

CALIFORNIA COASTAL COMMISSION

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W13b

Prepared November 21, 2018 (for December 12, 2018 Hearing)

To: Commissioners and Interested Persons

From: Jeannine Manna, District Manager
Patrick Foster, Coastal Planner

**Subject: City of Half Moon Bay LCP Amendment Number LCP-2-HMB-18-0080-1
(Accessory Dwelling Units)**

Proposed Amendment

The City of Half Moon Bay proposes to modify the Local Coastal Program (LCP) Implementation Plan (IP) by replacing IP Chapter 18.33 in its entirety in order to update its accessory dwelling unit (ADU) regulations. The proposed amendment would define and create standards for two categories of ADUs, including those that are "wholly within" an existing single-family residence or accessory structure, and those that involve new development, either as an attached or detached structure. Applicants for ADUs would be required to obtain administrative coastal development permits (CDPs) subject to limited exemptions, including for those determined to be wholly within existing development. This amendment would also amend various corresponding IP provisions that refer to ADUs. See **Exhibit 1** for the proposed amendment text.

Minor LCP Amendment Determination

Pursuant to California Code of Regulations (CCR) Section 13555, the Executive Director may determine that a proposed LCP amendment is "minor." Section 13554 of Coastal Act regulations (Cal. Code of Regs., tit. 14) defines minor LCP amendments. Among other things, minor LCP amendments include:

***CCR Section 13554(a).** Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.*

If the Executive Director determines that an amendment is minor, that determination must be reported to the Commission. If one-third of the appointed members of the Commission request that it be processed as a major LCP amendment, then the amendment shall be set for a future public hearing; if one-third of the appointed members of the Commission do not object to the minor LCP amendment determination, then the amendment is deemed approved, and it becomes a certified part of the LCP on the tenth working day after the Executive Director's notice of the designation (in this case, on December 12, 2018).

The purpose of this notice is to advise interested parties of the Executive Director's determination that the proposed LCP amendment is minor.

The proposed LCP amendment will update the City's ADU regulations to be consistent with current State law and recent Coastal Commission guidance, and will carry out the intent of the City's LCP by facilitating streamlined review of affordable housing options without impacting coastal resources. The amendment permits ADUs only in residential and commercial zoning districts, and only on lots with an existing or proposed primary residence. ADUs will not be permitted in locations where they will have significant adverse impacts on sensitive habitat areas. In addition, the amendment mandates conformance with the LCP's residential growth limitations and floor area ratio limits. The proposed amendment also requires a minimum of one additional off-street parking space be provided for ADUs in areas adjacent to public beaches in order to protect coastal access. Adequate provision of existing water supply and wastewater capacity will be required to avoid any proposals of growth-inducing public infrastructure, and design standards will ensure that scenic resources and community character are preserved. As such, the proposal strengthens the LCP by setting out clear standards for approval of ADUs in conformance with State law and does not change the kind, location, intensity, or density of use of land.

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. The City has determined that the project is exempt from further review under CEQA under Public Resources Code section 21080.17, as it implements the provisions of Government Code section 65852.2, and is additionally exempted by CEQA Guidelines sections 15305 [minor alterations to land] and 15061(b)(3) [common sense exemption]. This report has discussed the relevant coastal resource issues with the proposal, and has concluded that the proposed LCP amendment is not expected to result in any significant adverse impact on the environment.

Coastal Commission Concurrence

The Executive Director will report this minor LCP amendment determination, and any comments received on it, to the Coastal Commission at its December 12, 2018 meeting in Newport Beach. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Patrick Foster at the North Central Coast District Office in San Francisco.

Exhibit:

Exhibit 1: Proposed Amendment Text (Resolution/Ordinance)