

**CALIFORNIA COASTAL COMMISSION**

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# Th7a

**Prepared December 23, 2016 (for January 12, 2017 Hearing)**

**To:** Coastal Commissioners and Interested Persons  
**From:** Nancy Cave, North Central Coast District Manager  
Stephanie Rexing, North Central District Supervisor  
**Subject:** **Certification Review for the City of Half Moon Bay LCP Amendment Number LCP-2-HMB-14-0612-1 (Habitat Map Revisions)**

On July 15, 2016 the Coastal Commission approved City of Half Moon Bay's Local Coastal Program (LCP) Major Amendment Number LCP-2-HMB-14-0612-1, provided it was modified per the Commission's suggested modifications. This amendment amends the LCP habitat maps to reflect certain additional areas in the City that have been found to contain or likely to contain habitat for certain sensitive species, based on a decision by the San Mateo County Superior Court. Specifically, the Court found that the Kehoe Watercourse and its adjacent riparian areas support or contain the protected California red-legged frog and San Francisco garter snake. In a subsequent settlement, the City agreed to submit an LCP amendment mapping those areas as environmentally sensitive habitat areas.

By action taken December 6, 2016, the City of Half Moon Bay adopted the LCP maps (see **Exhibit 1**) as modified per the Commission's suggested modifications. The Executive Director has determined that the action taken by the City is legally adequate and that the amended LCP should be certified. The Executive Director therefore recommends that the Commission concur with this determination and that the LCP, as amended, be certified. If the Commission concurs, the amended LCP will be certified as of today's date (i.e., January 12, 2017), and notification of this certification and Commission concurrence will be forwarded to the City.

**Motion.** I move that the Commission concur with the Executive Director's determination that the action taken by the City of Half Moon Bay to accept the Commission's approval of LCP Amendment LCP-2-HMB-14-0612-1 is legally adequate. I recommend a yes vote.

**Executive Director's Recommendation.** The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of the City of Half Moon Bay LCP consistent with the Commission's approval of LCP Amendment LCP-2-HMB-14-0612-1; the amended LCP will be certified as of today's date (i.e., January 12, 2017). The motion passes only by affirmative vote of a majority of the Commissioners present.

**Exhibits**

Exhibit 1: City's Acceptance of the Coastal Commission's Approval

**Resolution No. C-2016-106**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY  
ACCEPTING AND ACKNOWLEDGING MAP NOTE REVISIONS PURSUANT TO THE RESOLUTION  
OF CERTIFICATION FOR LOCAL COASTAL PROGRAM AMENDMENT  
LCP-2-HMB-14-0612-1 (HABITAT MAP REVISIONS)**

**WHEREAS**, the Planning Commission, as the Advisory Board to the City Council, conducted a duly noticed public hearing on December 10, 2013 where all those in attendance desiring to be heard were given an opportunity to speak on this application; and

**WHEREAS**, following the close of the public hearing, the Planning Commission voted unanimously to recommend that the City Council amend the Local Coastal Program's Land Use Plan and Implementation Plan to revise the Habitat Areas and Water Resources Overlay map and Coastal Resource Areas map to reflect areas in the City found likely to contain sensitive coastal resources; and

**WHEREAS**, the City Council conducted a duly noticed public hearing to introduce an ordinance to amend the Local Coastal Program Land Use Plan and Implementation Plan on November 18, 2014 and reintroduced the ordinance amendment on December 16, 2014, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

**WHEREAS**, on December 16, 2014, the City Council adopted ordinance No. C-2014-13 amending the Local Coastal Program Land Use Plan and Implementation Plan; and

**WHEREAS**, on July 15, 2016, the California Coastal Commission certified the requested amendments to the LCP Land Use Plan and Implementation Plan, contingent on the City making the requested changes to the Habitat Areas and Water Resources Overlay map and Coastal Resource Areas map and acknowledgement of the Coastal Commission resolution of certification; and

**WHEREAS**, the City Council acknowledges the receipt of the resolution of the certification by the California Coastal Commission adopting the map amendments to the City's Local Coastal Program; and

**WHEREAS**, the City Council of the City of Half Moon Bay approves of the additional notes that have been added to the Land Use Plan Habitat Areas and Water Resources Overlay Map and the Implementation Plan Coastal Resource Area Map; and

**WHEREAS**, the City Council of the City of Half Moon Bay agrees to issue coastal development permits subject to the approved Local Coastal Program Map Amendments.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Half Moon Bay hereby acknowledges the action taken by the California Coastal Commission adopting the map amendments to the City's Local Coastal Program, approved of the additional notes added to the amended maps and agrees to issue coastal development permits subject to the approved Local Coastal Program Map Amendments.

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I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 6<sup>th</sup> day of December, 2016 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers: Fraser, Kowalczyk, Muller, Penrose, and Ruddock

NOES, Councilmembers:


ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

  
\_\_\_\_\_  
Maria Buell, Deputy City Clerk

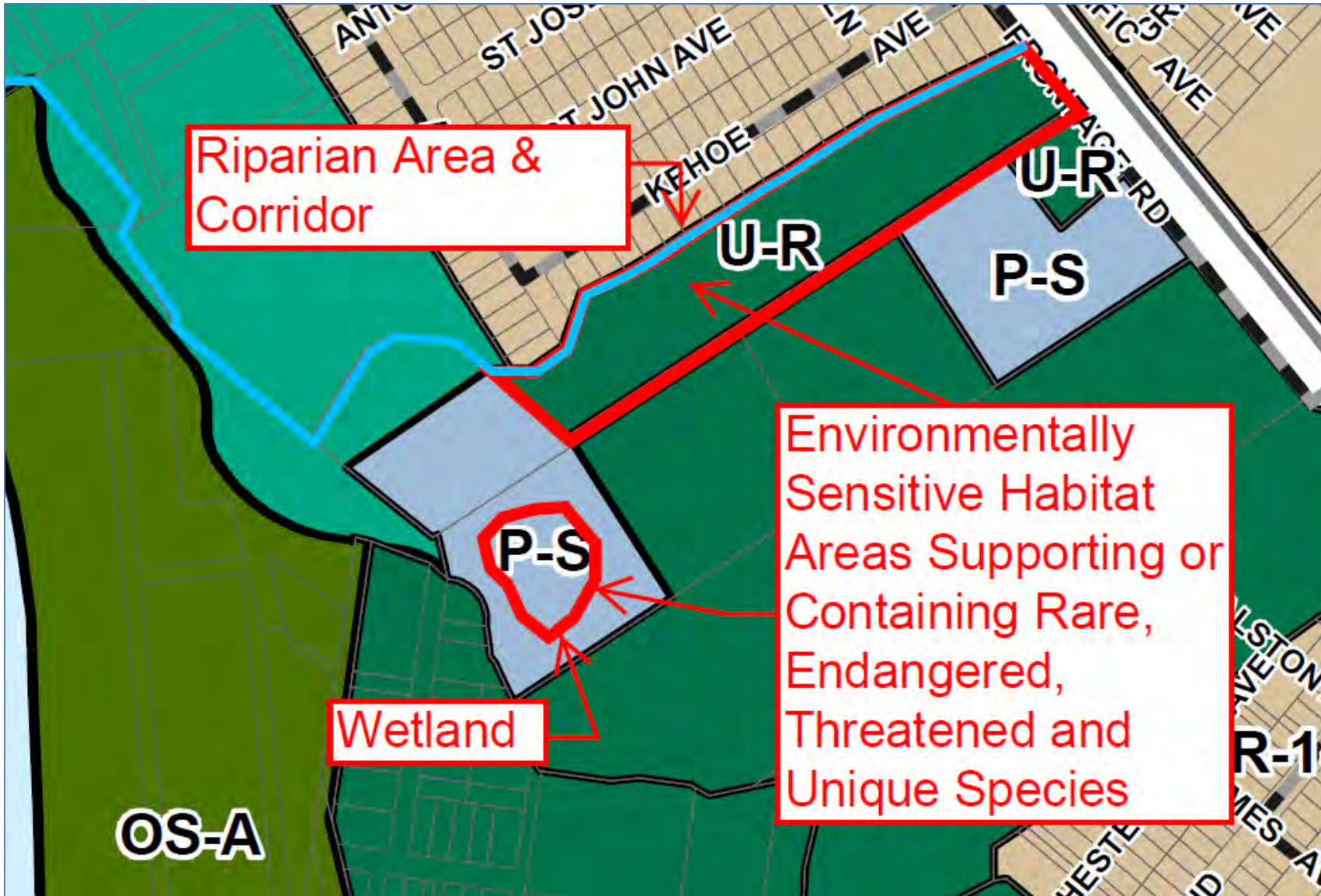
APPROVED:

  
\_\_\_\_\_  
Rick Kowalczyk, Mayor

**EXHIBIT A-1**

AMENDMENT

**HABITAT AREAS & WATER RESOURCES OVERLAY MAP**



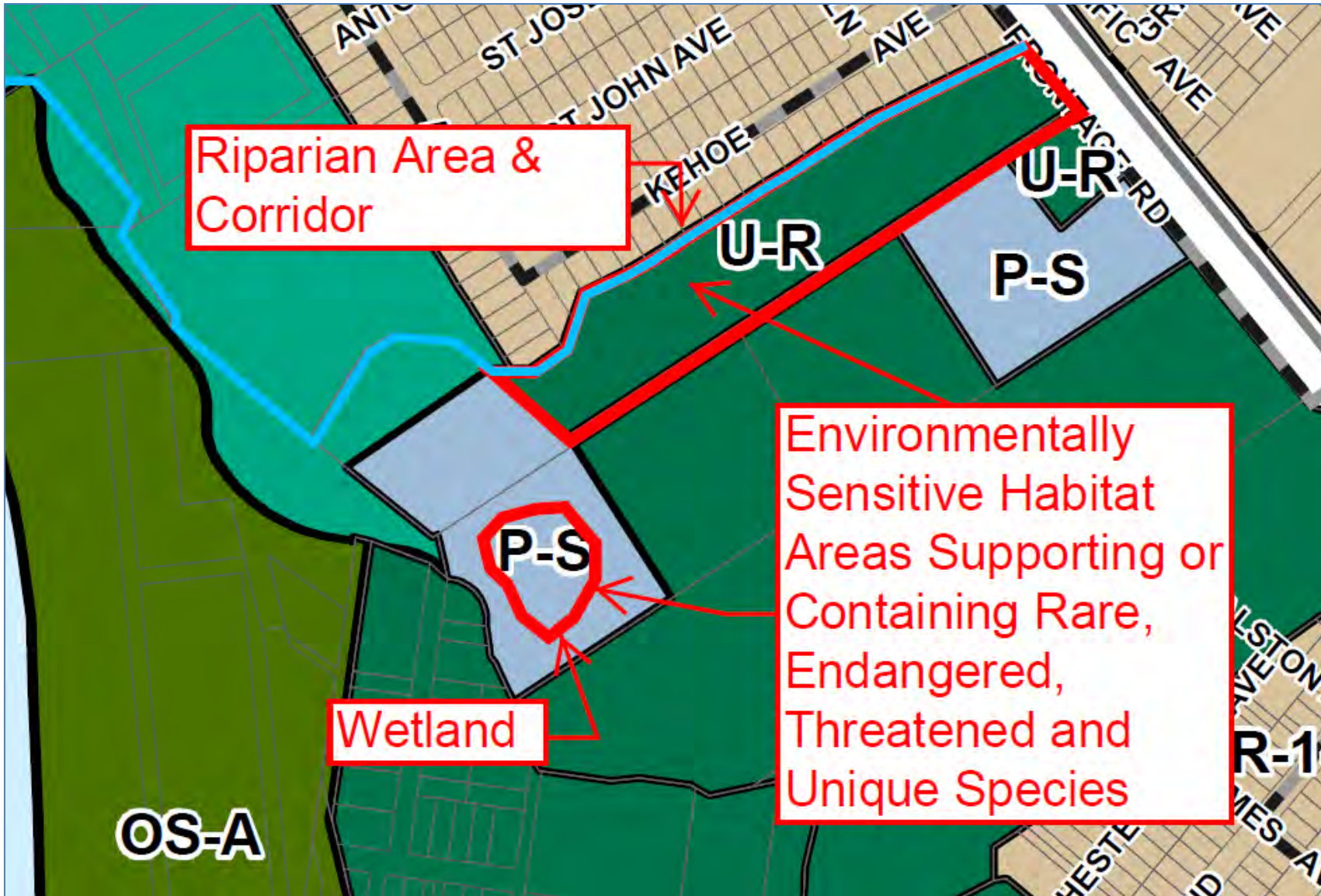
For the 9.8 acre parcel the following shall apply. The City intends to perform a biological assessment of the parcel, providing for both peer and public review through a 45-day comment period, as a means for providing additional data regarding the presence or absence of ESHA and sensitive species habitats. The complete study shall form the basis for an update to these maps to reflect the results of that completed study. Unless or until the LCP is modified to direct otherwise, all applicable LCP ESHA and related habitat policies shall apply to any proposed development associated with the parcel.

**LCP-2-HMB-14-0612-1**

**EXHIBIT B-1**

AMENDMENT

COASTAL RESOURCES AREAS MAP



For the 9.8 acre parcel the following shall apply. The City intends to perform a biological assessment of the parcel, providing for both peer and public review through a 45-day comment period, as a means for providing additional data regarding the presence or absence of ESHA and sensitive species habitats. The complete study shall form the basis for an update to these maps to reflect the results of that completed study. Unless or until the LCP is modified to direct otherwise, all applicable LCP ESHA and related habitat policies shall apply to any proposed development associated with the parcel.

**LCP-2-HMB-14-0612-1**

**Exhibit 1**

**Page 4 of 4**