

Land Use Policies & Development Approval Process in the unincorporated San Mateo County Midcoast

Study session to raise community awareness and promote informed public participation in local government.



Midcoast Community Council
6/27/2018 presentation
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California Coastal Act

California Coastal Initiative (Prop 20), overwhelmingly passed by voters in 1972, was made permanent by the California Coastal Act of 1976.

Coastal Act policies in the Coastal Zone:

- Protect and expand public access to the shoreline and recreational opportunities and resources.
- Protect sensitive habitats, scenic resources, community character.
- Protect productive agricultural lands, commercial fisheries, archeological and cultural resources.
- Protect natural shorelines, and minimize risk from coastal hazards.
- Establish urban-rural boundaries and direct new development into areas with adequate services to avoid wasteful sprawl.
- Prioritize coastal-dependent, visitor-serving development.
Provide lower-cost visitor-serving & recreational facilities.
- Assure new development has adequate public services and that new service capacities do not induce growth inconsistent with resource protection.
- Highway 1 shall remain a “scenic two-lane road” in rural areas.

California Coastal Commission (CCC)

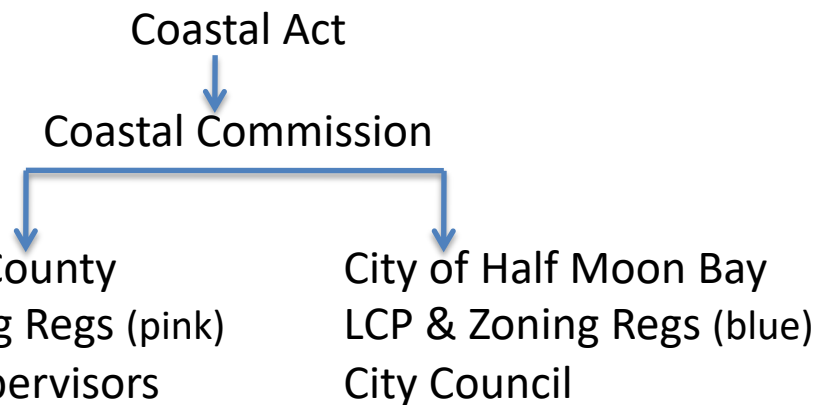
administers the Coastal Act and has jurisdiction over land use & development regulations in the Coastal Zone.

Local Coastal Program (LCP)

The Coastal Act is supplemented by LCP's which are approved by the CCC and administered by local governments.

San Mateo County's LCP applies to the unincorporated areas of the Coastside (pink on the map).

Coastal cities, including Half Moon Bay, have their own LCP's.



Midcoast LCP Update 2012

San Mateo County LCP was first certified in 1980 and has been amended various times.

Major update for the Midcoast was undertaken 1999-2012 to:

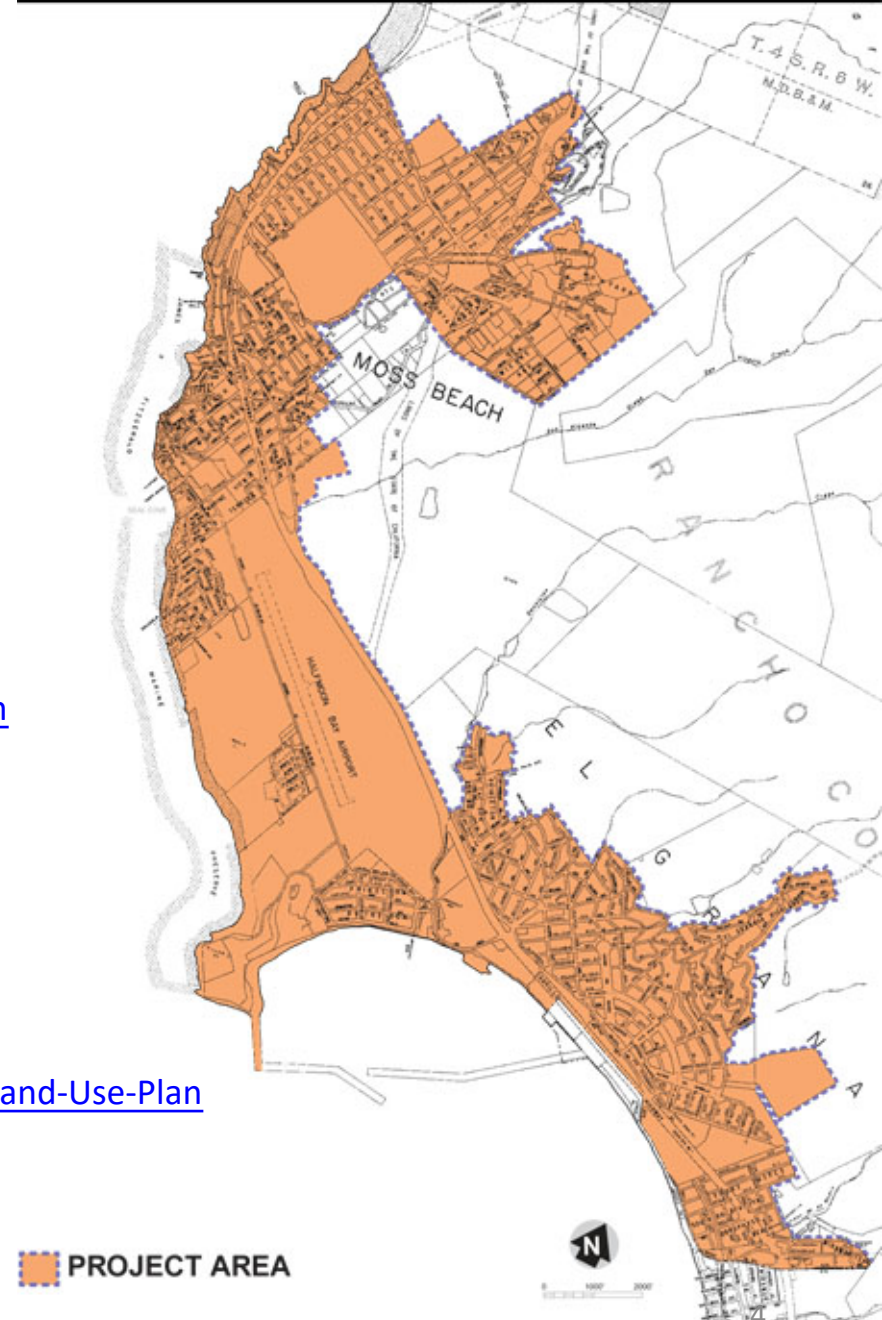
- improve Coastal Act consistency
- update Midcoast baseline data & policies
- reduce appeals of out-of-scale development

<https://planning.smcgov.org/documents/local-coastal-program>

City of Half Moon Bay has its own LCP:

<http://www.half-moon-bay.ca.us/154/Local-Coastal-Program-Land-Use-Plan>

Northern city limit is center of Mirada/Alto Roads, except for “cherry stem” west of Hwy 1, from Coronado to Sam’s Chowder House.



Midcoast Residential Growth Rate Limit

- New residential construction is limited to **40 dwelling units/year** (LCP Policy 1.23).
- New Accessory Dwelling Units (ADUs) are included in the annual limit. Total number of approved ADUs is limited to 466 in the Coastal Zone (Policy 3.22). Coastal Act & LCP supersede the State’s ADU law which prohibits these limits.
- Limit applied at time building permit is issued.
- New units with affordability restrictions can exceed annual limit, but growth rate 3-year average must not exceed 40 units/year.
- LCP designates affordable housing as a priority land use for which water & sewer capacity is reserved.

Historical residential growth rate:

7-year average: 21/year

<u>YEAR</u>	<u># UNITS</u>
2014	11 – incl 2 ADU
2015	24 – incl 3 ADU
2016	32 – incl 2 ADU
2017	13 – incl 2 ADU
2018	26 – incl 7 ADU
2019	21 – incl 10 ADU
2020	22 – incl 9 ADU

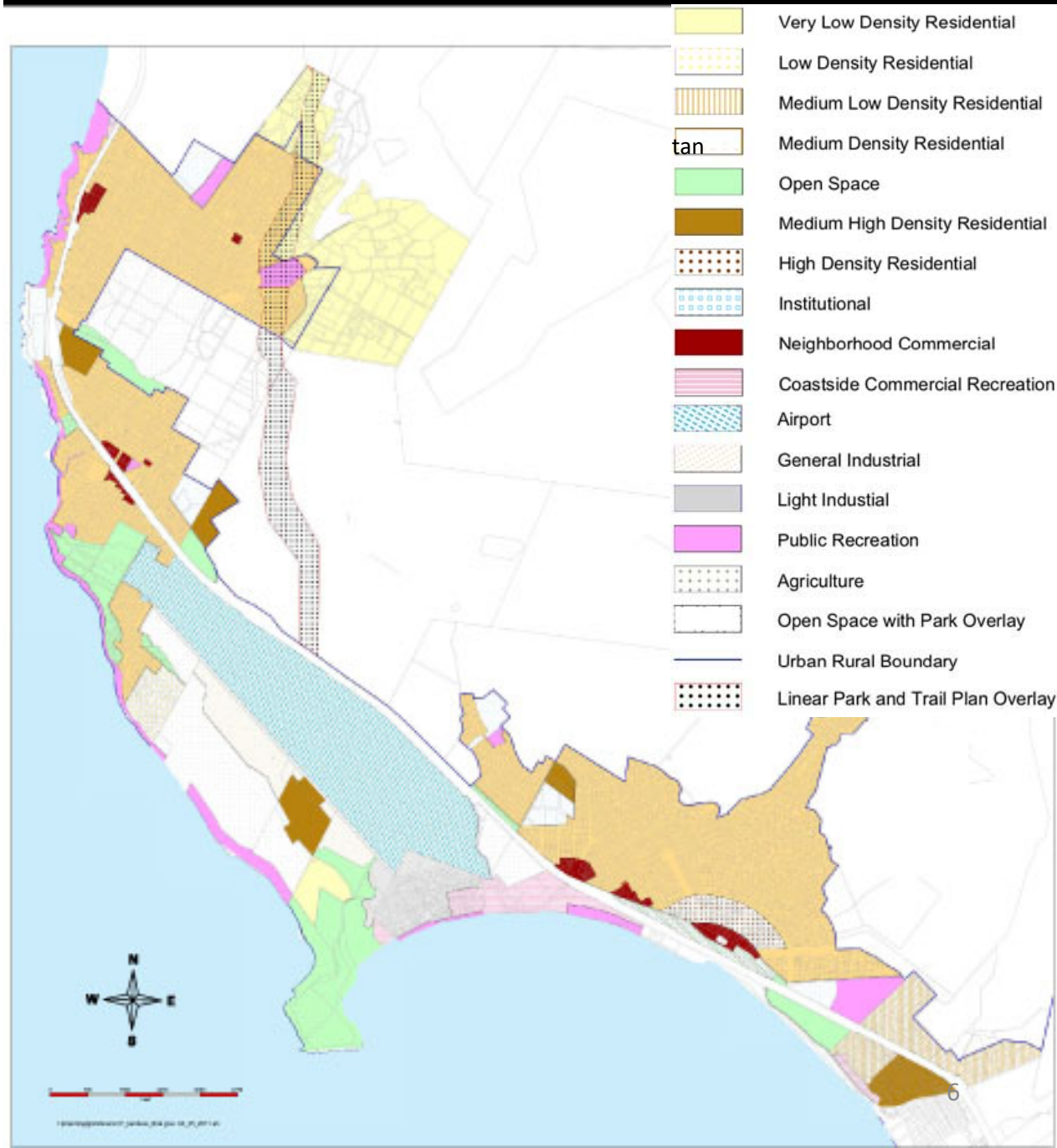
Local Coastal Program

The LCP includes a Land Use Plan and an Implementation Plan.

The Land Use Plan specifies the kinds, locations and intensities of allowable development.

The Implementation Plan includes zoning designations and development rules to implement the land use plan.

Amendments to the LCP land use plan or to the County Zoning Regulations for the Coastal Zone require certification by the CCC before they can take effect.



Zoning Districts: Montara & Moss Beach

- C-1/S-3 – Neighborhood Commercial
- CCR – Coastside Commercial Recreation
- COSC – Community Open Space Conservation
- LPO – Linear Park Overlay (Bypass land)
- M-1 – Light Industrial
- PAD – Planned Agricultural District
- PUD – Planned Unit Development
- R-1 – Single-Family Residential
- R-3A – Affordable Housing
- RM/CZ – Resource Management Coastal Zone
- S-3, S-17, S-105 – combining districts with development standards

All Districts in Midcoast LCP Update Area are also in:

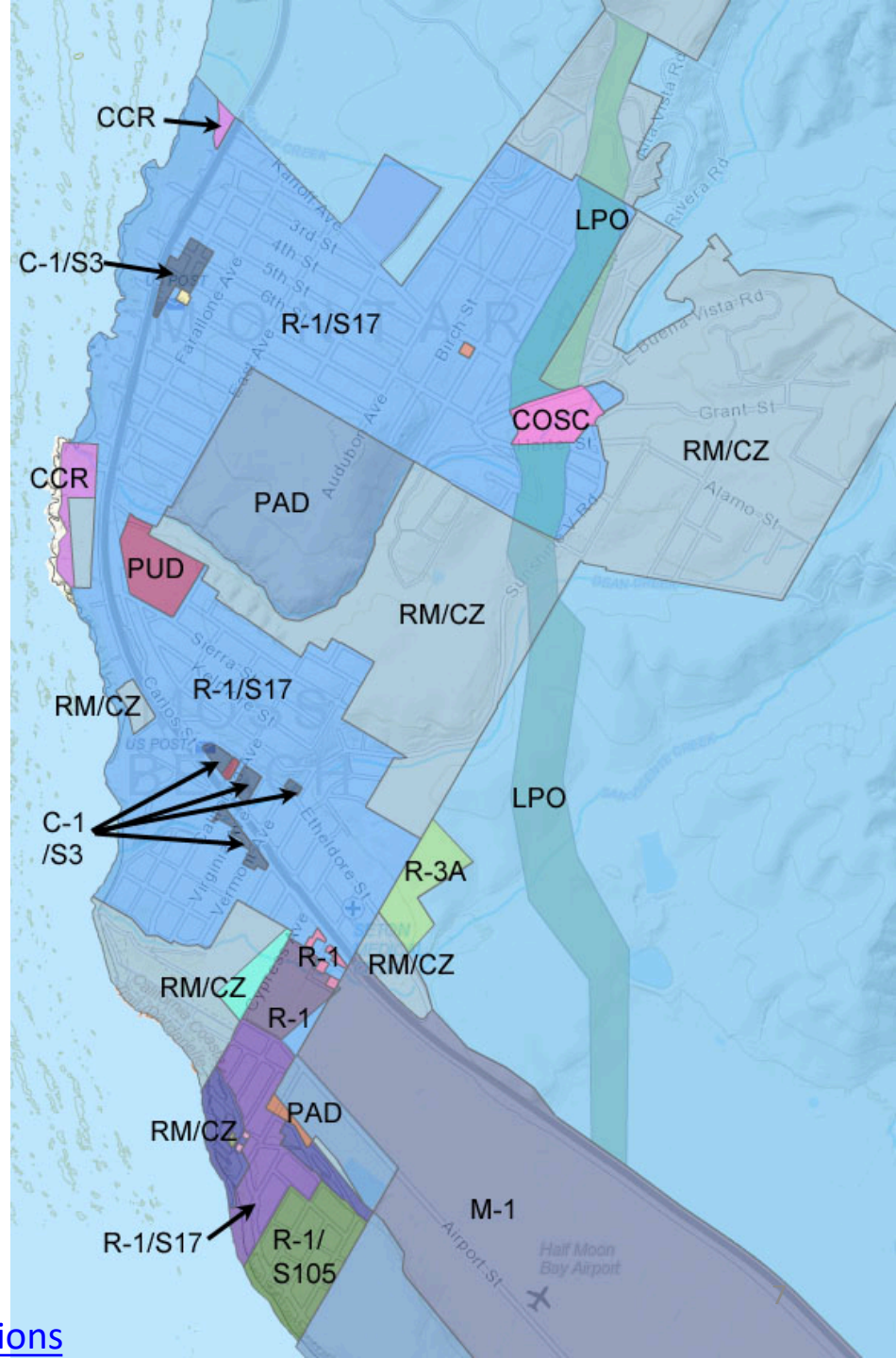
- CD – Coastal Development District
- DR – Design Review District

Districts in Seal Cove area are also in:

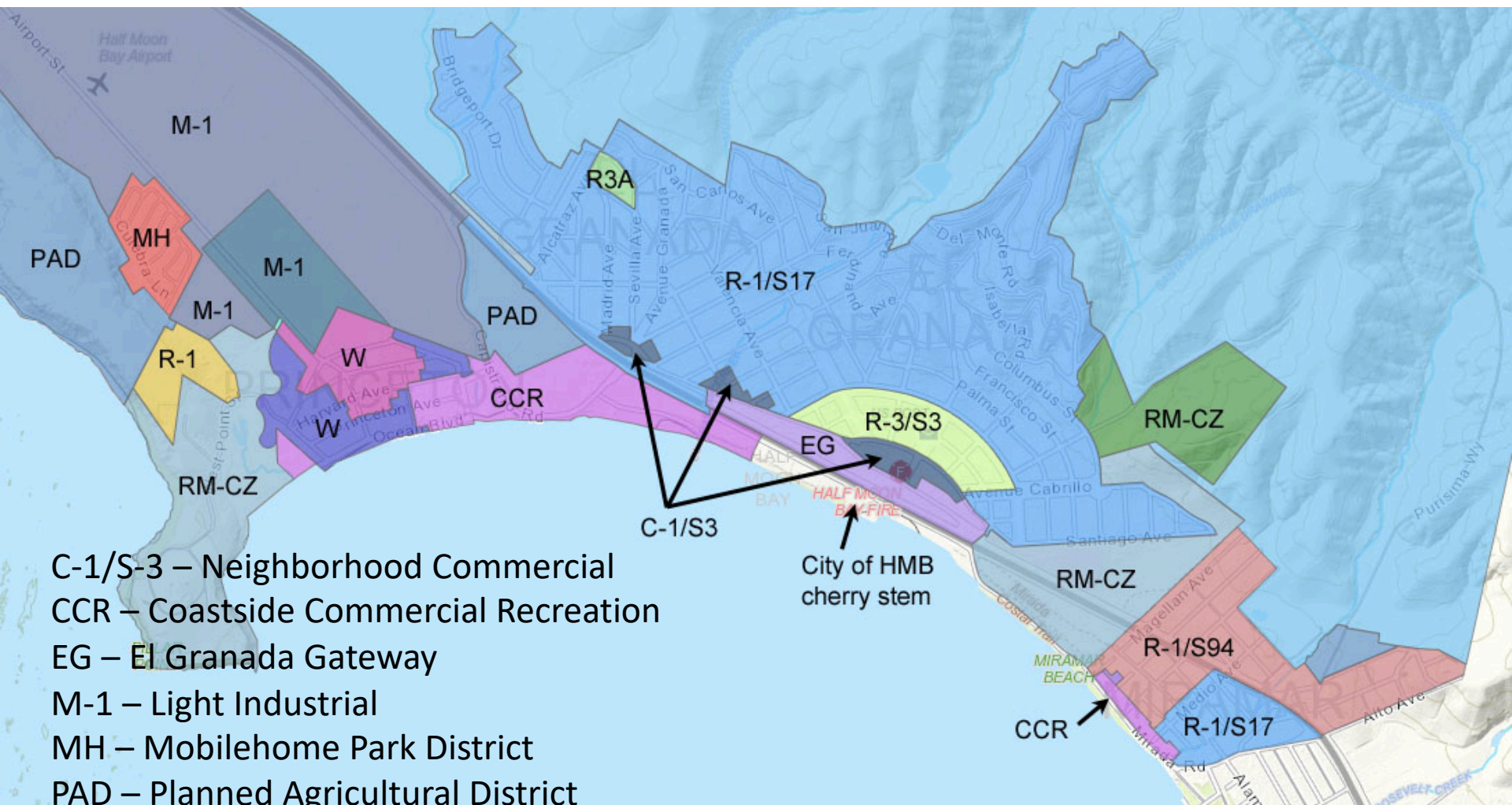
- GH – Geologic Hazard District

Development rules for these Districts are in County Zoning Regulations:

<https://www.smcgov.org/planning/zoning-regulations>



Zoning Districts: Princeton, El Granada, Miramar



C-1/S-3 – Neighborhood Commercial
 CCR – Coastside Commercial Recreation

EG – El Granada Gateway

M-1 – Light Industrial

MH – Mobilehome Park District

PAD – Planned Agricultural District

R-1 – Single-Family Residential – S-3, 17, 94 = combining districts with development standards

R-3 – Multi-Family Residential

R-3A – Affordable Housing

RM/CZ – Resource Management Coastal Zone

W – Waterfront Marine-Related Light Industrial

Coastal Development Permit (CDP)

All development in the Coastal Zone requires a Coastal Development Permit (CDP), or an exemption (CDX).

Development must comply with the policies of the LCP and the implementing ordinances (zoning regulations).

Definition of development is broad, including:

- Placement or erection of any solid material or structure (on land, in or under water)
- Grading
- Discharges
- Change in density or intensity of use
- Land division
- Removal of major vegetation

Coastal Commission appeals jurisdiction

Pink: CCC direct permit jurisdiction

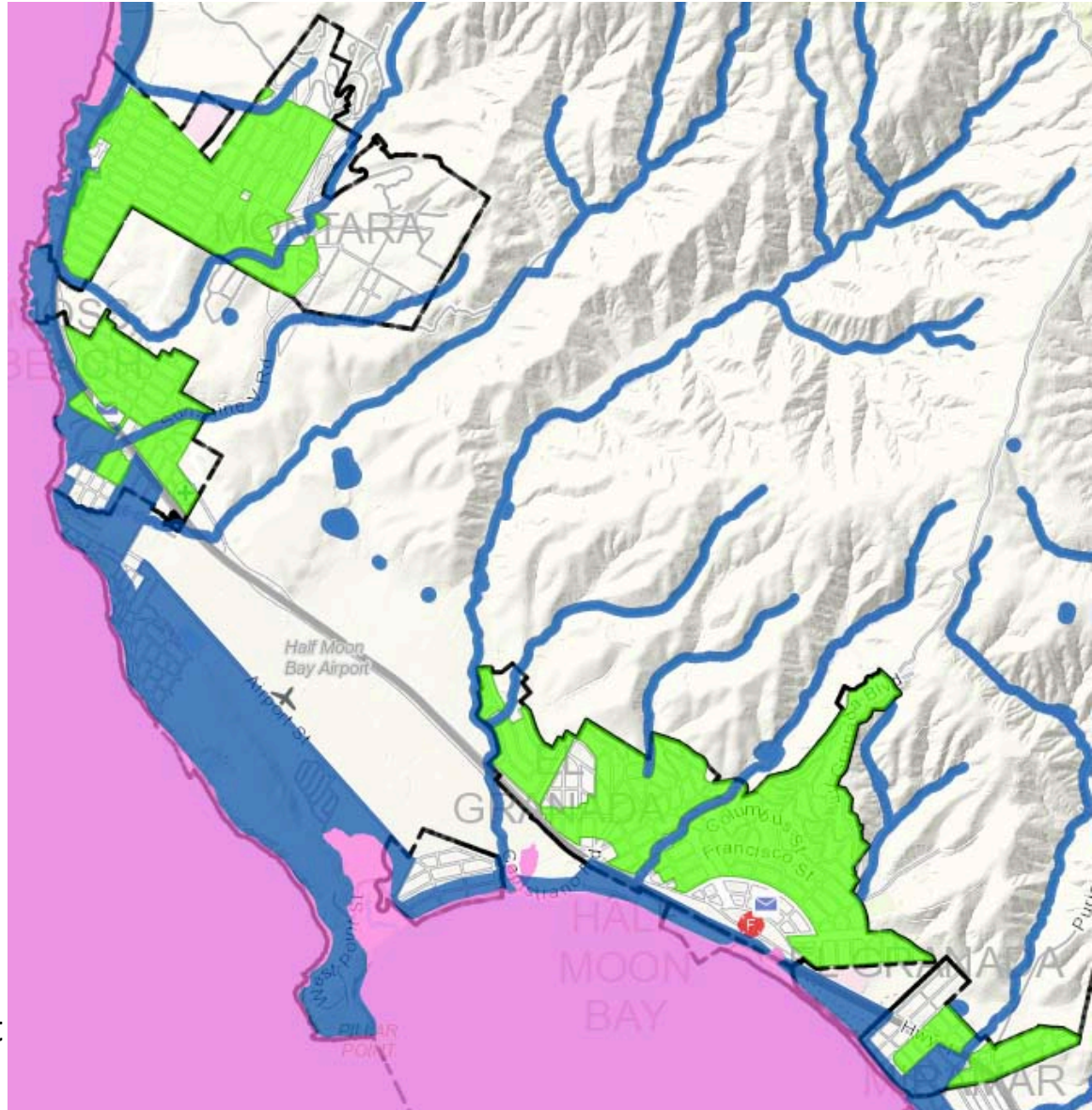
Green: single-family residential categorical exclusion area: exempt from CDP, but does require Design Review permit (public hearing)

Blue: CCC appeals jurisdiction: (requires public hearing)

- Between the sea & first through public road paralleling the sea
- Within 300 feet of the inland extent of any beach or mean high tide where there is no beach, whichever is greater
- Within 300 feet of the top of the seaward face of any coastal bluff
- Within 100 feet of any wetland, estuary, or stream

Also appealable to CCC:

- Major public works
- Development requiring a Use Permit that is not a principal permitted use in the underlying zoning district



California Environmental Quality Act (CEQA)

- Requires state & local agencies to identify significant impacts of their actions and avoid or mitigate those impacts, if feasible.
- Applies to most development proposals that require discretionary government approval, plus many government decisions such as adoption of a general plan.
- At minimum, Initial Study of project and environmental effects is required.
<https://www.smcgov.org/planning/initial-study-environmental-evaluation-checklist>
- Mitigated Negative Declaration (Neg/Dec) applies where mitigation measures reduce impacts to less than significant.
- Environmental Impact Report (EIR) is required if there are one or more “Potentially Significant Impact” entries when the determination is made.
- Public review of CEQA doc before adoption: Comments on *correctness*, *completeness* or *adequacy* are submitted to Lead Agency.
- Enforcement: Public agencies are entrusted with compliance with CEQA. Provisions are enforced, as necessary, by the public through litigation.

Planning Permit Approval Process

Staff review

- Application submittal
- Zoning compliance/ completeness plan check.
- Referrals to reviewing agencies for comment: Building, Public Works, Fire, Geotechnical, Water/Sewer Districts, MCC, others as warranted.
- Staff determines if biological, geotechnical, coastal hazard, traffic studies are required, and what level of CEQA review (or exempt).
- **Staff-level permit approvals:** grading, home improvement exception, accessory dwelling unit (ADU), CDP exempt or not appealable to CCC.
- **Hearing-level approvals & appeals:** Preparation of staff reports for public hearing.
- Staff notifies CCC staff of County approvals that are appealable to CCC.
- [Building permits also required before construction, but are ministerial -- no public process.]

Public process

- [Large projects only] Pre-application public workshop, before formal application submittal. Written public comment to Planner and/or speak at workshop. Staff compiles report of public & agency comments.
- MCC agenda/comment on early referrals [particularly for projects with potential environmental or other significant impacts outside CDRC purview]. MCC is advisory only. Public written and/or oral comment at MCC and written comment to Project Planner.
- CDRC (Coastside Design Review Committee) public hearing for projects with residential component. CDRC purview limited to Midcoast Design Standards. Public written and/or oral comment.
- CEQA: If Mitigated Negative Declaration or EIR required, doc is posted for public review & written comment to Project Planner.
- Planning Commission or Zoning Hearing Officer (ZHO) public hearing, if required. Public written and/or oral comment.
- Appeals: to Board of Supervisors and/or CCC, by any person who participated or communicated their concerns to local government.

Additional Resources

MCC Planning & Zoning Overview page

<https://midcoastcommunitycouncil.org/planning-zoning>

- County Planning & Building Dept links
- Land Use Regulations
- Studies
- Current Planning: Major Development Projects in Review
- Long Range Planning & Ordinance Updates in process

Introduction to Midcoast local government & special districts --

District Boundaries, services provided, decision-making bodies.
(study session slide deck)

<https://midcoastcommunitycouncil.org/home/2018/6/8/mcc-meeting-june-13-2018.html>

Sign Up for County email updates (agendas/news – you select)

<https://public.govdelivery.com/accounts/CASMATEO/subscriber/new?preferences=true>

Plans & projects within the City of Half Moon Bay:

Half Moon Bay Planning Division <http://hmbcity.com/149/Planning>