

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



F8a

Prepared November 20, 2015 (December 11, 2015 hearing)

To: Coastal Commissioners and Interested Persons
From: Nancy Cave, North Central Coast District Manager
Stephanie Rexing, North Central Coast Coastal Planner
Subject: **City of Half Moon Bay LCP Amendment Number LCP-2-HMB-15-0030-1**
(Supportive/Transitional Housing and Emergency Shelters)

SUMMARY OF STAFF RECOMMENDATION

The City of Half Moon Bay proposes to amend its Local Coastal Program (LCP) Implementation Plan (IP) to add new definitions for “Target Population,” “Supportive Housing,” “Transitional Housing” and “Emergency Shelter”; to add supportive and transitional housing as permitted uses in all residential zoning districts (R-1, R-2 and R-3); and to include emergency shelters in the list of permitted uses in the public service zoning district (P-S). The City proposes this amendment in order to assure compliance with changes in state law (Cedilla, Sen. Bill No. 2 (2007-2008 Reg. Sess.)) which clarified and strengthened housing element law to ensure zoning laws encourage and facilitate emergency shelters and limit the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act.

The proposed LCP amendment will add additional permitted uses in the residential and public service zoning districts of the City. However, the addition of these uses to the IP does not impact coastal resources. Furthermore, impacts from specific projects emanating from the expanded allowable uses in these zones will be addressed during the City’s coastal development permit review process, ensuring consistency with all applicable LCP provisions. For the reasons discussed below, and as submitted, the proposed IP amendment can be found consistent with and adequate to carry out the certified LCP Land Use Plan (LUP).

Staff therefore recommends that the Commission find the proposed amendment consistent with and adequate to carry out the policies of the City of Half Moon Bay LUP, and that the Commission approve the amendment as submitted. The motion and resolution are found on page 4 below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on October 15, 2015. The proposed amendment affects the LCP's IP, and the 60-day action deadline is December 14, 2015. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until December 14, 2015 to take a final action on this LCP amendment.

TABLE OF CONTENTS

I. MOTIONS AND RESOLUTIONS	4
II. FINDINGS AND DECLARATIONS.....	4
A. DESCRIPTION AND BACKGROUND OF PROPOSED LCP AMENDMENT	4
B. CONSISTENCY ANALYSIS	5
C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).....	7

EXHIBITS

- Exhibit 1: City Council Ordinance
- Exhibit 2: Zoning Designation Location Maps
- Exhibit 3: Proposed Implementation Text Amendments
- Exhibit 4: City's CEQA Findings Analysis

I. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after a public hearing, approve the proposed LCP amendment as submitted. The Commission needs to make one motion on the IP amendment in order to act on this recommendation.

Certify the IP Amendment as Submitted

Staff recommends a **NO** vote on the motion below. Failure of the motion will result in certification of the IP 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.

Motion: *I move that the Commission **reject** Implementation Plan Major Amendment Number LCP-2-HMB-15-0030-1 as submitted by the City of Half Moon Bay. I recommend a no vote.*

Resolution: *The Commission hereby certifies Implementation Plan Major Amendment Number LCP-2-HMB-15-0030-1 as submitted by the City of Half Moon Bay and adopts the findings set forth in this staff report that, as submitted, the Implementation Plan amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation 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 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 Implementation Plan Amendment may have on the environment.*

II. FINDINGS AND DECLARATIONS

A. DESCRIPTION AND BACKGROUND OF PROPOSED LCP AMENDMENT

The proposed amendment would amend the City's Local Coastal Program (LCP) Implementation Plan (IP) Chapter 18.03 "Use Classifications," modifying Subsection 18.03.030 "Residential Use Classifications" by adding entirely new definitions for the following: in Subsection 18.03.030(H) add "target population," in Subsection 18.03.030(I) add "supportive housing," and in Subsection 18.03.030(J) add "transitional housing." The proposed amendment also would add to and reorder IP Subsection 18.03.040 "Public and Semi-public Use Classifications" to add a new Subsection 18.03.040(F) "emergency shelter," and would amend Chapter 18.06 to add "Supportive Housing" and "Transitional Housing" as a permitted use in all Residential Zones in Table A-1 "Schedule of Residential Uses." Finally, the proposed amendment would amend IP Chapter 18.09 "Public and Quasi-Public Land Use" to include "Emergency Shelter" in the list of permitted land uses in Section 18.09.020 as mandated by State housing law. Please see **Exhibit 1** for the City Council Ordinance approving this amendment and **Exhibit 3** for the full text of the proposed amendment.

Supportive/Transitional Housing and Emergency Shelters

The City proposes to amend the IP in order to assure compliance with changes in state law (Cedilla, Sen. Bill No. 2 (2007-2008 Reg. Sess.), which clarified and strengthened housing element law to ensure zoning laws encourage and facilitate emergency shelters and limit the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act. These laws facilitate efforts to address the critical needs of the State's homeless population and persons with special needs. SB 2 requires that emergency shelters be principally permitted by local governments and allowed as a matter of right in at least one zoning designation within a city and that transitional and supportive housing be similarly allowed in all residential zoning designations. Additionally, the City added a definition of "Target Population," similar to a provision in the California Health and Safety Code (see § 50675.14(a)(3)), to clarify who qualifies for residency in emergency shelters, transitional housing, or supportive housing.

B. CONSISTENCY ANALYSIS

1. Standard of Review

The proposed amendment affects the IP component of the City of Half Moon Bay's certified LCP. The standard of review for IP amendments is that they must be consistent with and adequate to carry out the provisions of the certified Land Use Plan (LUP).

2. IP Amendment Consistency Analysis

A. Applicable LUP Provisions

The City's LUP requires that development be sited and designed so as to prevent impacts that could degrade sensitive habitats, requires that the City reserve public works capacity for priority uses as designated by the LUP, and requires that priority uses be allocated adequate public services capacity at designated levels.

LUP Policy 3-3: (a) Prohibit any land use and/or development which would have significant adverse impacts on sensitive habitat areas. (b) Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of such areas.

LUP Policy 10-4: The City shall reserve public works capacity for land uses given priority by the Plan, in order to assure that all available public works capacity is not consumed by other development and control the rate of new development permitted in the city to avoid overloading of public works and services.

LUP Policy 10-13: The City will support and require reservation of water supplies for each priority land use in the Plan, as indicated in Table 10-3 for build-out...

LUP Policy 10-21: The City will reserve sewage treatment capacity for priority land uses as provided in Table 10-4...

B. Consistency Analysis

Priority uses under the LUP include coastal-dependent, coastal-related, recreation, visitor-serving, commercial recreational facilities, and agriculture, which take priority over residential uses. (E.g., LUP Policies 2-7 and 10-22; Coastal Act Section 30222 [certain uses have priority over residential uses] as adopted by LUP Policy 1-1.) LUP Policy 10-4 requires the City to reserve public works capacity (which includes water supply, sewer treatment, and road capacity), for certain land uses given priority by the LUP including commercial recreation, public recreation, floriculture and outdoor agriculture as further specified by LUP Policies 10-13 and 10-21. Nevertheless, the Legislature has also declared that availability of housing is of vital 'statewide importance. (Gov. Code, § 65580(a).) The LUP also generally sets infill development as a priority (LUP Chapter 9.2).

The proposed amendment to the City's zoning code would allow for additional permitted uses, supportive housing and transitional housing, in all residential zoning districts. In addition, the amendment proposes to include emergency shelters as a permitted land use in all public service zones. The addition of new uses to the list of permitted uses in residential and public service zones could lead to an intensification of use in these zones, in conflict with the policies that prohibit any land use which would have significant adverse impacts on environmentally sensitive habitat areas, require public works capacity be reserved for priority uses, and control for the rate of new development in order to not tax the public service water and sewer infrastructure. No new supportive or transitional housing facilities or emergency shelters are proposed as a result of these amendments.

The City's Initial Study/Negative Declaration for its Housing Element (see **Exhibit 4** for City's CEQA Findings Analysis), which includes these proposed amendments to the IP, encourages infill development and that future housing projects continue to be reviewed. Although there may be specific areas containing sensitive habitat, the City has no habitat conservation plan or natural community conservation plan that apply to the zones that would support the housing or shelter. Further, the City views allowing one emergency shelter in the public service zone as an inconsequential addition, as the zone already supports intensive public uses such as airports, fire stations, schools, civic centers and similar community facilities.

However, any actual proposed construction of such supportive/transitional housing or emergency shelter facility would still be required to obtain a City Coastal Development Permit showing that it conforms with all other requirements of the City's IP for development in the applicable zones, including a showing of adequate services to serve the development, in accordance with those policies that require reservation of adequate public works capacity for priority land uses. Further, existing LCP provisions already appropriately protect coastal resources when shelter-type (applicable to emergency shelters) and residential-type (applicable specifically to supportive and transitional housing) developments are proposed in the City's public service and residential zones. These existing policies would continue to protect such resources in accordance with those LUP policies that require new developments be sited and designed so as to prevent impacts to sensitive habitats. Additionally, supportive and transitional housing and emergency shelters would only be permitted uses in core residential districts or public service zones, respectively,

Supportive/Transitional Housing and Emergency Shelters

and not in areas where LCP priority uses are designated (e.g., Coastal Act priority uses, commercial and public recreational uses, and indoor floriculture and outdoor agriculture). Most of these existing residential districts or public service zones are developed to a certain degree and new development would constitute infill areas. See **Exhibit 2** for zoning designation maps to see affected residential and public service zoning designations.

In conclusion, the proposed amendment will add additional permitted uses in the residential and public service zoning districts of the City without detriment to coastal resources protected in the City's LCP. Furthermore, impacts from specific projects emanating from the expanded allowable uses in these zones will be addressed during the City's coastal development permit review process, ensuring consistency with all applicable LCP provisions. For the reasons discussed above, the proposed IP amendment can be found consistent with and adequate to carry out the certified LUP.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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. 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.

In this case, the Half Moon Bay Planning Division considered the potential environmental impacts of the proposed amendments, and determined the impacts were within the scope of an October 2014 Initial Study/Negative Declaration prepared to implement the 2015-2023 Housing Element for the City's General Plan. The City concluded there was no new information or changed circumstances to warrant additional environmental review. This staff report has discussed all relevant environmental issues with the proposal. 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 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).

ORDINANCE NO. C-2015-08

PDP-039-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AMENDING CHAPTER 18.03 "USE CLASSIFICATIONS" MODIFYING SUBSECTION 18.03.030 "RESIDENTIAL USE CLASSIFICATIONS" BY ADDING NEW DEFINITIONS IN SUBSECTION 18.03.030(H) "TARGET POPULATION", SUBSECTION 18.03.030(I) "SUPPORTIVE HOUSING", SUBSECTION 18.03.030(J) "TRANSITIONAL HOUSING", AND AMENDING AND REORDERING SUBSECTION 18.03.040 "PUBLIC AND SEMI-PUBLIC USE CLASSIFICATIONS" TO ADD A NEW SUBSECTION 18.03.040(F) EMERGENCY SHELTER"; AMENDING CHAPTER 18.06 TO ADD "SUPPORTIVE HOUSING" AND "TRANSITIONAL HOUSING" AS A PERMITTED USE IN ALL RESIDENTIAL ZONES IN TABLE A-1 "SCHEDULE OF RESIDENTIAL USES"; AND AMENDING CHAPTER 18.09 "PUBLIC AND QUASI-PUBLIC LAND USE (P-S)" TO INCLUDE EMERGENCY SHELTER" TO THE LIST OF PERMITTED USES IN SECTION 18.09.020

WHEREAS, the City of Half Moon Bay is committed to the maximum public participation and involvement in matters pertaining to the General Plan/Local Coastal Plan and its Elements, and the Municipal Code; and

WHEREAS, the City of Half Moon Bay Planning Commission, as the Advisory Body to the City Council, conducted a duly noticed public hearing on June 9, 2015 at which time all those in attendance desiring to be heard were given an opportunity to speak; and

WHEREAS, following the close of the public hearing on June 9, 2015, the Planning Commission voted unanimously to recommend that the City Council amend Title 18 of the Municipal Code as set forth in this ordinance; and

WHEREAS, State Law requires Transitional Housing and Supportive Housing be considered a residential use subject to only those restrictions that apply to other residential dwellings of the same type in the same zone; and

WHEREAS, State Law requires that Emergency Shelters be permitted in at least one zone in the community; and

WHEREAS, the City of Half Moon Bay intends to implement the provisions of the 2015-2023 Housing Element of the General Plan with specific regard to "Program 3-6 Emergency Shelters and Transitional/Supportive Housing" which was approved at a duly noticed public hearing by the City Council on March 3, 2015; and

WHEREAS, the City Council adoption of the Housing Element with the provisions to adopt ordinance amendments pursuant to Program 3-6 allowing Emergency Shelters, Transitional and Supportive Housing satisfies the requirements of Zoning Ordinance Section 18.24.040 in lieu of an adopted Resolution of Intention to amend the Zoning Ordinance; and

WHEREAS, the PS, Public Services Zone District has 110 acres of land area with a combination of either vacant, partially vacant or developed land available with the realistic potential for the adaptable reuse or conversion of existing buildings to emergency shelters that are capable of providing ample capacity to meet the projected need for emergency shelters identified in the Housing Element; and

WHEREAS, the City Council finds that the proposed amendments to Chapters 18.03, 18.06 and 18.09 have been previously considered and adequately evaluated in the Initial Study/Negative Declaration (IS/ND) prepared to implement the 2015-2023 Housing Element included as Exhibit "B"; and

WHEREAS, the City Council has evaluated the potential environmental impacts associated with these ordinance amendments in comparison with the impacts analyzed in the Housing Element IS/ND and has concluded based upon the Findings Analysis attached hereto and incorporated herein, that the changes do not trigger any of the conditions described in California Public Resources Code Section 21166 and CEQA Guidelines Section 15162, requiring a supplemental or subsequent ND under CEQA; and

WHEREAS, the City Council considered all written and oral testimony presented in its consideration of the amendments; and

WHEREAS, the procedures for processing the application have been followed as required by law; and

WHEREAS, the proposed Zoning Ordinance text amendments are consistent with the City's General Plan/Local Coastal Plan and Coastal Implementation Program, and 2015-2023 Housing Element; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HALF MOON BAY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 18.03 "Use Classifications" is amended to add new definitions in Subsection 18.03.030(H) "Target Population", Subsection 18.03.030(I) "Supportive Housing", and Subsection 18.03.030(J) "Transitional Housing", and amending and

reordering Subsection 18.03.040 "Public and Semi-public Use Classifications" to add a new Subsection 18.03.040(F) "Emergency Shelter" as set forth in Exhibit "A".

Section 2. Chapter 18.06 "Residential Land Use" is amended to add "Supportive Housing" and "Transitional Housing" as a Permitted Land Use in all Residential Zones in Table A-1 "Schedule of Residential Uses."

Section 3. Chapter 18.09 "Public and Quasi-Public Land Use (P-S) Zone is amended to add "Emergency Shelter" to the list of Principally Permitted Land Uses listed in Section 18.09.020.

Section 4. Compliance with California Environmental Quality Act. The City Council has evaluated the potential environmental impacts of the proposed amendments to Chapters 18.03, 18.06 and 18.09 and determined that the potential impacts have been previously considered and adequately evaluated in the Initial Study/Negative Declaration (IS/ND) prepared to implement the 2015-2023 Housing Element, and has concluded based upon the Findings Analysis attached hereto and incorporated herein, that the changes do not trigger any of the conditions described in California Public Resources Code Section 21166 and CEQA Guidelines Section 15162, requiring a supplemental or subsequent ND under CEQA.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after the thirtieth (30th) day following its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 18th day of August, 2015.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 15th day of September, 2015, by the following vote:


AYES, Fraser, Muller, Penrose and Ruddock

NOES,

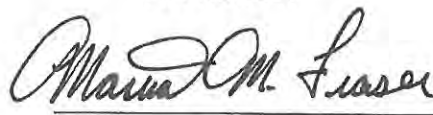
ABSENT, Kowalczyk

ABSTAIN,

ATTEST:


Melissa Thurman, Deputy City Clerk

APPROVED:


Marina Fraser, Mayor 9/23/15

City Council Ordinance Adoption No. C-2015-08
PDP-039-15
September 15, 2015

APPROVED AS TO FORM:



Tony Condotti, City Attorney

City of Half Moon Bay
ZONING DISTRICTS



Adopted by Resolution C-51-10 of the
Half Moon Bay City Council on June 6, 2010

LEGEND

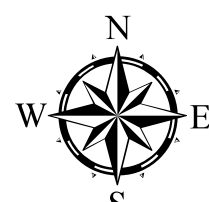
	R-1	Single Family Residential (5,000 sq.' lot)
	R-1-B-1	Single Family Residential (6,000 sq.' lot)
	R-1-B-2	Single Family Residential (7,500 sq.' lot)
	R-1-B-3	Single Family Residential (10,000 sq.' lot)
	R-2	Two Family Residential
	R-3	Multiple Family Residential
	MHP	Mobile Home Park
	C-D	Commercial, Downtown
	C-R	Commercial, Residential
	C-G	Commercial, General
	C-VS	Commercial, Visitor Serving
	P-S	Public Service
	IND	Industrial
	U-R	Urban Reserve
	OS-R	Open Space Reserve
	OS-A	Open Space - Active
	OS-P	Open Space - Passive
	OS-C	Open Space - Conservation
	A-1	Exclusive Floriculture
	PUD	Planned Unit Development

CCC Appeal Zone

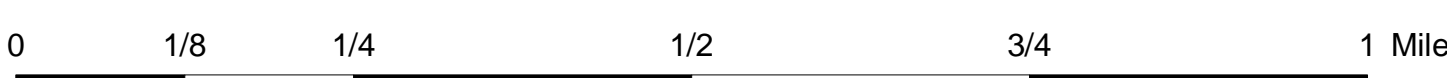
This map depicts parcel information from the San Mateo County Assessor's Office. Assessor's parcels are mapped for tax purposes only; therefore, this map should not be used to determine if a parcel is a legal lot for land development purposes. Legal lots are those that are validly created or recognized under the State Subdivision Map Act and local ordinances.

Due to limitations inherent to the mapping process, the precise location of features depicted on this map may not be as shown. Any questions that may arise should be referred to the City of Half Moon Bay Planning Department. Actual locations of features shall govern for regulatory purposes.

City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94019
Modified by CSG Consultants



April 2013
Scale 1:9,000
1" = 750'



Permitted Uses

The permitted residential uses in Section 18.06.020, Table A-1, "Schedule of Residential Uses" would be amended to add "Supportive Housing" and "Transitional Housing" (shown in underline) for all residential districts as follows:

<u>Residential Uses</u>	<u>Allowed by Zoning</u>	<u>With a Use Permit</u>	<u>Additional Regulations</u>
<u>Supportive Housing</u>	<u>All R</u>		
<u>Transitional Housing</u>	<u>All R</u>		

PS, Public Services Zone District

The areas zoned for PS, Public Services are shown below. There is ample undeveloped land area to accommodate an Emergency Shelter. The majority of the PS zoned land is in public or church ownership, which has customarily provided similar emergency shelters and related services.

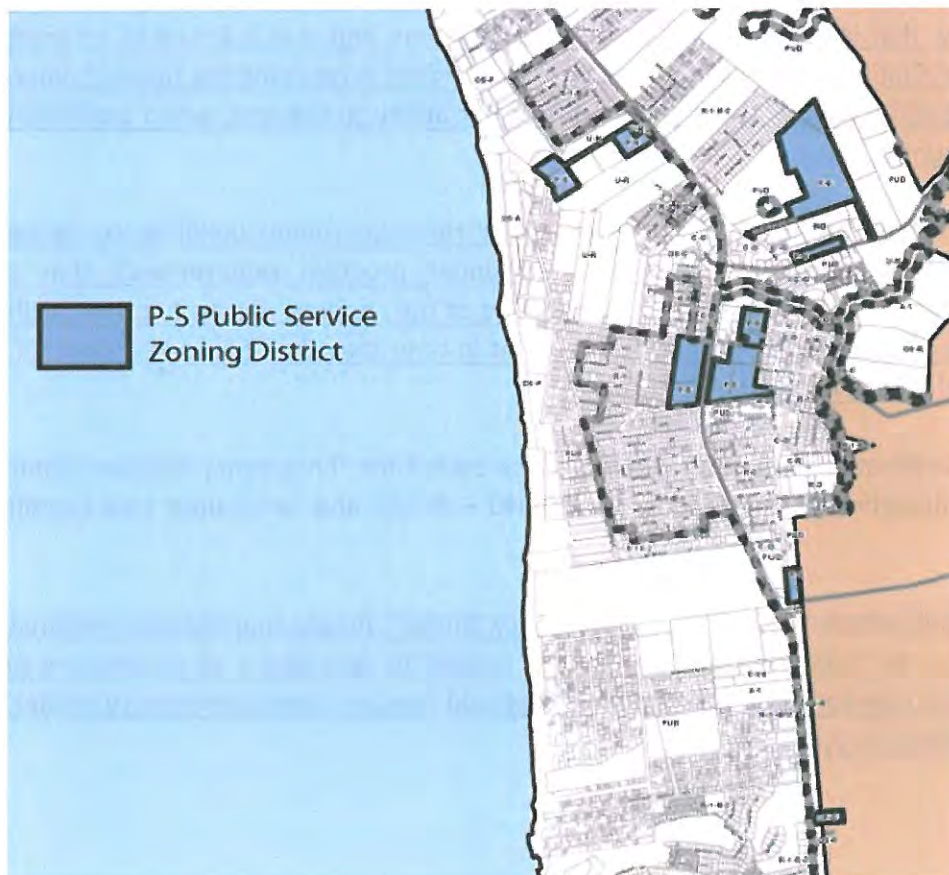


Exhibit A-1

Chapter 18.03 USE CLASSIFICATIONS

18.03.030 Residential use classifications.

- A. Accessory or second dwelling unit. An attached or detached residential dwelling unit as defined in this title.
- B. Day Care, Large Family. Nonmedical care and supervision of seven to twelve persons, inclusive, on a less than twenty-four-hour basis. This classification includes nursery schools, preschools, and day-care centers for children and adults licensed by the state of California.
- C. Day Care, Limited. Nonmedical care and supervision of six or fewer persons on a less than twenty-four-hour basis. This classification includes nursery schools, preschools, and day-care centers for children and adults licensed by the state of California.
- D. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boarding houses and private residential clubs, but excludes residential hotels or motels.
- E. Multi-family Residential. Two or more dwelling units on a site. This classification includes manufactured homes.
- F. Residential Care, Limited. Twenty-four-hour nonmedical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the state of California.
- G. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes manufactured homes.
- H. Target Population. Means adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.
- H.I Temporary Use. Any use or activity proposed to be open, operated, established, or otherwise in existence for less than thirty consecutive days. (1996 zoning code (part)).
- J. Supportive Housing. Means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Exhibit A-1

K. Transitional Housing. Means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance.

18.03.040 Public and semipublic use classifications.

A. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers.

B. Convalescent Facilities. Establishments providing care on a twenty-four-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.

C. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences or presenting musical, theatrical or literacy performances. This classification includes libraries, museums, art galleries and community theaters.

D. Day Care, General. Provision of nonmedical care for seven or more persons on a less than twenty-four-hour basis. This classification includes nursery schools, preschools and day-care centers for children or adults.

E. Emergency Health Care. Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.

F. Emergency Shelter. Means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

FG. Government Offices. Administrative, clerical or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

GH. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas for public or quasi-public entities. This classification includes corporation yards, equipment service centers, and similar facilities for public or quasi-public entities.

HJ. Park and Recreation Facilities. Noncommercial parks, playgrounds, recreation facilities and open spaces.

IJ. Public Safety Facilities. Facilities for public safety and emergency services, including police and fire protection.

Exhibit A-1

JK. Religious Assembly. Facilities for religious worship and incidental religious education, but not including private schools as defined in this section.

KL. Residential Care, General. Twenty-four-hour nonmedical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the state of California.

LM. Schools, Public or Private. Educational institutions having a curriculum comparable to that required in the public schools of the state of California.

MN. Temporary Use. Any use or activity proposed to be open, operated, established, or otherwise in existence for less than thirty consecutive days.

NO. Utilities, Major. Generating plants, electrical substations, above-ground electrical transmission lines, switching buildings, refuse collection, transfer, recycling or disposal facilities, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification.

OP. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines, and recycling centers within convenience zones, as defined by the California Beverage Container Recycling and Litter Reduction Act. (1996 zoning code (part)).

Exhibit A-1

Chapter 18.06 RESIDENTIAL LAND USE (R-1, R-2, R-3)

18.06.020 Schedule of uses.

Tables A-1 through A-5, schedules of uses, of this chapter establish the uses permitted within each residential district. Certain uses are permitted as a matter of right, subject to the provisions of this title. Other uses, by their nature, require the approval of a use permit. Some uses are subject to the use regulations set forth in Section 18.06.025 of this chapter. Any use not expressly permitted is expressly prohibited. (Ord. 5-00 §2 Exh. B (part), 2000).

Table A-1

SCHEDULE OF RESIDENTIAL USES

Residential Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
Single-family	R-1, R-2		
Two-family	R-2, R-3		
Multifamily	R-3		
Day care, limited	All R		3
Residential care, limited	All R		3
<u>Supportive Housing</u>	<u>All R</u>		
<u>Transitional Housing</u>	<u>All R</u>		
Animal, exotic		R-1	
Animal, large		R-1	1, 2
Animal, small	All R		1, 2
Domestic fowl	R-1, R-2	R-1, R-2	1, 2

Exhibit A-1

Chapter 18.09 PUBLIC AND QUASI-PUBLIC LAND USE (P-S)

18.09.020 Permitted uses.

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

PERMITTED USES

Fire station

Airport

School

Hospital/Animal Hospital

Library

Cemetery

Church

Park Civic center

Emergency Shelter

Zoning Ordinance/Coastal Implementation Plan amendments to allow
Supportive and Transitional Housing in all Residential Zoning Districts,
and allow Emergency Shelters in the PS, Public Services Zone District

Findings Analysis - Addendum
City of Half Moon Bay, San Mateo County, California

State Clearinghouse Number 2014102063



City of Half Moon Bay
Planning Division
501 Main Street
Half Moon Bay, CA 94019
650.726.8250

Contact: Bruce Ambo, Planning Manager

June 2, 2015

SECTION 1 INTRODUCTION

1.1 Overview

This Findings Analysis has been prepared to document the due diligence efforts regarding compliance with the California Environmental Quality Act (CEQA) for the Zoning Ordinance/Coastal Implementation Plan amendments to allow Supportive and Transitional Housing in all Residential Zoning Districts, and allow Emergency Shelters in the PS, Public Services Zone District. These amendments would apply Citywide to any Supportive and Transitional Housing on all Residentially Zoned properties, and to any Emergency Shelter on PS, Public Services Zoned properties. State Law requires that “Supportive Housing, Transitional Housing, and Emergency Shelters” be permitted uses within the City. These amendments are in conformance with the statutory requirements of the California Housing Accountability Act (Senate Bill 2 included).

An Initial Study/Negative Declaration was previously performed for the updated 2015-2023 Housing Element. The certified Housing Element does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development. No new housing sites were proposed as a part of this Housing Element Update beyond those already identified in the current LCP Land Use Plan and Zoning Ordinance. The Housing Element included goals, policies, and programs designed to maintain and improve the existing housing stock, ensure that new development is affordable to a range of household income levels, and provide a variety of housing types, and do not require future annexation or any increase in the city’s development capacity as described in the LCP. The ordinance amendments relating to Supportive and Transitional Housing, and Emergency Shelters were identified as implementation strategies in “Program 3-6 Emergency Shelters and Transitional/Supportive Housing” in the 2015-2013 Housing Element that was adopted by the City Council on March 3, 2015.

1.2 Background

On October 24, 2014 a Draft Initial Study/Negative Declaration (Draft IS/ND) (SCH No. 2014102063) was issued for the 2015-2023 Housing Element. The goals, policy guidance, and implementation measures in the Housing Element Update encourage infill development of housing, mainly as part of existing neighborhoods, and would not result in physical divisions of any existing community. The location and nature of development will continue to be guided by the Half Moon Bay General Plan, LCP Land Use Plan, and Zoning Code. Future housing projects will continue to be reviewed through the City’s entitlement process and CEQA to ensure consistency with local, State, and Federal regulations and all General Plan goals, objectives and policies intended to protect established communities and land uses. The City has no applicable habitat conservation plan or natural community conservation plan, and thus no conflict resulting from the adoption of the updated Housing Element. The adopted Housing Element would have

no impact in this issue area. The Draft IS/ND was circulated for public review between October 24, 2014 and November 24, 2014.

1.3 Purpose

The following environmental analysis was conducted to determine whether the proposed modifications to the project would result in new or greater environmental impacts than those evaluated and disclosed in the ND prepared for the Housing Element. The analysis and conclusions contained herein have been provided to determine if any additional environmental review is necessary in accordance with Public Resources Code Section 21166 and CEQA Guidelines Section 15162. The text of Public Resources Code Section 21166 and CEQA Guidelines Section 15162 is provided below.

Pursuant to Public Resources Code Section 21166, when an EIR has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a) Substantial changes are proposed in the project, which will require major revisions of the EIR.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken, which will require major revisions in the EIR.
- (c) New information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available.

CEQA Guidelines Section 15162 makes the following provisions:

- (a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

As will be discussed in Section 2, this Findings Analysis concludes that the changes to the ordinance amendments contemplated and considered within the 2015-2023 Housing Element are within the scope of the environmental review for the previous ND, there have been no changes to circumstances under which the Project will be undertaken, and there is no new information to warrant additional environmental review.

SECTION 2.0 - Description and Analysis

2.1 Environmental Setting

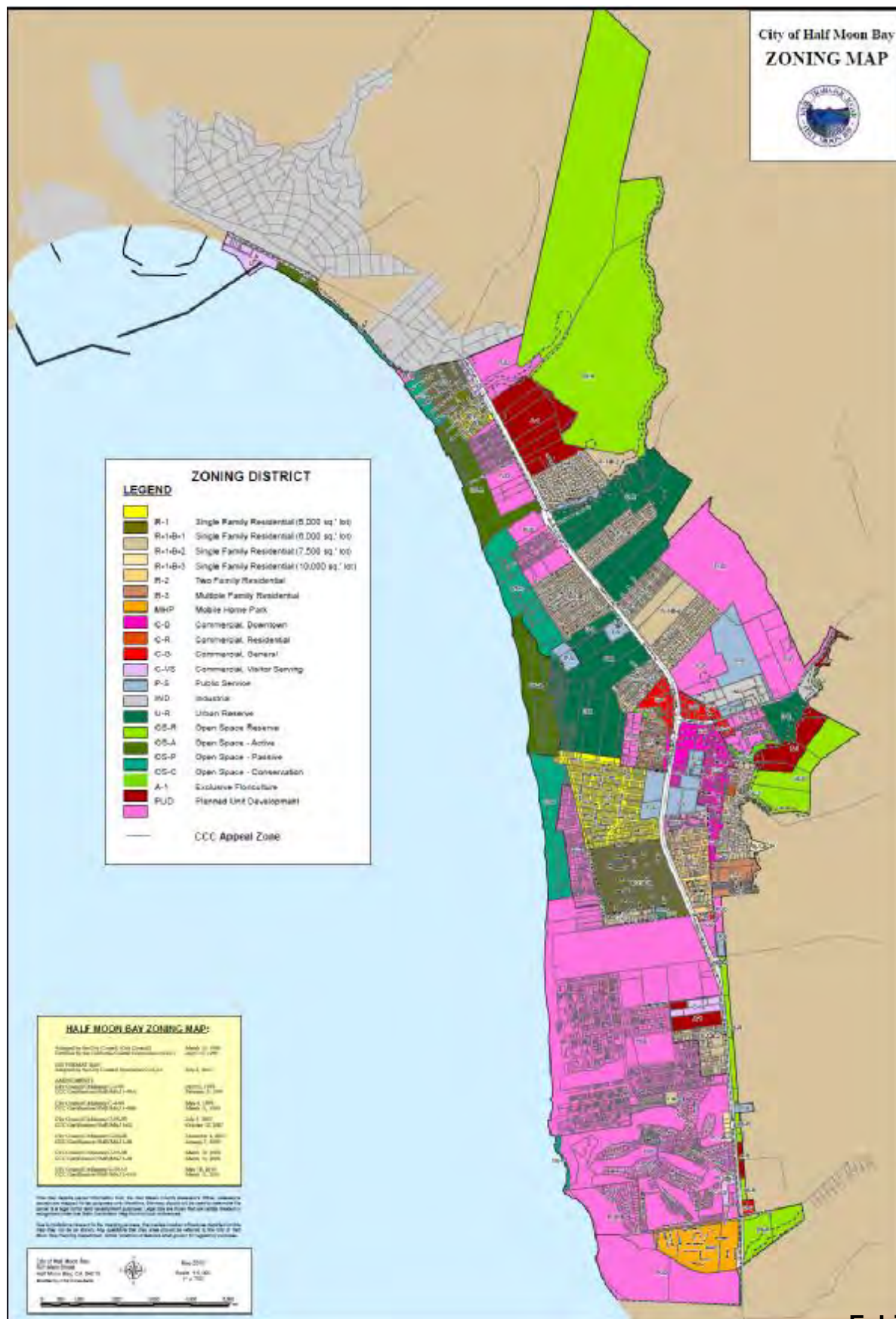
The Initial Study provided environmental analysis pursuant to the California Environmental Quality Act (CEQA) for the proposed City of Half Moon Bay General Plan Housing Element Update, assessing the significance of environmental impacts that could result due to the adoption and implementation of the Housing Element. The project site to be affected by the Housing Element is the area within Half Moon Bay city limits. The Planning Area for this Housing Element is identical to the Planning Area of the City's current General Plan.

The Housing Element and the ordinance amendments contemplated by this project are required by State law (Section 65580 – 65589.8 of the California Government Code). The Housing Element identified residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups defined under State law (Section 65583 of the California Government Code), analyzed governmental constraints to housing maintenance, improvement and development, addressed

conservation and improvement of the condition of the existing affordable housing stock, and outlined policies to promote housing opportunities for all persons.

These amendments would apply Citywide to any Supportive and Transitional Housing on all Residentially Zoned properties, and to any Emergency Shelter on PS, Public Services Zoned properties. State Law requires that "Supportive Housing, Transitional Housing, and Emergency Shelters" be permitted uses within the City. These amendments are in conformance with the statutory requirements of the California Housing Accountability Act (Senate Bill 2 included). No new housing facilities or emergency shelters are proposed with these ordinance amendments.

Figure 1 Planning Area



2.2 Housing Needs

Homelessness in California is a continuing and growing crisis, with at least 361,000 homeless individuals or 1.1 percent of the State's total population¹. It is estimated that two-thirds of this population are single adults, while the other third are families. Approximately 30 percent of the homeless (estimated at 108,000) are chronic homeless, who have been homeless for six months or more. In January 2013, the San Mateo County Human Services Agency's Center on Homelessness conducted a countywide survey to identify the number of homeless persons sheltered on the street. A total of 114 homeless persons were identified in the Half Moon Bay area, all of whom were unsheltered. These persons could be sheltered in emergency shelters, although most shelters lack supportive services such as job training, medical care, counseling, and the like. If transitional or supportive housing for homeless or households at-risk of homelessness is developed, the overall need for emergency shelters would decrease by a commensurate amount. A more detailed explanation of homeless needs is provided in Attachment 1 – Housing Element excerpt on Homeless Persons.

2.3 Proposed Ordinance Amendments

There are two general areas of the Zoning Ordinance requiring these statutorily required code amendments: 1) "Use Classifications" to add definitions of Target Population, Supportive and Transitional Housing, and Emergency Shelters, and 2) "Permitted Uses" to add Supportive and Transitional Housing to the list of Permitted Residential Uses, and Emergency Shelters to the list of Permitted Uses in the PS, Public Services Zone District.

Use Classification Definitions

Definitions of "Supportive Housing, Transitional Housing and Emergency Shelters" are proposed to be added to Chapter 18.03 - Use Classifications, in the Zoning Ordinance (shown below in underline).

The new use classification definitions would be added to "Section 18.030.030 – Residential Use Classifications" are as follows:

New Subsection 18.03.030(H): "Target Population" means adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

¹ Memorandum to Planning Directors and Interested Parties from Cathy E. Creswell, Deputy Director, Division of Housing Policy Development, California Department of Housing and Community Development, dated May 7, 2008 and updated April 10, 2013.

New Subsection 18.03.030(I): “Supportive Housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.”

New Subsection 18.03.030(J): “Transitional Housing” means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance.”

A new use classification definition for would also be added for “Emergency Shelters” (and other uses reordered alphabetically) to “Section 18.030.040 – Public and Semipublic Use Classifications” as follows:

New Subsection 18.03.040(F) “Emergency Shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

Permitted Uses

The permitted residential uses in Section 18.06.020, Table A-1, “Schedule of Residential Uses” would be amended to add “Supportive Housing” and “Transitional Housing” (shown in underline) for all residential districts as follows:

Residential Uses	Allowed by Zoning	With a Use Permit	Additional Regulations
<u>Supportive Housing</u>	<u>All R</u>		
<u>Transitional Housing</u>	<u>All R</u>		

Similarly, the list of permitted uses in Chapter 18.09, PS – “Public and Quasi-Public Land Use”, Section 18.09.020 – “Permitted Uses” would be amended to add Emergency Shelter as follows:

PERMITTED USES

Fire Station
School
Library

Airport
Hospital/Animal Hospital
Cemetery

Church
Civic Center

Park
Emergency Shelter

2.4 Findings Analysis Conclusion

No new supportive or transitional housing facilities or emergency shelters are proposed as a result of this ordinance amendment. These ordinance amendments are statutorily required pursuant to California housing laws and in compliance with the City's General Plan Housing Element. Supportive and Transitional Housing is required under California Housing Law to be classified as a Residential Use. Similarly, Emergency Shelters are required under California Housing Law to be principally permitted in at least one zone in the community. Allowing Emergency Shelters in the PS, Public Services Zone where "airports, fire stations, schools, civic centers" and other similar community facilities are allowed is an inconsequential change or addition that is not expected to result in any noticeable impacts beyond those normally allowed with the other facilities that are allowed within the PS, Public Services Zone District.

In conclusion, the analysis in the IS/ND has been evaluated and it has been determined that the proposed changes would not result in "significant effects" beyond those previously examined in the IS/ND. Based on this analysis, it has been determined that the proposed changes involving the Supportive/Transitional Housing and Emergency Shelter Zoning Ordinance amendments would not result in substantial changes that would require a supplemental or subsequent IS/ND. In addition, these changes would not result in impacts to resources that have not already been addressed in the IS/ND.

Appendices

Appendix A: 2015-2023 Housing Element, Initial Study and Negative Declaration, dated October 2014 (SCH# 2014102063)