

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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F14a

LCP-2-SMC-20-0054-1 (Cypress Point PUD)

March 12, 2021

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Proposed San Mateo County Local Coastal Plan Land Use Plan text change of Policy 3.15(d) as follows:

- a. *Evaluate proposals to develop the designated or other appropriate sites according to the following criteria:*
 - (1) *For the total 11-acre North Moss Beach site, development must help meet LCP housing objectives by meeting the following criteria:*
 - (a) ~~*Twenty-one percent (21%) of the total units constructed on the site are reserved for low income households.*~~
 - (b) ~~*In addition to the required low income units, fourteen percent (14%) of the total units constructed are reserved for moderate income households.*~~
- 100% of the total units constructed on the site (with the exception of a manager's apartment) are reserved for low-income households (defined as households earning up to 80% of the AMI).*

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

* * * * *

AN ORDINANCE (1) AMENDING CHAPTER 2 (ZONING DISTRICTS) OF DIVISION VI OF THE COUNTY ORDINANCE CODE (ZONING REGULATIONS) TO REVISE THE ZONING MAPS TO CHANGE THE ZONING OF THE SUBJECT PARCEL TO PLANNED UNIT DEVELOPMENT NO. 140 (PUD-140); (2) AMENDING CHAPTER 2 (ZONING DISTRICTS) OF DIVISION VI OF THE COUNTY ORDINANCE CODE (ZONING REGULATIONS) TO REVISE THE ZONING MAPS TO ADD THE DESIGN REVIEW ZONING OVERLAY TO THE SUBJECT PARCEL, AND (3) AMENDING DIVISION VI OF THE COUNTY ORDINANCE CODE (ZONING REGULATIONS), APPENDIX A (PLANNED UNIT DEVELOPMENTS), TO ENACT THE FOLLOWING PLANNED UNIT DEVELOPMENT NO. 140 (PUD-140) ZONING DISTRICT REGULATIONS

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows

* * * * *

SECTION 1. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 2 (Districts), Section 6115 (Sectional District Maps) and Appendix A (Special Districts and Planned Unit Developments), which are components of the LCP Implementation Plan, are hereby amended to change the zoning designation of one property, Assessor's Parcel Number 037-022-070 to Planned Unit Development No. 140 (PUD-140).

SECTION 2. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 2 (Districts), Section 6115 (Sectional District Maps) and Appendix

A (Special Districts and Planned Unit Developments), which are components of the LCP Implementation Plan, are hereby amended to add the Design Review Zoning Overlay to one property, Assessor's Parcel Number 037-022-070.

SECTION 3. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Appendix A (Special Districts and Planned Unit Developments), which is a component of the LCP Implementation Plan, is hereby amended to add Planned Unit Development No. 140 (PUD-140) as follows:

PUD-140. SECTIONS.

- A. PURPOSE
- B. DEVELOPMENT PLAN
- C. PERMITTED USES
- D. DENSITY
- E. HEIGHT
- F. SETBACKS
- G. LOT COVERAGE
- H. FLOOR AREA
- I. MAINTENANCE OF LANDSCAPING
- J. RESTRICTION OF OUTDOOR LIGHTING
- K. MAINTENANCE OF MINIMUM PARKING PROVISIONS

SECTION A. PURPOSE.

The following regulations shall govern the development of the residential affordable housing project described below on Assessor's Parcel Number 037-022-070 (project parcel), located at the north-easterly corner of Carlos and Sierra Streets in the unincorporated Moss Beach area of San Mateo County. To the extent that the regulations contained herein conflict with other provisions of Part One, Division VI (Zoning Regulations) of the San Mateo County Ordinance Code, the regulations contained herein shall govern.

SECTION B. DEVELOPMENT PLAN.

All development shall substantially conform to the plans presented to the San Mateo County Planning Commission on January 22, 2020. Those plans include the following elements:

1. Grading of the site (including removal of remnant foundations from previously demolished buildings) for new buildings, roads and other infrastructure improvements as shown on the Conceptual Grading Plan.
2. Construction of 18 two-story residential apartment buildings to be restricted to low income households (defined as households earning up to 80 percent of the Area Median Income (AMI)), with the exception of the manager's apartment.
3. Construction of a community building.

4. Construction of a minimum of 142 uncovered surface parking spaces.
5. A driveway from Carlos Street into the project parcel.
6. Construction of sidewalks and pathways to provide pedestrian access into and within the project parcel.
7. Planting and maintenance of landscaping.
8. The provision and maintenance of all access driveways and road surface materials and drainage elements.
9. Installation of all new utilities (water, sewer, electrical, telephone, cable, etc.) underground.

No site disturbance associated with construction of the PUD shall occur unless and until Design Review, Grading, and Coastal Development Permits have been approved and issued, along with any other necessary County permit.

SECTION C. PERMITTED USES.

1. Multi-family housing for low income households.

2. A Community building that will house a community room, property management/resident services offices, and such amenities as computer lab, laundry room and after-school program space.
3. Outdoor recreational uses for residents of the housing complex, such as tot lots, community garden, barbecue and play areas.
4. Publicly accessible open space with amenities such as trail, benches, and an exercise course.

SECTION D. DENSITY.

The total number of dwelling units shall not exceed 71 dwelling units.

SECTION E. HEIGHT.

The maximum building height shall be 28 feet, not to exceed two habitable stories.

Building height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above.

SECTION F. SETBACKS.

The minimum setbacks of the proposed buildings shall conform to those shown on the plans reviewed by the Board of Supervisors on July 21, 2020, or as modified by Coastal Development Permit conditions of approval.

SECTION G. LOT COVERAGE.

The maximum lot coverage on the project site shall comply with that shown on the plans reviewed by the Board of Supervisors on July 21, 2020, or as modified by Coastal Development Permit conditions of approval.

SECTION H. FLOOR AREA.

The maximum floor area for all floors of all proposed buildings shall comply with that shown on the plans reviewed by the Board of Supervisors on July 21, 2020, or as modified by Coastal Development Permit conditions of approval.

SECTION I. MAINTENANCE OF LANDSCAPING.

The final landscape plan shall be subject to the County's Water Efficient Landscape Ordinance (WELO). Once approved and installed, the landscape plan shall be maintained in a healthy condition. Any dead or dying landscaping elements shall be replaced in kind as soon as possible.

SECTION J. RESTRICTION OF OUTDOOR LIGHTING.

All outdoor lighting (i.e., number, location, and type of fixtures) shall be subject to review by the Coastsides Design Review Committee as part of the consideration of a Coastal Development Permit. All light and glare shall be contained to the project site.

SECTION K. MAINTENANCE OF MINIMUM PARKING PROVISIONS.

A minimum of 142 un-covered parking spaces shall be provided and maintained as shown on the conceptual plans. No parking space shall be used in such a manner as to

prevent its use for parking (e.g., storage, etc.). All internal access roads shall be kept free of any permanently parked vehicles and shall be reserved for vehicle circulation and temporary deliveries.

SECTION 4. This Ordinance shall not be effective until (30) days after the California Coastal Commission has confirmed that the County's action acknowledging the Commission's certification, and accepting any modifications required as a condition of certification, is legally adequate.

* * * * *

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Exhibit 4 – Map Changes

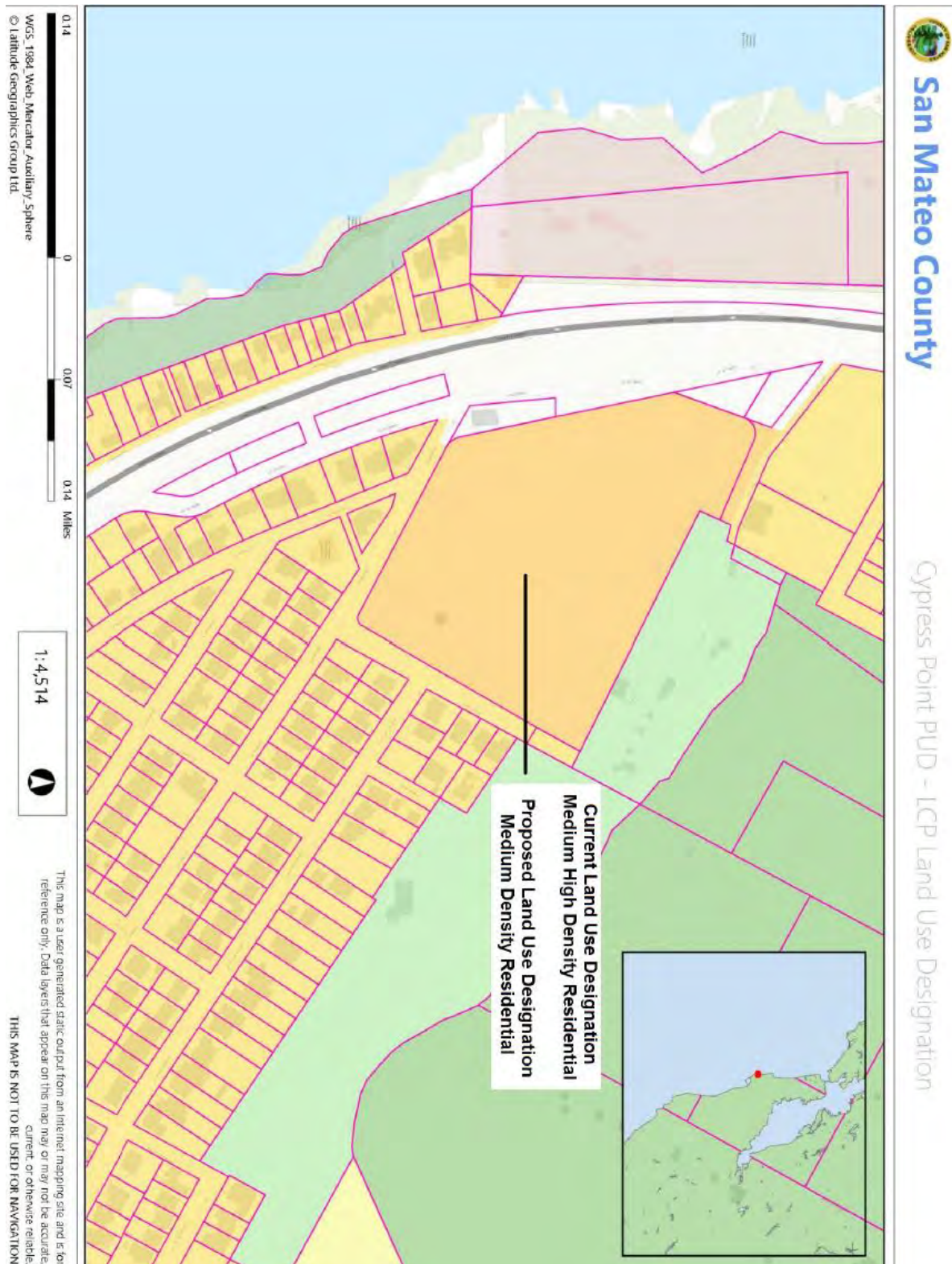


Figure 1. Land use designation map change from Medium High Density to Medium Density.



Figure 2. Zoning designation change from PUD-124/CD to PUD-140/CD.



Figure 1. Proposed PUD-140/CD project plans.

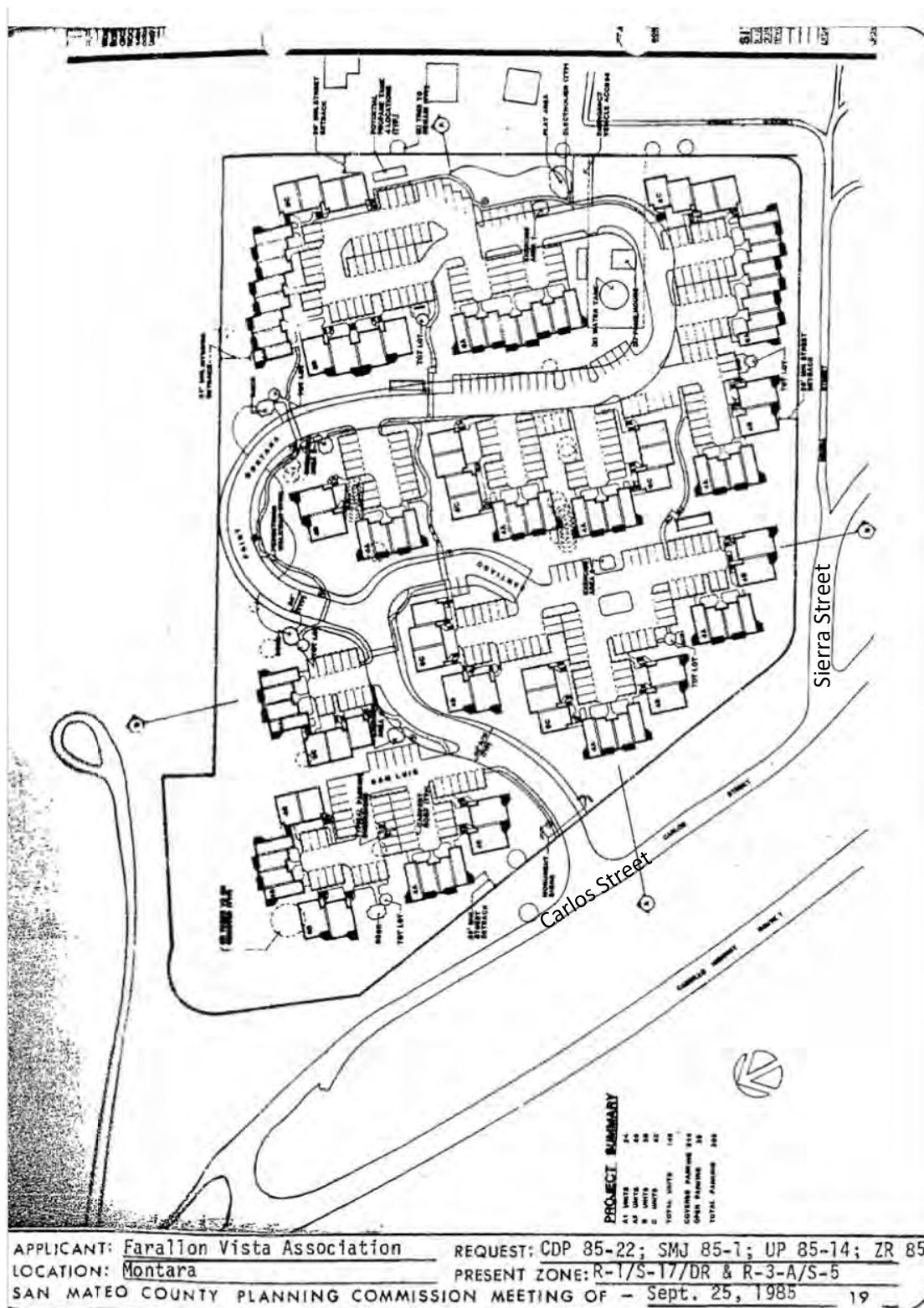


Figure 2. PUD-124/CD current project plans.

RESOLUTION NO. 077603

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

* * * * *

RESOLUTION DIRECTING STAFF TO SUBMIT THE PROPOSED LOCAL COASTAL PROGRAM (LCP) AMENDMENTS FOR CALIFORNIA COASTAL COMMISSION REVIEW AND CERTIFICATION

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

* * * * *

WHEREAS, in 1980, the San Mateo County Board of Supervisors (Board of Supervisors) approved and the California Coastal Commission certified the San Mateo County Local Coastal Program (LCP), establishing policies, consistent with the Coastal Act, to guide development within the County's Coastal Zone while protecting coastal resources and providing coastal access for all; and

WHEREAS, for a development permit to be issued in the Coastal Zone, proposed development must comply with the policies of the LCP and those ordinances adopted to implement the LCP; and

WHEREAS, in 1980, the Board of Supervisors recognized an existing and anticipated shortage of affordable housing for the Midcoast area and designated the subject parcel (APN 037-022-070) as an "affordable housing" site; and

WHEREAS, in 1986, the Board of Supervisors approved, and the California Coastal Commission certified the rezoning of the subject parcel to Planned Unit

Development (“PUD”) to enable the construction of a mixed market rate/affordable housing development (known as Farallone Vista) consisting of 148 dwelling units; and

WHEREAS, due to various issues including a State imposed moratorium on new service connections by the Citizens Utility Water Company (the private water supplier to Montara/Moss Beach at that time), the Farallone Vista project was not constructed, however, the PUD zoning (which allows 148 dwelling units) remains in effect; and

WHEREAS, the Mid-Peninsula Housing Corporation, on July 17, 2018 submitted an application (revised on April 15, 2019) to change the PUD zoning on the subject parcel, to allow only 71 affordable dwelling units with no market rate housing component, thus reducing the potential impacts that the existing zoning could generate while providing additional affordable housing units at a time when the State has declared a “housing crisis” and passed several laws that encourage housing development and, in some cases, limit local control over new housing development; and

WHEREAS, in order to fully implement the LCP’s Land Use Plan, the subject property’s zoning must be amended to reflect the reduced scope of the project; and

WHEREAS, the proposed rezoning is consistent with the County’s LCP; and

WHEREAS, the proposed rezoning will be a desirable guide for the future growth of this area of the County, will not be detrimental to the character, social, and economic stability of this area and its environs, will assure the orderly and beneficial

development of this area, and will be in harmony with the zoning in adjoining unincorporated areas; and

WHEREAS, the proposed rezoning will obviate the menace to the public safety resulting from land uses proposed adjacent to Cabrillo Highway, the highway in the County adjacent to the proposed development, and will not cause undue interference with existing or prospective traffic movements on said highways; and

WHEREAS, the proposed rezoning has been designed to cluster development near the center of the parcel and preserve approximately half the site as open space and will provide adequate light, air, privacy, and convenience of access to the subject property, and said property will not be made subject to unusual or undue risk from fire, inundation, or other dangers, and will not result in overcrowding of the land or undue congestion of population; and

WHEREAS, on June 10, 2020, after consideration of the entire record, including public comments, the Planning Commission recommended that the Board of Supervisors transmit the proposed amendments to the County's Local Coastal Plan and Zoning Regulations to the California Coastal Commission for certification; and

WHEREAS, it is the intent of San Mateo County to carry out the proposed amendments in a manner that is in full conformity with the Coastal Act.

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

- 1) Amends, subject to California Coastal Commission certification, the San Mateo County Local Coastal Plan Land Use Designation of one property, Assessor's Parcel Number 037-022-070, from Medium High Density Residential to Medium Density Residential.
- 2) Amends, subject to California Coastal Commission certification, the San Mateo County Local Coastal Plan Land Use Plan to change the text of Policy 3.15(d) as follows:

a. *Evaluate proposals to develop the designated or other appropriate sites according to the following criteria:*

(1) *For the total 11-acre North Moss Beach site, development must help meet LCP housing objectives by meeting the following criteria:*

(a) ~~*Twenty-one percent (21%) of the total units constructed on the site are reserved for low income households.*~~

(b) ~~*In addition to the required low income units, fourteen percent (14%) of the total units constructed are reserved for moderate income households.*~~

100% of the total units constructed on the site (with the exception of a manager's apartment) are reserved for low-income households (defined as households earning up to 80% of the AMI).

- 3) Amends, subject to California Coastal Commission certification, the San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 2 (Districts), Section 6115 (Sectional District Maps), and Appendix A (Special Districts and Planned Unit Developments) which are components of the LCP

Implementation Plan. The proposed Ordinance, attached as Exhibit A, changes the zoning designation of one property, Assessor's Parcel Number 037-022-070 to Planned Unit Development No. 140 (PUD-140), adds the Design Review Zoning Overlay to this property, and replaces the regulations applicable to the former PUD to regulations that apply to PUD-140.

AND, BE IT FURTHER RESOLVED, that the San Mateo County Board of Supervisors directs staff to submit the Local Coastal Program (LCP) amendments to the California Coastal Commission for certification that the amendments conform to California Coastal Act standards of review. The LCP amendments submitted to the Coastal Commission include the Land Use Plan changes that are a part of this Resolution as well as the attached Ordinance amendments.

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 confirmed that the County's action acknowledging the Commission's certification, and accepting any modifications required as a condition of certification, is legally adequate.

RESOLUTION NUMBER: 077603

Regularly passed and adopted this 21st day of July, 2020.

AYES and in favor of said resolution:

Supervisors:

DAVE PINE

CAROLE GROOM

DON HORSLEY

WARREN SLOCUM

DAVID J. CANEPA

NOES and against said resolution:

Supervisors:

NONE



*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.



Deputy Clerk of the Board of Supervisors

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

* * * * *

AN ORDINANCE (1) AMENDING CHAPTER 2 (ZONING DISTRICTS) OF DIVISION VI OF THE COUNTY ORDINANCE CODE (ZONING REGULATIONS) TO REVISE THE ZONING MAPS TO CHANGE THE ZONING OF THE SUBJECT PARCEL TO PLANNED UNIT DEVELOPMENT NO. 140 (PUD-140); (2) AMENDING CHAPTER 2 (ZONING DISTRICTS) OF DIVISION VI OF THE COUNTY ORDINANCE CODE (ZONING REGULATIONS) TO REVISE THE ZONING MAPS TO ADD THE DESIGN REVIEW ZONING OVERLAY TO THE SUBJECT PARCEL, AND (3) AMENDING DIVISION VI OF THE COUNTY ORDINANCE CODE (ZONING REGULATIONS), APPENDIX A (PLANNED UNIT DEVELOPMENTS), TO ENACT THE FOLLOWING PLANNED UNIT DEVELOPMENT NO. 140 (PUD-140) ZONING DISTRICT REGULATIONS

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows

* * * * *

SECTION 1. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 2 (Districts), Section 6115 (Sectional District Maps) and Appendix A (Special Districts and Planned Unit Developments), which are components of the LCP Implementation Plan, are hereby amended to change the zoning designation of one property, Assessor's Parcel Number 037-022-070 to Planned Unit Development No. 140 (PUD-140).

SECTION 2. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 2 (Districts), Section 6115 (Sectional District Maps) and Appendix

A (Special Districts and Planned Unit Developments), which are components of the LCP Implementation Plan, are hereby amended to add the Design Review Zoning Overlay to one property, Assessor's Parcel Number 037-022-070.

SECTION 3. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Appendix A (Special Districts and Planned Unit Developments), which is a component of the LCP Implementation Plan, is hereby amended to add Planned Unit Development No. 140 (PUD-140) as follows:

PUD-140. SECTIONS.

- A. PURPOSE
- B. DEVELOPMENT PLAN
- C. PERMITTED USES
- D. DENSITY
- E. HEIGHT
- F. SETBACKS
- G. LOT COVERAGE
- H. FLOOR AREA
- I. MAINTENANCE OF LANDSCAPING
- J. RESTRICTION OF OUTDOOR LIGHTING
- K. MAINTENANCE OF MINIMUM PARKING PROVISIONS

SECTION A. PURPOSE.

The following regulations shall govern the development of the residential affordable housing project described below on Assessor's Parcel Number 037-022-070 (project parcel), located at the north-easterly corner of Carlos and Sierra Streets in the unincorporated Moss Beach area of San Mateo County. To the extent that the regulations contained herein conflict with other provisions of Part One, Division VI (Zoning Regulations) of the San Mateo County Ordinance Code, the regulations contained herein shall govern.

SECTION B. DEVELOPMENT PLAN.

All development shall substantially conform to the plans presented to the San Mateo County Planning Commission on January 22, 2020. Those plans include the following elements:

1. Grading of the site (including removal of remnant foundations from previously demolished buildings) for new buildings, roads and other infrastructure improvements as shown on the Conceptual Grading Plan.
2. Construction of 18 two-story residential apartment buildings to be restricted to low income households (defined as households earning up to 80 percent of the Area Median Income (AMI)), with the exception of the manager's apartment.
3. Construction of a community building.
4. Construction of a minimum of 142 uncovered surface parking spaces.

5. A driveway from Carlos Street into the project parcel.
6. Construction of sidewalks and pathways to provide pedestrian access into and within the project parcel.
7. Planting and maintenance of landscaping.
8. The provision and maintenance of all access driveways and road surface materials and drainage elements.
9. Installation of all new utilities (water, sewer, electrical, telephone, cable, etc.) underground.

No site disturbance associated with construction of the PUD shall occur unless and until Design Review, Grading, and Coastal Development Permits have been approved and issued, along with any other necessary County permit.

SECTION C. PERMITTED USES

1. Multi-family housing for low income households.
2. A Community building that will house a community room, property management/resident services offices, and such amenities as computer lab, laundry room and after-school program space.

3. Outdoor recreational uses for residents of the housing complex, such as tot lots, community garden, barbecue and play areas.
4. Publicly accessible open space with amenities such as trail, benches, and an exercise course.

SECTION D. DENSITY.

The total number of dwelling units shall not exceed 71 dwelling units.

SECTION E. HEIGHT.

The maximum building height shall be 28 feet, not to exceed two habitable stories.

Building height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above.

SECTION F. SETBACKS.

The minimum setbacks of the proposed buildings shall conform to those shown on the plans reviewed by the Planning Commission on June 10, 2020, or as modified by Coastal Development Permit conditions of approval.

SECTION G. LOT COVERAGE.

The maximum lot coverage on the project site shall comply with that shown on the plans reviewed by the Planning Commission on June 10, 2020, or as modified by Coastal Development Permit conditions of approval.

SECTION H. FLOOR AREA.

The maximum floor area for all floors of all proposed buildings shall comply with that shown on the plans reviewed by the Planning Commission on June 10, 2020, or as modified by Coastal Development Permit conditions of approval.

SECTION I. MAINTENANCE OF LANDSCAPING.

The final landscape plan shall be subject to the County's Water Efficient Landscape Ordinance (WELO). Once approved and installed, the landscape plan shall be maintained in a healthy condition. Any dead or dying landscaping elements shall be replaced in kind as soon as possible.

SECTION J. RESTRICTION OF OUTDOOR LIGHTING.

All outdoor lighting (i.e., number, location, and type of fixtures) shall be subject to review by the Coastsides Design Review Committee as part of the consideration of the Coastal Development Permit. All light and glare shall be contained to the project site.

SECTION K. MAINTENANCE OF MINIMUM PARKING PROVISIONS.

A minimum of 142 un-covered parking spaces shall be provided and maintained as shown on the conceptual plans. No parking space shall be used in such a manner as to prevent its use for parking (e.g., storage, etc.). All internal access roads shall be kept free of any permanently parked vehicles and shall be reserved for vehicle circulation and temporary deliveries.

SECTION 6. This Ordinance shall not be effective until (30) days after the California Coastal Commission has confirmed that the County's action acknowledging the Commission's certification, and accepting any modifications required as a condition of certification, is legally adequate.

* * * * *

Exhibit 7 – New Development Applicable Land Use Plan Policies

LUP Policy 1.5: Land Uses and Development Densities in Urban Areas.

- a. Incorporate the adopted Montara-Moss Beach-El Granada Community Plan into the land use plan for the Midcoast, but amend it where necessary to meet Local Coastal Program objectives.
- b. 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.

LUP Policy 1.18. Location of New Development

- a. Allow some future growth to develop at relatively high densities for affordable housing in areas where public facilities and services are or will be adequate and where coastal resources will not be endangered.

LUP Policy 3.12 Reservation of Water and Sewer Capacity

- a. Designate affordable housing and designated family farm labor housing sites as a priority land use for which water and sewer capacity will be reserved in accordance with the policies of the Public Works Component. Where a portion of a site (i.e., North Moss Beach site) is required to provide affordable housing, consider the entire development proposed on the site as a priority land use for which water and sewer capacity will be reserved.
- b. Allow Sewer Authority Mid-Coastside (SAM) to reallocate sewer capacity among the three sewer agencies to facilitate development of designated family farm labor housing site.

LUP Policy 1.19 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 (CCWD) 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 (MWSD) 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 August 8, 2012), 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 1.8 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, avoid 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 1.9 available; (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.

LUP Policy 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.
 - 1. 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:
 - 2. A list of all existing fixtures to be retrofitted and their present water flow (e.g., gallons/second);

3. A list of all proposed fixtures to be installed and their associated water flow;
4. The estimated annual water savings resulting from the proposed retrofit, showing all calculations and assumptions; and
5. A leak detection test; all leaks shall be repaired, but such repairs shall not be calculated in the estimates of savings.
6. 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.
7. The serving water district shall provide notices to the County Planning the Coastal Commission of all failed well applications.

LUP Policy 2.42 Capacity Limits

- f. 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 otherwise conflict with other policies of the LCP.
- g. Use the requirements of commuter peak period traffic as the basis for determining appropriate increases in capacity.
- h. 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.
- i. Maintain Highway 1 as scenic two-lane road outside the Urban Midcoast area depicted on Land Use Plan Map 1.3.

LUP Policy 2.52 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 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 Section 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.

LUP Policy 3.1 Sufficient Housing Opportunities

Through both public and private efforts, protect, encourage and, where feasible, provide housing opportunities for persons of low and moderate income who reside, work or can be expected to work in the Coastal Zone.

LUP Policy 3.2 Non-Discrimination

Strive to ensure that decent housing is available for low and moderate income persons regardless of age, race, sex, marital status or other arbitrary factors.

LUP Policy 3.3 Balanced Developments

Strive to provide such housing in balanced residential environments that combine access to employment, community facilities and adequate services.

LUP Policy 3.4 Diverse Housing Opportunities

Strive to improve the range of housing choices, by location, type, price and tenure, available to persons of low and moderate income.

LUP Policy 3.13 Maintenance of Community Character

Require that new development providing significant housing opportunities for low and moderate income persons contribute to maintaining a sense of community character by being of compatible scale, size and design. Limit the height to two stories to mitigate the impact of this development on the surrounding neighborhoods. Assess negative traffic impacts and mitigate as much as possible.

LUP Policy 3.15 Designated Affordable Housing Sites

- d. Evaluate proposals to develop the designated or other appropriate sites according to the following criteria:
 1. For the total 11-acre North Moss Beach site, development must help meet LCP housing objectives by meeting the following criteria:
 - a. Twenty-one percent (21%) of the total units constructed on the site are reserved for low income households.
 - b. In addition to the required low income units, fourteen percent (14%) of the total units constructed are reserved for moderate income households.
 2. For the other designated sites, development must help meet LCP housing objectives by meeting the following criteria:
 - a. Thirty percent (30%) of the total units constructed on a site are reserved for low income households.
 - b. In addition to the required low income units, twenty percent (20%) of the total units constructed are reserved for moderate income households.
 3. Development must comply with all of the regulations established for Structural and Community Features (Urban), as established in the Visual Resources Component.

4. Require the provision of amenities including, but not limited to, landscaping and recreation facilities.
5. Encourage the provision of community services, such as day care centers.

LUP Policy 3.16 Phasing the Development of Designated Housing Sites

- a. Limit the number of affordable housing units given building permits for construction on the designated sites to 60 during any 12-month period in order to allow the affordable housing units constructed on the designated housing sites to be assimilated into the community a few at a time.
- b. Allow the County Board of Supervisors to increase the number of affordable housing units permitted if they make the finding that the above phasing requirement threatens the implementation of affordable housing on a designated site by prohibiting the developer(s) from building when circumstances are uniquely favorable for a limited period of time (i.e., low interest rate financing or public subsidies are available).
- c. Prohibit the designation of additional housing sites for affordable housing for five years in order to permit the housing techniques stated in Policies 3.18, 3.19, 3.20 and 3.21 an opportunity to demonstrate that they can successfully serve as alternatives to additional designated housing sites.