new units. Hence, an ineffective merger program will result in increased wet weather SSOs.** The Planning Commission recommended a comprehensive and proactive merger of all residentially zoned substandard lots up to 5,000 square feet or the zoning minimum parcel size. For the sake of reducing wet weather SSOs alone, this recommendation is preferable and the latest LCP Update approach should be followed only if the additional element of assurance described above is included.

E. Allowing Unlimited Residential Floor Area in the C-1 Zoning District Above the First Floor for "Affordable" Units Will Add to the Risk of Wet Weather SSOs

The November 9, 2005 Staff Report stated at Section 5 that the Planning Commission recommended limiting residential use to above the first floor, limiting residential floor area to the square footage of the commercial area and reducing the building height to 28 feet. The Subcommittee recommendation of that date recommended no limit on the residential floor area. The current Staff Report recommends the same as the Planning Commission recommendation **except that there would be no limitation on the residential square footage if it is developed for affordable housing**. This would actually allow the residential development to predominate

over the commercial C-1 use if the residential development is "affordable" (an apparently undefined term in this context and usually including "moderate" income housing affordable to those with incomes 120% of median or less). No residential use whatsoever was included in buildout calculations for the C-1 Zone District. The result would be more residential development which was not included in buildout for which GSD (under Measure A) cannot provide infrastructure and hence increased problems with wet weather SSOs. Therefore, although GSD supports low income housing and has adopted a resolution giving it service priority, absent a limit to low income (defined to be for those with incomes 80% of median or less) and a limit in additional square footage (e.g. an additional 50%), GSD cannot support this proposed LCP policy.

F. Rezoning Community Open Space and Conservation ("COSC") Zoning District Properties to a newly to be created El Granada Gateway ("EG") Zoning District to Facilitate More and Larger Houses (a Use recommended for Elimination in COSC by the Planning Commission) Will Add to the Risk of Wet Weather SSOs

Currently, one-story single-family residences are allowed in the COSC Zoning District and they are significantly limited in size and lot coverage, including a maximum height of 16 feet, a 10% maximum lot coverage, 50 foot front and rear setbacks, and 20 foot side setbacks. The Planning Commission recommended that the County prohibit single-family residences in the COSC Zoning District. There are several uses, besides residential uses, that are allowed in the COSC Zoning District that would provide an owner opportunity to make a return on investment.

Furthermore, allowing residential uses in an area intended to be community open space will add to the risk of wet weather SSOs. Additionally, the Staff Report in Section 7 makes the recommendation to "[r]ezone the 'Burnham Strip'" from COSC to a newly to be created "El Granada Gateway/Design Review (EG/DR)" Zoning District. The proposed rezoning would allow larger houses than COSC, with more bedrooms and more resulting wastewater generation, and with more impervious surface resulting in more runoff and hence the potential for more Infiltration and Inflow (I/I) resulting in more SSOs. Therefore, it is requested that the Planning Commission's original recommendations be followed. The Planning Commission appears to have recognized that for various reasons residential development (and sewer connection) was not intended for these properties, whether zoned COSC or EG/DR.

G. Declining to Utilize the "Proportionality Rule" applicable in Half Moon Bay to Limit House Size on Substandard Lots Will Add to the Risk of Wet Weather SSOs

Although not addressed in this Staff Report, the Board previously tentatively approved retaining the existing zoning controls, i.e., no change, in lieu of following the Planning Commission's recommendation to follow the "Proportionality Rule" established in Half Moon Bay,

because it "least respects property rights," and suggests using the existing floor area limit. However, declining to utilize the "Proportionality Rule," will add to the risk of wet weather SSOs, because larger homes with more bedrooms will be allowed to be built on lots which were not included in buildout in the first place. GSD would not be able to lawfully build infrastructure to serve those lots, resulting in additional risk of wet weather SSOs. The November 9, 2005 Staff Report states at page 1 that among the County Board's goals is to "ensure that small houses are built on small parcels." It is critical that the houses be small enough to limit the number of bedrooms, given that the lots in question were not included in buildout. The Planning Commission's recommendation that the "Proportionality Rule" be adopted best serves this purpose.

H. Noncompliance with Measure A Adopted by the Voters in 1986 and with District Regulatory Process for Lots or Residential Development Not Included in Buildout Will Add to the Risk of Wet Weather SSOs

Under Midcoast LCP Policy 2.6, adopted by the voters through Measure A in 1986, the development or expansion of public works facilities must be limited to a capacity which does not exceed that needed to serve buildout under the LCP. Buildout does not include nonconforming and substandard lots. County approval of permits for housing on substandard lots would compound the risk of wet weather SSOs because SAM and GSD would not be allowed to build the capacity needed to serve these lots because they are not counted as part of buildout.

With the foregoing in mind, the District submits that this LCP Update should make every effort to assure that the burden on local sanitary sewer infrastructure providers is not increased at this time. In fact, under the circumstances, if it is reasonably possible, this is a time when the buildout numbers should be reduced (as recommended by the Coastal Commission Staff). Although Measure A limited the ability of SAM and GSD to construct infrastructure to the capacity necessary to serve buildout (and no more), the effect of increasing the buildout number will be at least two-fold: (1) the greater the number of residential units, the greater the likelihood of more wet weather SSOs; and (2) the greater the buildout number, the greater the pressure on the District to build more infrastructure to serve it. Both effects carry with them greater costs to the District and those who fund it.

GSD has established a gatekeeping device allowing it to review and limit the number of new sewer connections on lots not included in buildout calculations. The Staff Report recommends that the LCP Update specifically request GSD to repeal its policy described as "adding regulatory barriers for a sewer connection serving a house on a nonconforming parcel." Case law has established in the case of *Home Gardens Sanitary District v. City of Corona* (2002) 96 Cal.App.4th 87, relying on the decision in *Rodeo Sanitary District v. Board of Supervisors of Contra Costa County and Mt. View Sanitary District* (1999) 71 Cal.App. 4th 1443 that:

> Sanitary districts are created pursuant to state law (Health & Saf. Code, § 6400 et seq. [Sanitary District Act of 1923]) and are statutorily authorized to collect and dispose of ['sanitary sewage'] and solid waste (*id.* at Health & Saf. Code, §§ 6518.5, 6512, subd. (a)). In doing so, 'they exercise a portion of the police power of the state within their district boundaries,' which is **superior** to the police powers exercised by cities or counties to the extent that they conflict. (*Rodeo, supra*, 71 Cal.App.4th at p. 1447.) 'Where, as here, a general law of the state grants certain powers to sanitary districts within their boundaries, the county or city may not exercise its police power to override those district powers, because such action would be in conflict with the general laws of the state.' (*Ibid.*) (emphasis added)

By way of illustration of interference by a city, in *West Bay Sanitary District v. City of East Palo Alto* (1987) 191 Cal.App.3d 1507, the First Appellate District held that a city had no power to control a sanitary district's authority over wastewater discharge permits. The issuance of these wastewater discharge permits was a traditional function of the sanitary district, but the city sought to require that the district not issue such permits without first either giving notice to the city and obtaining its consent, or alternatively, pursuing the matter to arbitration before a third party. Relying on the powers granted by the Legislature to the district under the 1923 Sanitary District Act, the Court condemned the City's attempt to exercise authority over the independent sanitary district, characterizing such action as an attempt to "usurp[ ] powers which the Legislature has vested exclusively in the board of the sanitary district." (*Id.* at p. 1511.)

Furthermore, in one of its previous publications, the EPA listed as a method of reducing wet weather SSOs "curtail new development until problems are corrected." Furthermore, in a February 16, 2005 letter to the County Board, **Coastal Commission Staff recommended "prohibiting new residential sewer hookups"** as a method of addressing another type of wastewater capacity problem. GSD's targeted regulations would appear to be reasonable and appropriate given that additional wet weather SSOs would likely result in EPA orders, sanctions and penalties for which GSD and other member agencies of SAM would be liable.

REQUESTED ACTIONS

The Granada Sanitary District requests that the County Board take the following specific actions:

1. take no action on the new recommendations contained in the September 5, 2006 Staff Report until after the Board Subcommittee has first met with the SAM Board and the member agency Governing Bodies;
2. adopt the recommendations of the Planning Commission, including with regard to: (a) the Residential Buildout Estimate; (b) the merger program; (c) the Residential Growth Rate Limit; (d) residential floor area in the C-1 Zoning

District above the first floor; (e) maintenance of Community Open Space and Conservation ("COSC") Zoning Districts on properties currently zoned COSC and elimination of single family dwellings as an allowable use in said District; and (f) utilization of the "Proportionality Rule" applicable in Half Moon Bay to limit house size on substandard lots.

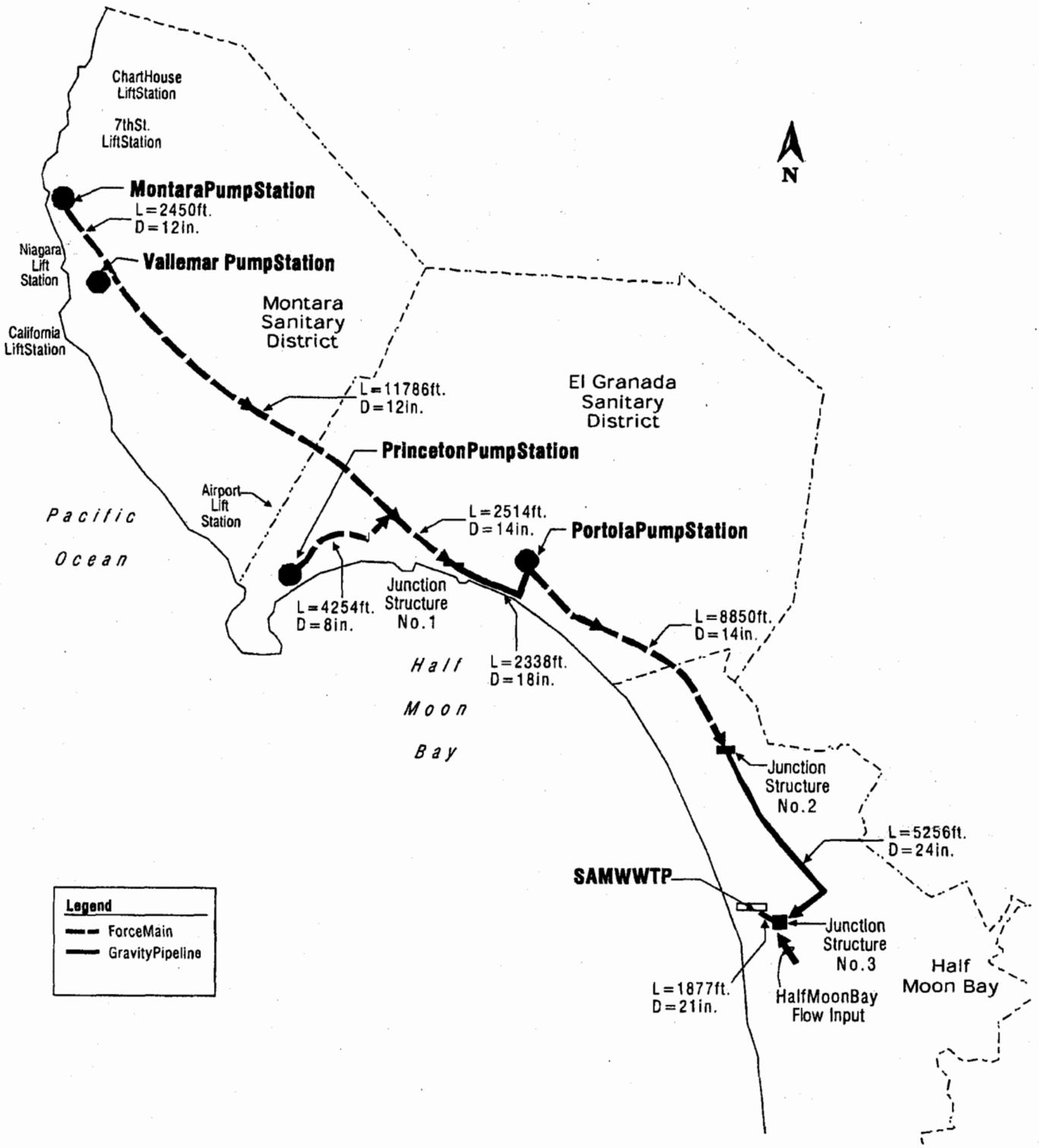
3. delete the request that GSD repeal its gatekeeping regulation allowing it to review and limit the number of new sewer connections for nonconforming lots or residential development not included in buildout calculations.

Thank you for your consideration of these matters.

Sincerely,
WITTWER & PARKIN, LLP
District General Counsel

Brett Bennett for
Jonathan Wittwer

cc: George Bergman, San Mateo County Planning Department
California Coastal Commission
Montara Sanitary and Water District
City of Half Moon Bay
Sewer Authority Midcoastside
Granada Sanitary District Board of Directors
District General Manager Chuck Duffy



SEWER AUTHORITYMID-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

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.

400 Oyster Point Boulevard S
Telephone (650) 581

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.

400 Oyster Point Boulevard Su
Telephone (650) 583-

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

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.

400 Oyster Point Boulevard S
Telephone (650) 58

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

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

400 Oyster Point Boulevard St
Telephone (650) 583

STATE OF CALIFORNIA—THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER *GOVERNOR*

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 Commission[1] 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

STATE OF CALIFORNIA—THE RESOURCES AGENCY ARNOLD SCHWARZENNEGER, GOVERNOR

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

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
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

June 30, 2008

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 t he 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 Coastside County Water District, Granada Sanitary District and d Midcoast Community Council.

    After 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 Perkovik concluded that the utility demand esti-mates 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

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

STATE OF CALIFORNIA—THE RESOURCES AGENC ARNOLD SCHWARZENNEGER, GOVERNOR

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

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

County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

August 11, 2008

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 (½ 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 (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 (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).

County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

March 6, 2009

Mr. Charles Lester, Deputy Director
California Coastal Commission
45 Fremont Street
San Francisco, CA 94105

Dear Mr. Lester:

SUBJECT: Request to Postpone the March 12, 2009 Hearing on San Mateo County Local Coastal Program Amendment No. 1-07 (Midcoast Update) to the August 12-14, 2009 Coastal Commission Meeting in San Francisco

Thank you and your staff for placing San Mateo County LCP Amendment No. 1-07 on the Coastal Commission's March 2009 agenda, and for all the work that went into preparing the staff report for this item. The Planning and Building Department appreciates your efforts to process this amendment, and for collaborating with us in this regard.

In order to allow for continued coordination and resolve as many of the issues identified by the staff report in as mutually agreeable manner as possible, we request that the Commission postpone the March hearing on the amendment until the August 2009 meeting to be held in San Francisco. This will provide the time needed for the County to fully consider the significant changes proposed by Commission staff, allow for additional dialogue regarding the changes of concern to the County and other interested parties, and provide a hearing location that maximizes the opportunity for public input.

Thank you for considering this request. We look forward to working with you and your staff over the next few months in order to bring this effort to a successful conclusion.

Sincerely,

Lisa Grote
Community Development Director

LG:SAM:fc – SAMT0215_WFN.DOC

cc: Board of Supervisors
David Boesch, County Manger
Peggy Jensen, Deputy County Manager

County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

July 17, 2009

Charles Lester
Deputy Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Charles:

SUBJECT: San Mateo County's Response to the Coastal Commission Staff Recommendation on the Midcoast LCP Update Amendments

Thank you for attending the June 16 and July 7, 2009 San Mateo County Board of Supervisors meetings regarding the California Coastal Commission (CCC) staff's recommendation on the Midcoast LCP Update Amendments. As you are aware, the Board authorized the Planning and Building Department to send a letter to the Commission staff, on its behalf, identifying its concerns regarding the recommendation, and requesting a number of changes. This letter serves that purpose.

The Board's concerns and requested changes are essentially the same as those identified in the Planning and Building staff reports that were prepared for the June 16 and July 7 meetings, and are detailed below. Of these matters, the Board underscored its concerns regarding the following issues:

- **Growth Rate**. The County's proposed reduction in the allowed number of new residential units per year was carefully negotiated at the local level and should be retained. If any further reduction is proposed by the Commission staff, it should be kept to the absolute minimum, and continue to exclude secondary dwelling units and affordable housing units.

- **Service District Formation and Expansion**. The Commission staff's proposed policy restricting Service District Formation needs to be adjusted in a manner that responds to the concerns expressed by the San Mateo County Local Agency Formation Commission and County staff.

- **Affordable Housing**. All policy modifications that would interfere with County efforts to increase the supply of affordable housing should be eliminated. This means maintaining the County proposed policy that requires the reservation of water for 40 new affordable housing units, and retaining existing priorities for designated sites.

- **Private Wells and Septic Systems**. While it may be appropriate to place additional restrictions on private wells and septic systems within groundwater subareas that are most at risk, this should be done through a separate process that is coordinated with Phase 3 of the Midcoast Groundwater Study, and that addresses the issue in a careful and comprehensive manner.

- **Re-designation of Bypass Lands**. Issues associated with CalTrans ownership of the bypass lands necessitate a careful approach to changing the area's zoning and land use designation. The Commission staff's proposed modifications that require such changes therefore need to be re-worked or eliminated.

- **Access Requirements Along the Abandoned Section of Highway 1**. It is unnecessary to include access requirements established by the permit for the Highway 1 tunnel within the LCP. In addition, the Commission staff's proposed policy requiring the provision of access 365 days a year may conflict with sensitive habitat protection needs.

- **Recycled Water**. The provision of recycled water for agricultural and other uses should not be restricted.

- **Public Works Capacities**. The Commission staff should work with the County and other agencies and service providers to develop solutions to infrastructure needs rather than inserting policies that create unnecessary barriers to such improvements.

These issues, as well as other County concerns and requested changes, are described in more detail below. Consistent with past practice and the direction given by the Board of Supervisors, the Planning and Building Department is committed to working with the Commission staff to resolve as many of these issues as possible prior to the Coastal Commission hearing on the Update.

1. Revisions to Annual Growth Rate

   a. Description

      As approved by the Board of Supervisors, the Update proposes to limit the number of new Midcoast dwelling units to 75 per year, not including affordable housing units and secondary dwellings. This represents a 40% reduction in the 125 units currently allowed by the LCP. The County-approved amendment also repeals an existing LCP provision that allows the Board to approve up to 200 units per year if certain findings are made.

      CCC staff's Suggested Modification 2 replaces the 75 unit annual limit proposed by the County with a maximum population growth rate of 1%, and applies this limit to secondary dwellings (i.e., "granny units"). The modification also states that the 1% limit shall be in effect until the County develops a comprehensive transportation

management plan, sewage overflow problems have been resolved, and the growth rate is revised via future LCP amendment.

b. Analysis

The number of new residences permitted in the Midcoast has averaged 49 units per year since the LCP was certified in 1981. The most development that occurred in one year was in 1987, when 133 units were built. (This is the one and only time the Board of Supervisors adopted the findings necessary to allow more than 125 units.) Over the past five years (2004-2008), an average of 38 units have been approved annually. During this five-year period, the maximum number of new units developed in one year was 50 in 2004, and the lowest number was 24 in 2008. (There has been a steady decline in the number of units constructed per year since 2004.)

The CCC proposal to establish an annual maximum population growth rate of 1% reduces the number of new residential units allowed per year from 75 (as proposed by the County) to 40, based on an average of 2.78 persons per household (as determined by the 2000 Census) and an estimate of 3,950 existing units. This will be more difficult to administer because the number of new units allowed will need to be periodically revised to reflect population changes.

An important question that remains unresolved is how the CCC staff's proposed growth rate relates to the new policies they have proposed that prohibit new development until the adequacy of public services can be demonstrated. These policies, which are discussed in more detail in Section 3 of this report, establish a moratorium on new development until traffic and wastewater collection (among other service and infrastructure) issues are resolved. It appears that these new public service policies would supersede the growth rate policy and render the allowed growth rate moot.

The proposal to reduce or prohibit new residential development until infrastructure and service capacities are increased does not consider the role that new development plays in implementing such improvements. Existing fees for new development help fund recreation projects, stormwater programs, and roadway improvements. In addition, new development provides elements that address regional needs such as sidewalks, trails, and drainage infrastructure. Tying the growth rate directly to existing service capacities further impedes infrastructure improvements by widening the divide of public support for projects that enable growth.

CCC staff's proposal to apply the growth rate limit to second units also conflicts with the County's interest in meeting its regional housing needs, in a manner that complies with Department of Housing requirements and maximizes opportunities for urban infill. It also raises issues of consistency with Section 6585.2(a)(2) of the Government Code restricting the application of quotas to second units.

It is understood that the approved growth limit will be in place unless and until it is revised by a future LCP amendment, at which time the CCC will consider service capacity issues. Prescribing specific components of future amendments, such as the Comprehensive Traffic Management Plan called for by Suggested Modification 39, may create unnecessary obstacles to appropriate growth rate revisions if traffic issues are resolved through an alternative and equivalent process. It also places an emphasis on traffic and wastewater collection issues, whereas there may be other issues of equal or greater importance when and if the County proposes to revise the growth rate.

Finally, CCC staff's proposed 69% reduction to the LCP's existing growth rate is an unnecessary and inappropriate response to an amendment that reduces the allowed growth rate by 40%. The reduced growth rate adopted by the County was subject to an extensive public review process, and will improve the ability of public service and infrastructure improvements to keep pace with a level of new development that will help implement such improvements.

The County and other service providers have initiated a number of projects and planning efforts intended to address CCC staff's concerns regarding the ability of infrastructure and public service capacities to accommodate the growth allowed by the LCP. These include the Midcoast Mobility Project, Midcoast groundwater studies, the Countywide Transportation Plan Update, Midcoast storm drain improvements, and the El Granada Sanitary District's proposed wet weather storage project. In light of these efforts and the concerns raised above, it is premature and unnecessary for CCC staff to revise the County adopted annual growth limit.

c. Requested Change

Delete Suggested Modification 2. Rather than imposing a change to the County adopted growth rate, CCC staff should participate in the infrastructure planning efforts that will allow public service capacities to keep pace with the modest rate of infill development allowed by the County and envisioned by the LCP.

In the event that CCC staff is unwilling to delete this modification, it should keep the growth rate as close as possible to that which is proposed by the County, and revise the modification to:

- Establish a maximum annual growth rate based on a number of units rather than a percent of the population;
- Clarify the relationship of proposed public service policies to the growth rate;
- Exclude secondary dwelling units from the growth limit; and
- Eliminate language that hinges future growth rate changes on a Comprehensive Traffic Management Plan and resolution of wastewater collection issues.

2. Water Quality Protection

a. Description

CCC staff's Suggested Modification 3 deletes a new County policy that requires compliance with the Countywide Stormwater Pollution Prevention Program (STOPPP)[1] and references minimum requirements that will be attached as an appendix to the LCP. In its place, Suggested Modification 4 proposes seven new policies that provide detailed stormwater control and treatment standards. These policy changes apply throughout the County's Coastal Zone, and are not limited to the Midcoast project area.

b. Analysis

Suggested Modifications 3 and 4 abandon the use of the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) as the primary method for protecting water quality. This program has been created in accordance with the Regional Water Quality Control Board's (RWQCB) National Pollution Discharge Elimination System, and provides a uniform way for protecting all of the County water bodies.

The replacement of SMCWPPP with LCP specific standards will result in the application of different standards for the Coastal Zone, and thereby create an artificial divide between bay and ocean waters that deserve equal protection. Although these standards have been designed to be consistent with SMCWPPP where possible, they also include some significant additions that mimic the RWQCB's proposed new Municipal Regional Permit requirements, which have yet to be adopted by the State Water Resources Control Board and are the subject of much debate.

In addition, the CCC staff's proposed replacement of SMCWPPP with LCP specific standards creates administrative issues beyond those associated with different standards for projects that require coastal development permits.[2] As proposed by the County, the reference to SMCWPPP allows the County to apply state of the art best management practices and pollution control designs and technologies that become a part of this program, without having to amend the LCP. Under the modifications suggested by CCC staff, the County will have to amend its LCP anytime it wants to update the very specific measures prescribed by the new policies.

Finally, many of the technical and detailed standards proposed by Suggested Modification 4 normally take the form of implementing regulations and permit

[1] STOPPP has been renamed to the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP). Information regarding this program is available at www.flowstobay.org.

[2] As previously noted, much of the Midcoast area is within an area where single-family residential development has been categorically excluded from coastal development permit requirements, and thereby exempt from the LCP policies proposed by CCC staff.

conditions, not policies. Policies are purposefully broad in nature, and provide the basis for the more specific implementing codes and regulations. The technical standards proposed by CCC staff as new LCP policies are inconsistent with this framework, and incompatible with the scope of other LCP policies. They are also redundant to each other and unclear in many areas.

c. Requested Change

Retain the approach proposed by the County that establishes a policy that requires new development to protect water quality by complying with SMCWPPP, and that attaches minimum requirements as an appendix. If there are gaps in the minimum requirements established by the County proposed appendix, CCC staff should limit their modifications to the minimum needed to fill these gaps.

To the degree CCC staff determines that it is necessary to amend or supplement the appendix, the suggested modifications presented in the staff report prepared for the postponed March 2009 meeting should be revised to:

- Eliminate redundancies (e.g., between 1.36a and 1.37c(1), 1.37b(5) and 1.37(d)1, 1.39b and the preceding policies);
- Define "small collection strategies" and "micro-detention" in proposed Policies 1.36b and 1.37c(1);
- Describe how the County is expected to "reduce pollutants associated with vehicles and increased traffic resulting from development" (Policy 1.36f);
- Recognize that disconnecting downspouts may not always be a best practice (1.37c(1));
- Acknowledge that sewer connections for swimming pools and other listed facilities are not available in rural areas (1.37(d)); and
- Describe how the need for additional treatment measures will be determined (Policy 1.39a).

3. Deletion of New County Policy Regarding Conflict Resolution

a. Description

Suggested Modification 5 removes a new policy proposed by the County that would allow decision makers to resolve conflicts between LCP policies in a manner that is, on balance, the most protective of significant coastal resources. The County proposal to include such a policy in the LCP is based on Sections 30007.5 and 30200(b) of the Coastal Act, which state:

Section 30007.5. Legislative findings and declarations; resolution of policy conflicts

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. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.

Section 30200. Policies as standards; resolution of policy conflicts

...

(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 conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.

The purpose of incorporating such a conflict resolution policy into the LCP is to provide the County with the ability to balance the sometime conflicting objectives of LCP resource protection provisions. These types of conflicts arise when the implementation of one LCP policy runs contrary to the directives of another policy, such as if the application of visual resource protection policies would push development in a sensitive habitat.

b. Analysis

CCC staff interprets Coastal Act Sections 30007.5 and 30200(b) as applying only to conflicts between the Chapter 3 policies of the Coastal Act, and not to conflicts between LCP policies. Based on this interpretation, Sections 30007.5 and 30200(b) are only applicable to CCC decisions on LCP submittals and amendments, and to coastal development permits (CDPs) where the Coastal Act, rather than a certified LCP, is the standard of review.

Within the bounds of this interpretation, there is room for local governments to propose, and the CCC to certify, conflict resolution provisions that are specific to particular resource issues. This is reflected in the visual resource provisions of the existing LCP; LCP Policy 8.5 states that where there are conflicts in complying with the requirements of this policy, they shall be balanced in manner that protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5.

While the CCC has certified such specific conflict resolution policies within LCPs, it is apparently not willing to accept a general LCP policy that mimics the language of Section 30007.5, as the County has proposed in the Update. This seems to be at odds

with the Coastal Act's delegation of coastal development permit decisions to local governments with certified LCPs, and the specific language of Section 30200(b) which recognizes that conflicts may arise when local governments are implementing the provisions of the Coastal Act through LCPs. LCP policies that have been determined to be consistent with Chapter 3 of the Coastal Act are just as likely to raise internal conflicts as the Chapter 3 policies themselves. Accordingly, it would be appropriate to allow local governments to apply Section 30007.5 in such instances where there are conflicts between LCP policies enacted in accordance with the division.

The most common instances of conflict between LCP resource protection policies are those related to the application of visual resource protection policies and the implications it has on other LCP objectives, such as avoiding the conversion of agricultural lands, protecting sensitive habitats, and setting development back from hazardous areas. As noted above, the LCP already states that the visual protection policies should be carried out in a manner that is, on balance, the most protective of coastal resources, so the County is already covered in this regard.

Another potential area of conflict is in the application of LCP agriculture policies that direct non-agricultural development away from soils that are either prime or suitable for agriculture, which has the potential to push development into other areas that may have sensitive habitats, scenic qualities, or hazardous conditions. With regard to the potential for such conflicts, LCP agriculture policies state that non-agricultural development should be located away from agricultural soils, unless all agriculturally unsuitable lands have been developed or are undevelopable. Accordingly, the County has the ability to resolve conflicts between agriculture and other LCP policies by determining that areas of a site with important scenic, habitat, or hazardous areas are not suitable for development.

c. Requested Change

It is impossible to predict the full range of possible conflicts that may arise between LCP policies during the review of particular development proposals. Although the existing LCP contains adequate provisions to resolve conflicts that may be raised through the application of visual resource and agriculture policies, there is the possibility that other conflicts could arise, such as between water quality and sensitive habitat policies (e.g., if the installation of an essential water quality protection measure necessitates a location within a sensitive habitat). In the interest in providing the County with the flexibility to address such circumstances, the County requests that CCC staff delete Suggested Modification 5.

4. New Policy Requiring the Demonstration of Public Service Capacities

a. Description

As described above, CCC staff is concerned about the ability of existing infrastructure and public services to support the total amount of development allowed by the LCP referred to as "buildout." These include concerns about the impact of traffic on coastal access; the ability of the wastewater collection system to handle increased flows; and the adequacy of local water supplies to sustain additional growth.

CCC staff attempts to address these concerns, among other ways, by adding a new policy (Suggested Modification 6) that prohibits the approval of new development unless it can be demonstrated that there are adequate public services. Services that must be addressed during the coastal development review process include, but are not limited to: water; wastewater collection, treatment, and disposal; storm drainage; fire, emergency, and medical response; police protection; transportation; schools; and solid waste collection and disposal (as applicable to the project). With regard to water and sewer services, the policy requires evidence that there is adequate capacity within the system to serve the development and "all other foreseeable development that the system is committed to serving."

b. Analysis

There is no question that the adequacy of public service capacities is an essential consideration in the review of development applications. The new policy proposed by CCC staff does not, however, provide a clear, reasonable, or effective method for addressing this issue. This is because the proposed policy is unclear about what constitutes adequate levels of service; does not identify the specific information needed to demonstrate such adequacy; and only applies to a very limited segment of new development that is not exempt from coastal development permit requirements by virtue of the existing Categorical Exclusion Order.

The policy proposed by CCC staff identifies over eight types of public services that must be addressed prior to the approval of any coastal development. However, there are only two areas in which adequate levels of service are defined. The first is in the area of water and sewer facilities, where the policy states 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." The second is in the area of transportation, where the Commission staff suggests that a Level of Service (LOS) D at peak commuter hours, and LOS E during peak recreation periods, be considered as adequate along State Route 1 and Highway 92.

These thresholds present a number of unresolved issues. The first has to do with the requirement to demonstrate that water and sewer service is not only adequate to serve

the proposed development, but all other development the system is committed to serving as well. It is unclear what constitutes a commitment to serve, such as whether an assessment levied by a service district for future service equates to such a commitment, even if the levy was assessed for a service that cannot be provided in a manner consistent with the LCP (such as for water or sewer treatment service outside the urban boundary). It is also unclear what is required to determine the full scope of existing service commitments, who will bear the burden of accurately making this determination, and how such commitments may preclude the establishment of Coastal Act priority land uses.

The second has to do with the feasibility and appropriateness of using roadway levels of service (LOS) as the threshold for circulation adequacy. Currently, there is no data available regarding LOS during peak recreation periods, which means that a new monitoring program will be needed to address CCC staff's recommended threshold. More generally, it is important to consider whether the presence of commuter and weekend traffic present an appropriate basis for a moratorium on development, particularly in light of the role that it plays in financing needed circulation improvements and addressing the region's jobs to housing imbalance.

A third issue has to do with the limited geographic area in which this standard will be applicable, and the resulting impediment it will create for commercial, mixed-use, and multi-residential infill projects that can help reduce traffic by creating walkable communities with a better jobs to housing balance. Single-family residential development will continue to be excluded from coastal development permit requirements throughout the urban exclusion area, and thereby exempt from the requirement to demonstrate adequate public services. Meanwhile, other uses that provide a greater degree of community benefit will be put to a much more rigorous test and at greater risk of being able to obtain the service capacities that are being consumed by single-family residences.

Finally, as discussed in Section 1.b above, the thresholds for determining the adequacy of roadway and wastewater treatment capacities appear to create a de facto moratorium on new development until peak traffic issues and wet weather overflow problems are resolved. This, in turn, creates impediments to implementing the infrastructure improvements needed to provide adequate service capacities.

c. Requested Change

Delete Sections a, b, g, and h of proposed Policy 1.18.1. CCC staff should work with the County through future LCP amendments to develop more specific and objective criteria that facilitate rather than hinder land use priorities.

5. Prohibition of Wells and Septic Systems

a. Description

Due to concerns regarding the sustainability of groundwater supplies, Suggested Modification 6 also proposes to prohibit private wells and septic systems be prohibited within the Midcoast urban area, unless they are consistent with a groundwater management plan approved by the Commission via future LCP amendment. The proposed prohibitions are reinforced by Suggested Modifications 17 and 26.

b. Analysis

A precautionary approach to individual wells in the urban area is warranted given outstanding questions regarding the safe yield of Midcoast groundwater basins.[3] The proposal to develop a groundwater management plan is also appropriate given the various land uses, service districts, and natural habitats that depend on a sustainable groundwater supply.

While such a management plan is being developed, there may be instances where individual water supply and/or wastewater treatment systems warrant an exemption from the CCC staff's recommended prohibition because they will have either no adverse impacts on the basin, or will benefit groundwater recharge. It would be appropriate to allow exceptions to the prohibition in such instances.

It is also important to clarify that the prohibition applies only to **new** wells and septic systems. This avoids existing wells from becoming non-conforming, which would present obstacles to their ongoing use and maintenance.

c. Requested Change

Work with County staff and other interested parties through a separate amendment process to evaluate and, where necessary, update existing well policies in a manner that considers the upcoming results of Phase 3 of the Midcoast Groundwater Study. Otherwise, revise Suggested Modifications 6, 17 and 26 to describe the instances in which wells and/or septic systems will be allowed; identify the specific documentation and findings needed to approve wells and septic systems; and addresses the ramifications of this policy on existing wells and septic systems.

[3] See Midcoast Groundwater Study and Staff Summary at (http://www.co.sanmateo.ca.us/smc/department/esa/home/0,2151,5557771_18409674,00.html)

6. New Policies Regulating the Size of Public Works

a. Description

CCC staff's Suggested Modifications 8, 11, 20, 25, 28, 29 and 33 propose policies that require the capacity of public works projects to be limited to that which can be effectively served by other existing or reasonable foreseeable public service capacities. For example, the capacity of roadway projects would be limited to serving a population that can be accommodated by existing or foreseeable water supplies and wastewater treatment capacities. Similarly, the capacity of water supply projects would be limited to serving a level of development that could be sustained by existing or foreseeable roadway and wastewater treatment capacities.

b. Analysis

CCC staff's suggested modification creates an unreasonable expectation that all types of public works projects will move forward in tandem. As a case in point, it is unrealistic to assume that a project to improve traffic flow on Highway 1 will be able to predict the future capacity of the area's water supply within the timeframe that such roadway improvements are needed. Although there are a range of options available to help address the area's water supply needs (such as improved conservation and groundwater management, reuse of recycled wastewater, and desalination), it is not possible at this point in time to identify a "foreseeable" supplemental water supply. As a result, the policy recommended by CCC staff would restrict roadway improvements to the minimum level needed to serve existing levels of use, which would be neither an efficient nor effective method of addressing long-term transportation needs.

It also creates a situation under which the current status of public works projects, rather than the level of development that can be accommodated consistent with the protection of coastal resources, determines the level of development allowed by the LCP. It is inappropriate to limit potential future development simply because a particular service needs to expand its capacity, without evidence that such an expansion would harm coastal resources.

c. Requested Change

Delete the Suggested Modifications referenced above, or revise them to limit the capacity of public works to that which will serve the buildout allowed by the LCP.

7. Reservation of Transportation Capacity

a. Description

Coastal Act Section 30254 states in part:

> *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.*

Pursuant to this policy, the LCP establishes a system for reserving allocations of limited water and sewer service capacities to priority land uses. Suggested Modifications 9 and 42 revise these policies by including the regional transportation system (e.g., Highways 1 and 92) as a type of public works facility, the capacities of which must be reserved for priority land uses.

b. Analysis

The concept of reserving roadway capacity for priority uses presents some very basic implementation questions. In particular, it is unclear how such capacities are to be effectively determined and reserved.

Taking the CCC staff's recommendation as a whole, it appears that CCC staff expects the County to prohibit any new development until the levels of service along Highways 1 and 92 are "D" or better during peak commuter periods, and "E" or better during peak recreation periods. Any additional roadway capacity that may be available within these parameters must be reserved for priority land uses. In order to implement these recommendations, the County would need to determine the roadway needs of all future priority land uses, and improve circulation to the degree that meets this need, along with the needs of existing and future non-priority land uses, before any new development can occur.

A major challenge associated with this approach will be accurately assessing the transportation demands associated with future development of priority land uses, and the impacts that such demands will have on peak commuter and recreation periods. If this can be determined, the next challenge will be to analyze how the capacity of future roadway projects and transit improvements will be used. Finally, the County would need to document that future roadway projects are adequate to serve both priority and non-priority land uses allowed by the LCP, but would not create additional capacity that could induce growth beyond that which is allowed by the LCP.

The type of analyses described above is not only prone to error and debate, but is really only a paper exercise. When it comes down to actual use of the roadway and transit network, there is no effective means of allocating these facilities to priority land uses, as there is for services such as water and sewer.

c. Requested Change

Delete the portions of Suggested Modifications 9 and 42 that require transportation capacity to be reserved for priority uses.

8. Limits on the Creation of New Service Districts

a. Description

Coastal Act Section 30254 also states, again in part, that:

> *Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce development inconsistent with this division.*

Based on this policy and concerns that existing levels of development exceed current public service capacities, CCC staff's Suggested Modification 12 allows the formation or expansion of special districts only when public service capacity issues such as water, sewer, and transportation are resolved.

b. Analysis

The establishment and expansion of special districts is regulated by the Local Agency Formation Commission, which not only considers whether such actions are consistent with the LCP, but whether they are in the best interest of the public from a cost, efficiency, and effectiveness standpoint.

As provided by the Coastal Act, special districts should not be formed if they will induce growth that is inconsistent with the policies of the Coastal Act or a certified LCP. In other words, it is appropriate to form special districts if they will provide an effective and efficient means of meeting the needs of both existing and anticipated future development.

CCC staff's Suggested Modification 12 does not carry out Coastal Act Section 30254, but instead uses existing service capacities as a basis to evaluate whether it is appropriate to form or expand special districts. This could have the undesirable result of precluding the formation of a special district that may be needed to meet the existing needs of the Coastside (e.g., a recreation district), or preventing the consolidation of existing service districts to provide more efficient and/or cost effective service, for a completely unrelated reason (e.g., levels of service along Highways 1 and 92 do not meet the minimums proposed by CCC staff).

c. Requested Change

Delete Suggested Modification 12.

9. Limits on the Use of Recycled Water

a. Description

Suggested Modification 14 revises LCP Policy 2.18 regarding the timing and sizing of projects that expand sewage collection and treatment capacities, and raises issues regarding the sizing of public works project described by the June 1, 2009 memorandum. Suggested Modification 14 also restricts the possible future reuse of treated wastewater by prohibiting connections to commercial, residential, or industrial water users.

b. Analysis

CCC staff's proposed restrictions on the possible reuse of treated wastewater appears to be based on a concern that it will be growth inducing. Since treated wastewater is not allowed to be used for domestic uses, it is unlikely to be growth inducing. The most likely use of treated wastewater will be to provide an alternative source of irrigation for landscaping and agricultural purposes, which will in turn reduce demands on limited groundwater supplies. CCC staff's proposed restrictions are therefore unnecessary and run counter to the interest in conserving water.

c. Requested Change

Delete the portion of Suggested Modification 14 that prohibits the provision of treated water to commercial, industrial, or residential water users.

10. Reduced Service Priorities for Affordable Housing

a. Description

In areas with limited public service capacities, the Coastal Act gives priority for such services to the specific types of land uses described in Section 2 above. Building on this approach, the LCP identifies affordable housing as a type of land use that should also be eligible to receive water capacities set aside for priority land uses. Specifically, the existing LCP reserves water for affordable housing constructed on the three vacant sites designated for high-density residential development. The Update would expand this program by also reserving water for up to 40 additional units located outside of these three sites (20 units within the Montara Water and Sanitary District's jurisdiction, and 20 units within the Coastside County Water District). This reservation represents a reallocation of water that was previously set aside for floriculture uses, based on the fact that the amount of water actually being used for that purpose is much less than that which was previously reserved.

Suggested Modifications 16, 23, and 43 revise the County's proposal in two ways. First, Suggested Modifications 16 and 23 indicate that the land uses specified by

Coastal Act Section 30254 have priority over affordable housing. Second, Suggested Modification 43 deletes the County's proposal to make up to 40 units of affordable housing located outside the three vacant high-density residential sites eligible for priority water.

b. Analysis

Coastal Act Section 30604(f) and (g) directs the Coastal Commission to encourage the provision of affordable housing in the Coastal Zone. Given the limited availability of water to accommodate new development, one of the most direct ways in which affordable housing can be encouraged is by making it eligible to receive water supplies that have been, or will be, set aside for priority land uses.

In its report, the CCC staff observes that affordable housing is not listed as a priority use by Coastal Act Section 30254, and therefore proposes to make affordable housing on the three identified affordable housing sites a secondary priority to the uses listed by the Coastal Act. This position runs contrary to the fact that the Commission previously certified affordable housing as a priority use with equal standing to the uses listed by the Coastal Act.

In addition to pointing out that affordable housing is not a priority use under the Coastal Act, the CCC staff justifies its rejection of the County's proposal to reserve water for 20 additional affordable residential units in the Montara Water and Sanitary District (MWSD) service area on "the reality of MWSD's existing capacity deficit and uncertain future supply capacity." Despite the fact that water may not be currently available, it remains in the County's interest to have a policy that reserves water for affordable housing so that future water supply projects are designed and implemented with this in mind.

For the 20 additional affordable units that the County has preserved to reserve water for in the Coastside County Water District service area, the CCC staff report states on one hand that "the County has demonstrated that there is excess capacity currently allocated for floriculture," but goes on to state that "the reallocation of priority water to affordable residential uses, which are not a priority, has not been adequately justified." It is unclear what sort of justification the CCC staff is looking for, or why both the County's (and the State's) interest in providing affordable housing needs justification in light of Coastal Act Section 30604.

c. Requested Change

Delete Suggested Modification 43, as well as the portions of Suggested Modifications 16 and 23 that make affordable housing a secondary priority.

11. Limits on the Provision of Water Service to Properties with Wells

a. Description

County policy regarding the use of individual wells to serve new development in the urban Midcoast requires, among other things, that wells be replaced with connections to municipal water systems when such connections become available. Suggested Modification 20 allows new water supply projects that help achieve this objective, but only after existing available capacities have already been consumed.

b. Analysis

It does not appear that Suggested Modification 20 will have an effect within the Montara Water and Sanitary District's boundaries, where existing water service capacities have been fully consumed. It will, however, create an obstacle to replacing wells within the Coastside County Water District, where allocated water is not being fully consumed.

c. Requested Change

Revise Suggested Modification 20 to allow new water supply projects that will replace wells with service connections to move forward as soon as possible.

12. New Policy Regarding Desalination

a. Description

Suggested Modification 21 adds a new policy regarding desalination that requires an LCP amendment for any proposed desalination plant, and establishes standards for the development of desalination projects.

b. Analysis

CCC staff's proposed design and construction standards for desalination plants seem reasonable and consistent with other elements of the County's General Plan. However, the suggested modification raises some procedural issues.

The first is that it brings up an issue area which is beyond the scope of the Midcoast Update, and was not been discussed or considered locally. The new policy would apply throughout the County's Coastal Zone. It is unlikely that all parties that may have an interest in this issue have been properly notified or informed that such a policy is being considered.

The second issue has to do with the requirement for an LCP amendment. There is no question that desalination plants require a coastal development permit. Requiring an

LCP amendment as well, however, does not appear to be consistent with the development review procedures established by the Coastal Act. The requirement for an LCP amendment should only apply to instances where a proposed desalination plant is not allowed by an existing LCP.

Chapter 24 of the County Zoning Regulations, which are a component of the LCP's Implementation Program, allows public utility or public service uses in any district, provided that a use permit is obtained and such facilities are necessary for the public health, safety, convenience or welfare. Desalination plants that meet this standard, and that comply with all other relevant LCP provisions, should therefore not require an LCP amendment.

The third issue has to do with the need to clarify what constitutes a "desalination plant." The process of removing salt from seawater or groundwater can occur at varying scales, and in order to effectively implement the proposed policy, it is important to know what size or scale of a reverse osmosis treatment system would trigger the standards established by this policy.

c. Requested Change

Delete Suggested Modification 21, or revise it to eliminate the need for an LCP amendment and clarify what constitutes a "desalination plant."

13. Traffic Monitoring and Reporting Requirements

a. Description

LCP Policy 2.52.b currently requires the County to monitor the number and rate of new residential construction, particularly in the rural Midcoast. Suggested Modification 32 revises this policy by removing the emphasis on the rural Midcoast and by adding a requirement that the County monitor the relationship of residential construction to traffic levels during peak commuter and recreation traffic periods.

b. Analysis

As noted in Section 3 of the Planning and Building Department's June 1, 2009 memorandum, there is no data available, and no monitoring program in place, to document roadway levels of service during peak recreation periods. The CCC staff's suggested modification would require either the County or the California Department of Transportation (CalTrans) to initiate such a program.

An additional problem with the suggested modification is the difficulty of correlating residential development to traffic volumes on regional transportation routes. Highways 1 and 92 are critical components of the regional transportation system and serve a much greater than local need. Given the wide range of roadway users, it is unclear

how the County could draw a reliable conclusion about how residential development in the unincorporated area relates to levels of service.

c. Requested Change

Delete the modification to Policy 2.52.b.

14. New Policy Requiring County Parks to Maintain a Trail Along the Abandoned Portions of Highway 1 Unless an Alternative Management Entity is Identified

a. Description

Suggested Modification 36 requires the County to accept portions of Highway 1 that will be relinquished by CalTrans upon completion of the Devil's Slide Tunnel access improvements, open and operate the trail and facilities 365 days a year, and incorporate these facilities into the County park system, unless and until another acceptable management agency is identified.

b. Analysis

The revisions proposed by CCC staff essentially mimic the conditions of approval for the Devil's Slide Tunnel project, which were negotiated with Commission staff in response to an appeal of the Planning Commission's approval of the project. However, a significant distinction is that the policy being recommended by CCC staff requires the County to open and operate the trail and access facilities 365 days a year. In comparison, the conditions of the tunnel permit allow for the terms of public access to be developed in coordination with the Devil's Slide Coastal Access Task Force, and include provisions for temporary closures in the event that the trail becomes unusable, un-repairable, or un-maintainable. Seasonal or other temporary closures made also be necessary to protect sensitive species.

c. Requested Change

Delete Suggested Modification 36. Otherwise, revise it to clarify the terms under which the trail may be closed, and reflect the fact that the terms of public use shall be determined in accordance with the operations plan developed by CalTrans in coordination with the Devil's Slide Coastal Access Task Force.

15. Trail and Crossing Improvements Required in Conjunction with Roadway Projects

a. Description

As proposed by the County, the Update calls for the installation of a multi-modal path parallel to Highway 1, as well as pedestrian crossings shown by the Midcoast Recreational Needs Assessment, when warranted by the size of a highway project.

Suggested Modification 36 requires that the path and crossings be installed "as part of any new or improved roadway project."

b. Analysis

CalTrans has expressed concern about this modification because it could be interpreted as requiring them to construct a path and/or crossing in conjunction with repair and maintenance activities or other small-scale projects. Clarification regarding the type of roadway projects that would trigger these requirements would be beneficial.

c. Requested Change

Work with the County and CalTrans staff on alternative language that resolves this issue.

16. Traffic Mitigation Requirements

a. Description

Suggested Modification 38 requires a Traffic Impact Analysis and Mitigation Plans for all new development that will generate a net increase in vehicle trips on Highway 1 or 92, except single-family residential and visitor-serving development. One of the mitigation measures required by this policy requires all land divisions to either retire or merge a number of existing legal lots equivalent to the number of lots to be developed, to avoid a net increase in the amount of residential development.

b. Analysis

The proposed lot retirement requirement involves a complex program under which applicants proposing a land division would have to locate and purchase other land with equivalent development potential, and record legal documents prohibiting their future development. It also places the responsibility for long-term management of retired lots on public agencies, private associations, or adjacent landowners.

As described by County Counsel's June 16, 2009 memorandum regarding the Witt and Abernathy cases, resolving the legality of many Midcoast parcels will likely necessitate the processing of a Conditional Certificate of Compliance or a subdivision, both of which constitute a "land division." The CCC staff's suggested modification will therefore have a much broader application than what seems to have been originally intended by the modification. This will pose significant challenges for infill development and may be an impediment to the provision of affordable housing.

c. Requested Change

Delete Suggested Modification 38, or revise it so that it only applies to the creation of five or more new parcels, and not to land divisions associated with the development of affordable housing projects.

17. Transportation Management Plan Requirements

a. Description

Suggested Modification 39 requires the County to develop a comprehensive transportation management plan, based on the results of a County commissioned study that identifies the total cumulative traffic impact of projected new development at LCP buildout. Among other things, the plan must propose LCP policies "designed to offset the demand for all new vehicle trips generated by the project"[4] and mitigate for cumulative impacts on public access to and recreation use of Midcoast beaches.

b. Analysis

The County is actively engaged in transportation management planning, among other ways by participating on the City/County Association of Governments (C/CAG) Technical Advisory Committee and Countywide Transportation Plan Update Working Group. The update of the Countywide Transportation Plan will provide an opportunity to address many aspects of the plan prescribed by the Commission staff. However, several of the recommended plan components, such as the buildout study and the formulation of new LCP policies, will require supplemental efforts, some of which are outside the scope of a typical traffic management plan (e.g., mitigation for impacts of residential development on recreational use of beaches). It is unlikely that the County will have the financial and staffing resources to undertake these supplemental efforts in the near future.

c. Requested Change

Revise Suggested Modification 39 to delete requirements for a buildout study and recreation mitigation measures.

18. Coastal Trail Alignment Study Requirements

a. Description

Suggested Modification 44 requires the County to pursue a grant or other funding to conduct a Coastal Trail Alignment Study, with a specified scope of work, within two years of amendment certification.

[4] It is unclear what "project" is being referenced by the CCC staff's proposed policy.

b. Analysis

The County is also an active participant in a wide range of trail planning and improvement projects, including interagency efforts to plan for and develop a continuous Coastal Trail system. The County Parks Department has completed a Midcoast Recreational Needs Assessment and Midcoast Action Plan, and will be conducting an intensive three-day public workshop, led by the Local Government and a national "walkable communities" expert, to address pedestrian mobility issues in Miramar and El Granada. Current County trail projects include construction of portions of the Coastal Trail near the Fitzgerald Marine Reserve and in Miramar ("Mirada Surf West"), and management of trails on property owned by the Peninsula Open Space Trust at the Pillar Point bluffs.

The programming of these and other County Parks projects is done in close coordination with the Board of Supervisors, based on a careful evaluation of Countywide needs and available resources. The County is supportive of the effort to establish and improve a Coastal Trail network, and will continue to be an active participant in this regard. However, it is inappropriate for CCC staff to dictate how the County Parks Department's time and resources should be spent.

c. Requested Change

Revise Suggested Modification 44 to delete the requirement that the County seek funding and complete a California Coastal Trail Alignment Study.

19. Designation and Rezoning of the Devil's Slide Bypass Alignment

a. Description

As submitted by the County, the Midcoast Update adds a new provision to LCP Policy 11.27 that supports 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.

Suggested Modifications 55, 58, and 59 require the County to designate the Devil's Slide bypass alignment as a Linear Park and Trail, rezone this area to Community Open Space, and pursue a grant or other funding to complete a linear park and trail, in partnership with other agencies, within two years of amendment certification.

b. Analysis

While the County supports the concept of including the bypass lands within adjoining park units, there are many issues that need to be resolved prior to rezoning the entirety of this area, some of which is currently zoned for residential development, to open space. One of the most fundamental of these issues is ownership. The new

policies proposed by Commission staff assume that the land will be transferred from CalTrans to the County. This is a premature assumption.

According to the staff of CalTrans right-of-way division, CalTrans has legal agreements with the former owners of the parcels that underlie the bypass area, that memorialize certain commitments regarding the future of these lands in the event the bypass is not constructed. County staff has not yet been provided the opportunity to review these agreements to determine what if any impact they might have on the transfer of this land or its future use.

CalTrans staff has also indicated a need to understand the form of compensation it would receive for transferring this land to a public agency. In addition, CalTrans staff has stated the importance of preserving rights of access to lots that are within and east of the bypass alignment. Until these issues are resolved, it would be inappropriate to zone the entire area for open space.

c. Requested Change

Delete Suggested Modifications 55, 58, and 59.

20. Designation of a Park Overlay on the Burnham Strip

a. Description

Suggested Modification 57 requires the County to designate a Park Overlay District on the Burnham Strip.

b. Analysis

Maps contained in the County's Montara, Moss Beach, and El Granada Community Plan designate the Burnham Strip as "Parks, Beaches, and Recreation Corridors." While this designation points out areas that should be considered for park and recreation improvements, it does not provide any standards for, or restrictions on development. Including a "park overlay" on the LCP Land Use Plan Map is therefore unnecessary.

c. Requested Change

Delete Suggested Modification 57.

21. Revisions to Allowed Uses on the Burnham Strip

a. Description

Suggested Modification 63 deletes roadside stands as an allowable use on the Burnham Strip, and restricts outdoor art centers on the Strip to temporary uses only.

b. Analysis

CCC staff's modification prohibits the installation of portable or permanent structures that are used for the sale of produce or other goods and merchandise. In addition, the modification limits "outdoor art centers" to temporary uses only, and thereby prohibits the regular or permanent establishment of outdoor facilities used for the exhibition, study or creation of art. These restrictions are unnecessary and preclude uses that could benefit residents and visitors.

c. Requested Change

Revise Suggested Modification 63 to retain roadside stands and outdoor art centers as permitted uses.

Thank you for your consideration of these comments and requests. We look forward to working with you and your staff to resolve as many of these issues as possible.

Sincerely,

Lisa Grote
Community Development Director

LC:SAM:fc – SAMT0632_WFN.DOC

cc: Board of Supervisors
David Boesch, County Manager
Peggy Jensen, Deputy County Manager
Michael Murphy, County Counsel

Ruby Pap

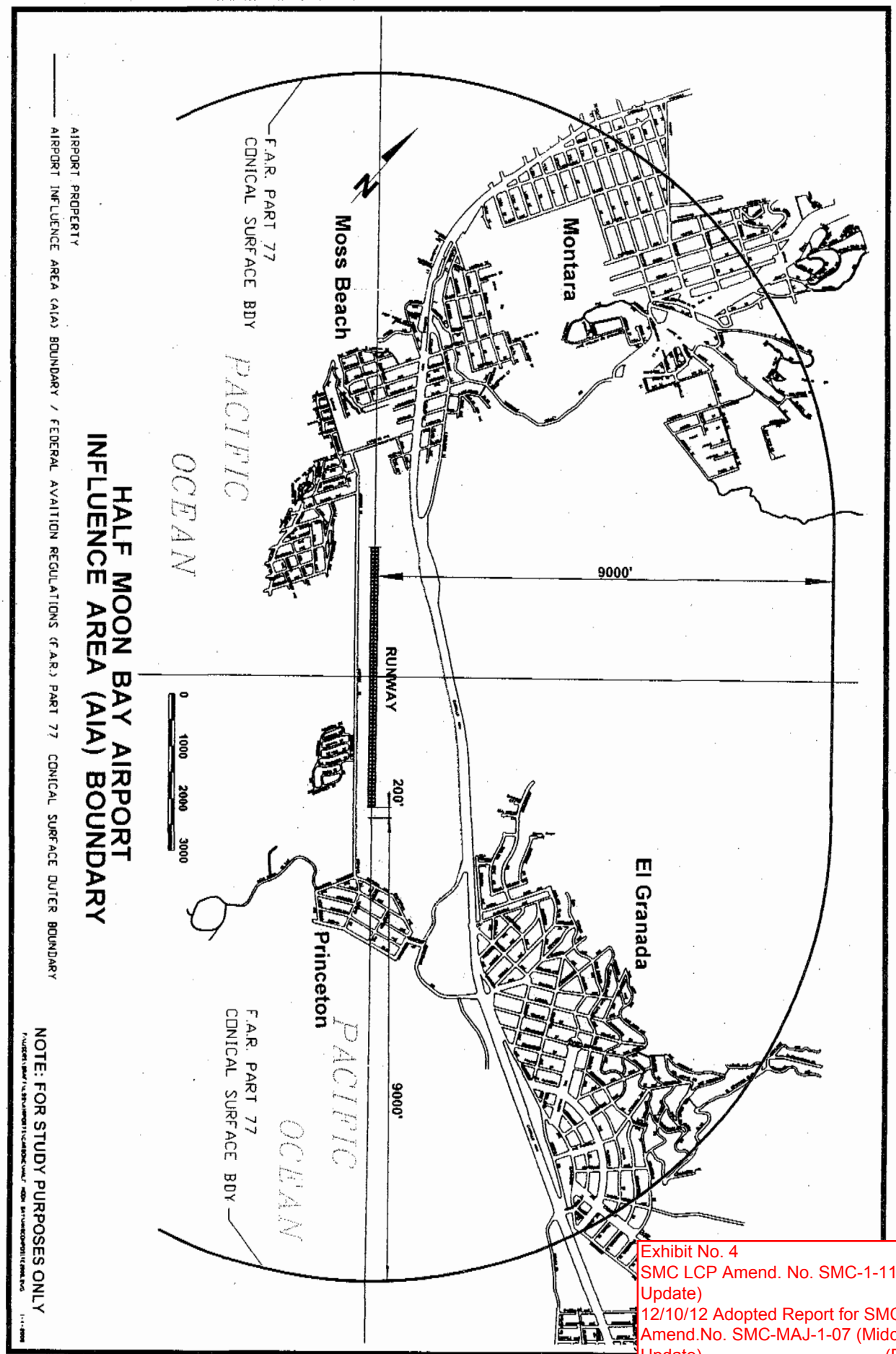
From: Steve Monowitz [SMonowitz@co.sanmateo.ca.us]
Sent: Tuesday, July 28, 2009 2:53 PM
To: Ruby Pap
Cc: Lisa Grote
Subject: postponement of the August CCC hearing on the Midcoast LCP Update

Hi Ruby,
In the interest of providing adequate time to review and discuss the Commission staff's revised recommendation on the Midcoast LCP Update, the San Mateo County Planning and Building Department does not object to your suggested postponement of the August 13, 2009 Coastal Commission hearing, and requests that it be rescheduled for the next Coastal Commission meeting in the area, which is the December 10-12 meeting in San Francisco. We look forward to receiving a copy of your draft revisions to the suggested modifications in the next few days, and hope that the additional time provided by the postponement will enable us to resolve as many issues as possible prior to the December hearing. Sincerely,
Steve

Steve Monowitz
Long Range Planning Services Manager
San Mateo County Planning and Building Department
(650) 363-1855

EXHIBIT "A"

MAP 1.4



San Mateo County Feedback on February 27, 2009 Recommended Suggested Modifications and Commission Response

Mod. #	Policy	Modification Description	County Feedback	Commission Response
2	1.22	Replaces the County proposed 75 unit annual limit with a maximum population growth rate of 1% and applies this limit to secondary dwellings (i.e. "granny units"). Adds language requiring a comprehensive transportation management plan and resolution of sewage overflow problems before the growth rate can be changed (via future LCP amendment).	A 1% population growth rate currently equals approximately 39 units based on the 2000 Census average household size of 2.78 persons per residential unit. Basing development limits on population rather than number of units will be more difficult to administer because the conversion of population to units would have to be recalculated as growth occurs and new population information is developed. Reducing the growth rate will impede the ability of new development to help fund and provide infrastructure projects. Applying growth limits to second units discourages infill development that provides affordable housing opportunities and helps offset high home prices. It is unnecessary to state that growth limits will be in place until the LCP is amended, at which time the Commission will consider wastewater, traffic, and other relevant issues.	The suggested modification has been revised to maintain the County's unit of measurement: dwelling units/year. 1% equals 40/units per year. Secondary dwelling units that are affordable have been excluded from the growth rate, just as affordable housing is excluded. Language referencing Comprehensive Traffic Management Plan and resolution of wastewater collection issues is maintained.
5	1.3	Deletes proposed policy that allows County to resolve conflicts between LCP policies in a manner that is, on balance, the most protective of significant Coastal Resources.	CCC staff's interpretation of Coastal Act Section 30007.5 is that it can used only to resolve conflicts between Chapter 3 of the Coastal Act, and not to conflicts between policies of a certified LCP. This conflicts with the Coastal Act's delegation of coastal development permit decisions to local governments, and Coastal Act Section 30200(b), which recognizes that conflicts may arise when local governments are implementing the provisions of the Coastal Act through LCP's.	Proposed policy 1.3 is inconsistent with Coastal Act Sections 30007.5 and 30200 and therefore must be deleted as suggested by modification #5.
6	1.18.1	Adds new policy that prohibits approval of new development unless it can	CCC staff's proposed policy is not clear about the information required to demonstrate the adequacy of public services, and establishes a moratorium on new	Mod 6 revised to clarify "adequacy of public works," for water, wastewater, and

Mod. #	Policy	Modification Description	County Feedback	Commission Response
		be served by adequate public services. With respect to water and sewer facilities, there must be adequate capacity to serve the development and all other development the system is committed to serving. Also prohibits private wells and septic systems within the urban services line unless authorized pursuant to a groundwater management plan incorporated into the LCP.	development until existing service levels on Highways One 1 and 92 are resolved and a solution to existing wet weather overflow problems is implemented. While a cautious approach towards new wells and septic systems is needed, an exception to the recommended prohibition would be appropriate where new development can demonstrate that wells or septic systems will not have detrimental impacts. Because single-family residential development is largely excluded from CDP requirements, CCC staff's policy will create a more intensive review process for commercial, mixed-use, and multi-residential infill projects. Prohibiting new development until infrastructure and service capacities are increased does not consider the role that new development plays in implementing such improvements.	transportation consistent wi the existing provisions of th certified LCP. The mod doe not establish a moratorium on development. New singl family residences approved consistent with the 40 unit/year growth rate are no required to demonstrate highway capacity. Larger mixed-use, and multi-residential projects can caus greater traffic impacts on roads that are already at capacity. If such a project demonstrated that it offset vehicle trips such that LOS would remain within the standard, then it could b approved. The prohibition o private wells is retained. Th ban only applies to new wells. This approach is supported by the Kleinfelder Midcoast Groundwater Study Phase II (October 2008). The Commission can work with the County on a future LCP amendment based on results of the Phase III Kleinfelder Study. SM 6 allows private septics under certain

Mod. #	Policy	Modification Description	County Feedback	Commission Response
				circumstances.
9, 12, 21, 26, 29, 30, 34	2.7, 2.12, 2.27, 2.32, 2.36, 2.48, and 2.53	Adds new policy language limiting the capacity of public works expansions to that which can be accommodated by other existing and probable future capacity of other public works facilities.	CCC staff's proposed modifications create a situation under which the status of public services, rather than the protection of coastal resources, determines the future level of development allowed by the LCP. They necessitate that public works project occur at the same time, which will present significant obstacles to the efficient and cost effective implementation of major infrastructure projects.	The modifications update existing public works phasing policies to reflect today's infrastructural constraints, consistent with Coastal Act Section 30254. The mods have been changed to address sizing of public works. The mods do not imply that all public works need move forward in tandem. E.g., if a special district proposed to replace sewer pipes with larger pipes to deal with wet weather transmission, but sized the pipes to accommodate estimated buildout, the suggested policies would not necessarily preclude this as long as the CDP was conditioned to allow the phasing of new sewer *connections*, consistent with the availability of other public works (such as roads).
10 and 43	2.8a - d	Expands the policy requiring the reservation of public service capacities for priority land uses to include roadway capacity.	These modifications seem to require that the County determine the transportation needs of existing and future priority land uses; analyze the relationship of this demand to roadway levels of service; identify how future roadway projects and transit improvements will	The modification specifically defining the public works for which priority capacity must be reserved has been deleted. Public works is already

Mod. #	Policy	Modification Description	County Feedback	Commission Response
			be used; and document that roadway projects are adequate to serve both priority and non-priority land uses allowed by the LCP. This type of analysis is not only prone to error and debate, but is really only a paper exercise. When it comes down to actual use of the roadway and transit network, there is no effective means of allocating these facilities to priority land uses.	defined in the LCP and includes all of the elements contained in the modification. Existing and proposed policies as modified already adequately reserve roadway capacity.
12	New Policy 2.15.1	Allows the formation or expansion of special districts only when public service capacity issues such as water, sewer, and transportation are resolved.	The modification could preclude the formation of a special districts that may be needed to meet the existing needs of the coastside, and prevent the consolidation of existing service districts to provide more efficient and/or cost effective public service	To address County concerns, mod has been revised to track the language of Coastal Act Section 30254.
14	2.18	Revises existing language regarding the timing and sizing of projects that expand sewage collection and treatment capacities, and restricts the possible future reuse of treated wastewater by prohibiting connections to commercial, residential, or industrial water users.	The modifications to Policy 2.18 raises the same concerns described above regarding suggested modifications 8, 11, 20, 25, 28, 29, and 33. It also restricts the possible reuse of treated wastewater, which can provide an alternative source of irrigation for landscaping and agricultural purposes and thereby reduce demands on limited groundwater supplies. The proposed restriction is unnecessary and runs counter to objective of protecting the groundwater basin.	The suggested modifications to Policy 2.18 has been revised to facilitate the development of wastewater recycling facilities, as long as they are not growth inducing, by exempting them from the requirement that traffic constraints be resolved before these facilities are constructed.
17, 24, 44, and 46	2.21, 3.17, and Table 2.17	Deletes the County's proposal to reallocate water reserved for priority floriculture to 40 more affordable housing units and revises the existing priorities for water service by giving Coastal Act land	Coastal Act Section 30604(f) and (g) directs the CCC to encourage the provision of affordable housing in the coastal zone. One of the ways to do this is to make affordable housing eligible to receive water that has been, or will be, set aside for priority land uses. Although water may not be currently available, such a policy will require future water projects to be designed and implemented with this in mind. CCC staff's	While the Coastal Act (section 30604 [f, g]) *encourages* affordable housing (AH), Chapter 3 of the Act, *prioritizes* visitor serving, recreational, agricultural, and coastal-dependent land uses. The

Mod. #	Policy	Modification Description	County Feedback	Commission Response
		use priorities higher standing than affordable housing.	proposal to revise existing policies in a manner that gives Coastal Act land use priorities higher standing than affordable housing is inconsistent with Sections 30604(f) and (g).	mod has been revised to allow the reallocation to AH and adds language requiring that development of new public works facilities reserve capacity for Coastal Act priority uses before reserving capacity for LCP priority uses, such as affordable housing.
21	2.27	Allows new water supply projects that enable wells be replaced with connections to municipal water systems only after existing capacities are consumed.	It does not appear that this modification will have an effect within the Montara Water and Sanitary District's boundaries, where existing water service capacities have been consumed. It will, however, create an obstacle to replacing wells within the Coastside County Water District, where allocated water is not being fully consumed.	The mod has been revised to clarify "Consumption of existing capacity. If CCWD wanted to develop a new water source to serve customers on wells, it would first need to show that there are no connections left or there is no remaining water to serve the available connections.
22	New Policy 2.28	Requires an LCP amendment for any proposed desalination plant, and establishes standards for desalination projects.	The requirement for an LCP amendment should only apply to instances where a proposed desalination plant is not allowed by the existing LCP. It is unclear when a reverse osmosis or other desalting system would be considered a "desalination plant" subject to this policy.	The mod has been revised to eliminate the LCP amd. Req. and define desalination plant as one that *creates potable water*.
33	2.52	Requires the County to monitor the relationship of residential construction to traffic levels during peak commuter and recreation	There is no data available, and no monitoring program in place, to document roadway levels of service during peak recreation periods. Regional use of Hwys 1 and 92 make it impossible to draw reliable conclusions about the relation of residential development to levels of	The mod has been replaced with a requirement that the County utilize any data collected though Caltrans' or other entity's monitoring

Mod. #	Policy	Modification Description	County Feedback	Commission Response
		traffic periods.	service.	when making decisions related to the adequacy of roadway capacity.
36	2.56	Requires the County to: accept portions of Hwy 1 upon completion of the Devil's Slide tunnel; operate the trail and facilities 365 days a year; and, incorporate these facilities into the County park system. Also applies the requirement that CalTrans install pedestrian crossings and a recreation path parallel to Highway One to "any new or improved roadway project".	The revisions essentially mimic the conditions of approval for the Devil's Slide Tunnel project except that the policy being recommended by CCC staff requires the County to open and operate the trail and access facilities 365 days a year; the conditions of the permit allow the terms of public access to be developed in coordination with the Devil's Slide Coastal Access Task Force, and include provisions for temporary closures. CalTrans staff has expressed concern regarding the policy requiring pedestrian crossings and a trail parallel to Hwy 1 because it could be applied to repair and maintenance activities or other small-scale projects. Clarification regarding the type of roadway projects that would trigger these requirements would be beneficial.	The mod has been revised to closely mimic the language of the County's CDP, which require that the access be operated 365 days/year according to the plan developed by the task force. To address Caltrans' concerns, the mod has been revised to clarify that pedestrian crossing and trail requirements do not apply to routine repair and maintenance projects.
38	2.57.1	Requires traffic mitigation plans for all new development that generates a net increase in vehicle trips on Highway 1 or 92, except single-family residential and visitor-serving development. Also requires all land divisions to retire or merge lots.	The proposed lot retirement requirement involves a complex program under which applicants proposing a land division would have to locate and purchase other land with equivalent development potential, and record legal documents prohibiting their future development. In light of the recent Witt and Abernathy court decisions, this requirement will have a much broader application than originally anticipated by CCC staff, and will pose significant challenges for infill development.	Highways 1 and 92 are currently at capacity, and the Midcoast is only half built out. Traffic mitigation in the form of lot retirement for all subdivisions is necessary to ensure consistency with the Coastal Act. The mod has been revised to exempt land divisions for affordable housing projects from this requirement.
40	New	Requires the County to	The County is actively engaged in transportation	The suggested modification

Mod. #	Policy	Modification Description	County Feedback	Commission Response
	Policy 2.57.2	develop a comprehensive transportation management plan, based on the results of a County commissioned study that identifies the total cumulative traffic impact of LCP buildout. Among other things, the Plan must propose policies "designed to offset the demand for all new vehicle trips generated by the project", and "mitigate for cumulative impacts on public access to and recreation use of Midcoast Beaches".	management planning, among other ways by participating in the update of the Countywide Transportation Plan. This update, and other transportation planning efforts that are currently underway, will provide an opportunity to address many of the transportation issues that CCC staff wants addressed in a comprehensive plan. However, several of the plan components required by the modification, such as the buildout study and the formulation of new LCP policies, will require supplemental planning efforts. Some of these requirements are outside the scope of a typical traffic management plan, such as the development of policies that mitigate impacts of residential development on recreational use of beaches. It is unlikely that the County will have the financial and staffing resources to undertake these supplemental efforts in the near future.	has been revised to delete th requirement that the plan be based on the results of a "County-commissioned study" and to clarify that the plan mitigate impacts of residential development on public access to the beach rather than the use of the beach.
48	New Policy 10.37.1	Requires the County to pursue a grant or other funding to conduct a Coastal Trail alignment study, with a specified scope of work, within two years of amendment certification.	The County is an active participant in a wide range of trail planning and improvement projects, including interagency efforts to plan for and develop a continuous coastal trail system. The programming of County Park's projects is done in close coordination with the Board of Supervisors, based on a careful evaluation of Countywide needs and available resources. The County is supportive of the effort to establish and improve a coastal trail network, and will continue to be an active participant in this regard. However, it is inappropriate for CCC to dictate how the County Parks Department's time is spent.	The suggested modification has been revised to delete th requirement that the County seek funding and complete a California Coastal Trail Alignment Study. Standards for the development of the California Coastal Trail remain in the policy.
58, 62, and 63	New Policy 11.31	As submitted by the County, the Update supports efforts to add the	While the County supports the concept of including the bypass lands within adjoining park units, there are many issues that need to be resolved prior to rezoning	The suggested modification does not require any land transfer; it merely re-zones

Mod. #	Policy	Modification Description	County Feedback	Commission Response
	and LCP Maps	Devil's Slide bypass roadway alignment to adjoining park units, such as the GGNRA. The mods require the County to designate bypass lands as a Linear Park and Trail, rezone this area to Community Open Space, and pursue a grant or other funding to complete the park and trail within two years of amendment certification.	the entirety of this area, including issues related to ownership. According to CalTrans staff, there are legal agreements with former landowners regarding the future dispensation of these lands in the event the bypass is not constructed. CalTrans staff has also indicated a need to understand the form of compensation it would receive for transferring this land to a public agency, and stated the importance of preserving rights of access to lots that are within and east of the bypass alignment. Until these issues are resolved, it would be inappropriate to zone the entire area for open space.	the bypass to Linear Park. As described in the findings, the bypass area is clearly not needed for highway purposes since the Devil's Slide tunnel is nearing completion. To ensure consistency with the Coastal Act 30210 and 30223 this publicly owned land should be rezoned now and planned for future trails. The SM is also consistent with Section 30609.5.
61	LCP maps	Requires the County to designate a Park Overlay District on the Burnham strip.	Maps contained in the County's Montara, Moss Beach, and El Granada Community Plan designate the Burnham strip as "Parks, Beaches, & Recreation Corridors". While this designation points out areas that should be considered for park and recreation improvements, it does not provide any standards for, or restrictions on development. Including a "park overlay" on the LCP Land Use Plan Map is therefore unnecessary.	The LUP designation for the Burnham strip is open space and the certified El Granada-Moss Beach Community Plan further defines the area as "park." The mod merely corrects the map to reflect this existing designation.
63	§6229–6229.4 of the Zoning Regs	Revises allowable uses on the Burnham strip, among other ways by prohibiting the installation of roadside stands and by limiting "outdoor art centers" to a temporary use only.	These restrictions are unnecessary and preclude uses that could benefit residents and visitors.	The modification has been revised to allow temporary roadside stands and outdoor art centers as permitted uses.

Correspondence received from the public after publication of the February 27th, 2009 Staff Report can be found online at:

http://documents.coastal.ca.gov/reports/2009/12/Th18a-12-2009-a1.pdf