

MEMORANDUM

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: June 3, 2020
TO: Planning Commission
FROM: Planning Staff
SUBJECT: Addendum to January 22, 2020 Staff Report - Consideration of a Local Coastal Plan Map and Text Amendment, and a Zoning Text and Map Amendment to rezone one parcel from “PUD-124/CD” to “PUD-140/CD”, pursuant to Section 6550 of the County Zoning Regulations, in order to revise the site plan and project design and reduce the density of the previously approved PUD zoning from 148 dwelling units to 71 dwelling units composed entirely of affordable housing on a vacant parcel located at the corner of Carlos and Sierra Streets in the unincorporated Moss Beach area. The proposed amendment also includes a revision to Policy 3.15(d) of the LCP to require that all units be affordable.

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I. Recommendation

That the Planning Commission recommend that the Board of Supervisors adopt a resolution directing staff to submit the Local Coastal Program (LCP) Amendments for California Coastal Commission certification.

II. Background

On the evening of January 22, 2020, the Planning Commission conducted a public hearing at the Half Moon Bay library regarding the subject Amendment, which has been requested by Mid-Pen Housing Corporation in preparation for the future submittal of a coastal development permit application to construct 71 affordable housing units at the north end of Moss Beach, on a site that has been designated for affordable housing since the San Mateo County Local Coastal Program (LCP) was certified by the California Coastal Commission (CCC) in 1982. At the January 22, 2020 meeting, the Commission received presentations by staff and the applicant, asked questions, and listened to the comments of approximately 100 individuals. Once everyone in attendance who desired to address the Commission had spoken, the public comment period was closed, and consideration of the amendment was continued to a date

uncertain, so staff could prepare a response to the comments received, which is the subject of this report. A detailed description of the proposed LCP Amendment, and staff's analysis of the amendments consistency with relevant requirements, is contained in the report prepared for the January 22, 2020 meeting, which is available at <https://planning.smcgov.org/cypress-point-affordable-housing-community-project>

III. Amendment Revisions

Since the January 22, 2020 hearing, the applicant has made several changes to the proposed amendments that respond to comments received at the hearing and in writing. These changes include:

A. Postponement of the General Plan Amendment

The policy, map, and zoning changes that comprise the proposed Amendment initially included the same changes to the General Plan Land Use Designation for the site as that which is proposed to the LCP Land Use Map (i.e., a reduction in the designated intensity of development from Medium-High to Medium Density Residential Development). In this way, the approvals that require CCC approval will be processed first, and the County-specific approvals including the General Plan amendment and site specific approvals will be processed thereafter.

The accompanying change to the General Plan Land Use Designation will be resubmitted for Planning Commission consideration, along with an environmental document that addresses CEQA requirements, if the proposed LCP Amendments are certified by the CCC.

B. Building Height and Measurement

There was discussion both at the hearing and in subsequent written comments about the proposed height of several of the buildings and how that height is measured. The applicant has clarified their application to state that maximum building height (for all proposed buildings) will be 28 feet. This will be measured as the vertical distance from any point on the finished grade to the topmost point of the building directly above. This height limit and method of measurement conforms to the changes requested by Commissioner Ketcham and speakers at the January 22, 2020 Planning Commission meeting.

C. Building Setback

Planned Unit Development (PUD) Zoning Districts are unique from other zoning districts in that they establish a specific site plan for future development on a parcel that may be different from the adjacent zoning district with respect to setbacks, height, and other requirements. The site plan associated with the proposed replacement PUD, as reviewed by the Commission on January 22, included two apartment buildings within

20-feet of Carlos Street, which is less than the minimum setback required in the adjacent single-family zoning district. In response to comments received regarding this setback, the applicant has revised the site plan so that no buildings will be closer than 20-feet from the Carlos Street right-of-way.

D. Preference for Local Residents and Workers

Although this is not a topic that is directly addressed by the proposed Amendment, and will be determined when a development permit is considered, many speakers at the January 22, 2020 meeting expressed a desire that the applicant increase its stated intent to reserve more than 50% of units for people that currently live or work on the Coastside. The applicant has been working with the Department of Housing, who is contributing County housing funds to the future development of the site, to determine if this preference ratio could be increased, and if so, by how much. It has been concluded that a 75% local preference is the largest preference ratio that can be supported without violating the Department's responsibility to distribute these funds in a manner that is equitable to all County residents.

IV. Response to Comments

A. Summary Response to Comments and Concerns

1. Circulation Impacts

As detailed in the prior staff report and presentation, the Amendment will reduce the maximum amount of development that may be permitted on the site, subject to future coastal development permit (CDP) and CEQA review. The Amendment therefore reduces the impacts on safety and circulation that would result from construction of the existing PUD.

Nevertheless, it is recognized that there are deficiencies in the local circulation system that require careful consideration of the relatively small but potentially significant contribution to these problems that future development may have. The applicant and the County have been working to address these potential impacts by identifying the specific improvements that should accompany project construction, and by developing a comprehensive plan to address long term regional impacts on Highway 1, known as Connect the Coastside (CTC).

With regard to project specific mitigation measures, the scope of the circulation improvements that staff expects to be recommended as conditions of future permit approval include: closure of the Carlos Street/Highway One intersection to non-emergency vehicles; modifying the design of the entrances and exits of the project site to promote pedestrian and bicycle use; improving pedestrian and bicycle routes between the project site and downtown Moss Beach using a mix of signs, roadway paint, and sidewalk improvements; improving nearby bus stops with waiting platforms, benches, and/or shelters based on SamTrans specifications and approval; and

contributing to the installation of an intersection control (i.e., signal or roundabout) within the Highway One Moss Beach corridor, most likely at California Avenue. While the preference is for a roundabout, the cost and technical challenges of roundabout installation may necessitate a light signal, at least on an interim basis. Please refer to Attachment B for a more detailed list of the circulation improvements that will be refined and potentially recommended as conditions of permit approval depending on the results of the proposed Amendment.

These improvements are consistent with, and will help carry out, the goals of CTC, which is currently in draft form and undergoing public review. A number of speakers at the January 22, 2020 Planning Commission meeting suggested that no decision should be rendered on the Amendment until the CTC is approved. The Planning and Building Department believes it is appropriate to move forward with the Amendment while the CTC is under review because the public review draft presents a menu of feasible measures that can be required to ensure the reduced intensity of development proposed by the amendment will not have adverse impacts on traffic, circulation, or coastal access. There will be adequate time between the CCC's action on the proposed Amendment, and the County's future consideration of a CDP application, to address public comments on the CTC and develop recommended conditions of approval that align with the most recent version of the CTC Plan at the time of permit consideration.

2. Wildfire Safety and Evacuation Routes

Wildfires and evacuation routes was another concern raised by many participants at the January hearing. Numerous speakers commented on the high fire risk that exists on the Coastsides, and the limited number of evacuation routes out of Moss Beach if a wildfire were to erupt in the surrounding hills. There were also several comments regarding the elevated fire hazard that exists on the subject parcel and adjacent areas. The developed areas of Moss Beach and Montara that surround and include the subject parcel are not within designated fire hazard areas as indicated on the Fire Hazard Severity Zones maps prepared by CalFire. Nor are these areas within the California Public Utility Commission's latest mapped fire threat areas. The subject parcel is undeveloped and the vegetation on it has not been managed for wildfire prevention. Development of this project will result in a reduced fuel load on the parcel through the removal of dead trees and other highly flammable vegetation. As part of this project, the applicant intends to plant and maintain native, drought resistant landscaping that will be managed by the applicant in such a manner as to reduce fire risk to their residents and the community as much as possible.

With regards to evacuation routes, the County Fire Marshal, in conjunction with emergency response agencies throughout the County, have developed standardized emergency evacuation zones. This information is set to be launched this summer through a publicly accessible platform called Zonehaven. This online tool will provide first responders and the public immediate evacuation information in the case of a wildfire or other disaster. The platform will allow agencies countywide to decide when and where to evacuate and to monitor evacuation route traffic in real time. It is also available in real time for the public to see if their zone is evacuated.

Concerns were also expressed regarding the operation of the Devil's Slide Tunnels during a planned public safety power shutoff, which could result in the temporary closure of the tunnels. To avoid such a scenario, CalTrans has begun design and construction work to install a back-up generator for the tunnel which should be completed within 8-12 months.

3. Alternative Locations

Many speakers at the January 22, 2020 hearing expressed general support for affordable housing, but consider the subject site to be an inappropriate location for such development. Some of these speakers indicated that they would support the project if it was located within or closer to the City of Half Moon Bay.

While the subject site is not free from constraints, it has many attributes that make it suitable for the PUD envisioned by the amendment:

a. The site is Specifically Designated for Affordable Housing.

The LCP's designation of the site for affordable housing recognizes that it is extremely difficult to find sites within the coastal zone where affordable residential development can be constructed. There are a total 3 sites designated for affordable housing in the Midcoast, including the subject site. An "Alternatives Report" that discusses the two alternative sites, and the feasibility of developing them, is available at: <https://planning.smcgov.org/sites/planning.smcgov.org/files/8.%20AlternativesAnalysis%20-%20UPDATE%204-19.pdf>).

Limited land availability and infrastructure, restrictive zoning, and the costs of land acquisition and construction, among other things, all contribute to this challenge. While there are likely many locations on a map of the Midcoast where affordable residential development may be desirable, it is likely that few if any of them would prove to be a viable affordable residential development site for these reasons. For those sites that do prove to be viable, the construction of more affordable units will be welcome, as the need for such units far exceeds what is currently planned or available.

b. Water and Sewer Capacities are Reserved

As required by the LCP, the municipal service provider has reserved water and wastewater treatment capacities for future development of this site. To the Department's knowledge, there is no water available to serve affordable housing unless it is located on a site designated for that purpose, for which water service capacity has been held in reserve.

c. No Sensitive Habitats or Coastal Viewsheds will be Impacted

Protecting the natural and scenic character of the coastsides is a primary objective of the LCP. In order to achieve this goal, and meet the needs of current and future generations, the LCP carefully identifies areas that are eligible for development which

avoid impacts to important costal resources. The ability to construct affordable housing without impacting such resources makes this site unique and appropriate for this purpose, as alternative locations may not be free of such constraints.

B. Response to Written Comments

1. Comments Submitted by Commissioner Ketcham

a. Add DR designation:

For consistency and ease of reference, I think adding the DR designation is preferable to wording embedded within the PUD.

Staff Response: Staff concurs. The appropriate changes will be made to the draft ordinance to reflect this change.

b. PUD - Affordability:

The staff report and proposed PUD-140 imply that both low and moderate incomes are included in the definition of households earning up to 80% AMI. The proposed wording for LCP Policy 3.15 amendment meets the affordability definition and also includes the necessary exception for the manager's unit, which was left out of the PUD. Suggest the same wording for the PUD:

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

Staff Response: Staff concurs. The suggested wording is included in the revised draft ordinance.

c. PUD and 2-stage approval process

Process laid out in Ch. 9 of Zoning Regs says that before a new PUD is adopted, PC shall make specific findings on the precise plan. Those findings would normally be informed by full CEQA and CDP review of the project. By recommending adoption of PUD-140, the PC is at least approving the concept plan.

- *What is the difference between concept plan and precise plan?*

Staff response: Neither term – “concept plan” or “precise plan” is defined in the County’s zoning ordinance. The question before the Planning Commission is whether there is sufficient information to adequately assess the design of the project and what impact it will have on the project site and surrounding environs. Staff believes there is sufficient detail within the submitted plans to do this analysis.

- *(The Planning Commission) needs a site visit which should include viewing the access issues on Carlos Street from the northern terminus at SR-1 to Etheldore, as well as the steepness of California Street as the only alternative. It would be helpful to have some stakes on site showing the long edge of the building proposed at 11-ft setback and a pole at each end indicating the height.*

Staff Response: Unfortunately, the State’s Shelter in Place order prevented the scheduling of this requested site visit. Individual Commissioners can visit the project site and surrounding neighborhood and are encouraged to do so. However, due to the SIP order, no public gathering for a field visit can be arranged at this time. With regards to the 11-ft. setback of the building closest to Carlos Street, the applicant has modified their plans by moving this building so that it maintains a 20-foot setback from the property line, consistent with the surrounding S-17 zoning district.

- *It would be helpful to see some examples of this reverse 2-step approval process.*

Staff Response: The process that is being followed is appropriate for a project in the coastal zone which necessitates an LCP Amendment. Since the approval of a CDP requires a determination that the development conforms to the LCP, CCC certification of the LCP Amendment must precede CDP approval by the County. This is consistent with the procedures recommended by the CCC for LCP amendments that are project driven, as it recognizes that the CCC may modify the Amendment in a way that could have a significant effect on project design. Given the potential for such changes, it does not make sense for an applicant to invest in the level of detailed design documents that must accompany a development permit application submittal.

d. Building Height

The proposed height standard does not mention either a number or method of measurement: “The maximum height of all proposed buildings shall not exceed two stories and shall conform to that shown on the conceptual plans presented to the Planning Commission on January 22, 2020.”

- ***Requested revised wording for PUD:*** *Buildings shall be limited to two stories and maximum height shall not exceed 28 feet. Building height shall be measured from the lower of natural or finished grade to the topmost point of the building immediately above.*

Staff Response: Subsequent to the January Planning Commission meeting, the applicant met with Commissioner Ketcham to further explore this issue. In response to that meeting, the applicant has requested the following modification to the proposed PUD zoning language:

SECTION D: BUILDING 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.

The requested wording will be included in the revised draft ordinance.

e. Permitted Uses:

Prefer this to remain a separate section, not tucked into Development Plan, such as:

- *Multi-family housing (include affordability restriction/definition here).*
- *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.*
- *Outdoor recreational uses for residents of the housing complex, such as tot lots, community garden, barbecue and play areas.*
- *Publicly accessible outdoor space with amenities such as trail, benches, exercise course.*

Staff Response: Staff concurs. A new section – “Permitted Uses” has been added to the ordinance.

f. *Development Plan:*

- *Grading: Please include wording to address abatement of lead in soil, and proper handling of asbestos in abandoned building materials.*

Staff Response: It was noted at the January hearing and in the site conditions information submitted by the applicant that there is lead contamination on the project site as a result of past land use during World War II. However, none of the information reviewed or studies to date indicate that there is a level of contamination that would render the site infeasible for affordable housing. If required, remediation or removal of contaminated soils will ensure that the site is safe for human use and habitation, and eliminate any health risks that may currently exist on the site.

- *Community building: perhaps delete here -- description in permitted uses seems more appropriate than specific square footage with no other info.*

Staff Response: The reference to the size of the community building has been removed.

- *I don't understand what is meant in last paragraph of this section: "No enlargement or increase in the number of buildings shall be allowed and no building or site design modifications shall be allowed until issuance of a Coastal Development Permit as part of Phase II of this project." This sounds like the square footage can be increased or the design modified after CDP is issued? Or during the CDP approval?*

Staff Response: The cited language was intended to recognize that minor modifications to the site plan adopted as part of the PUD could be made as part of the review and approval of a future development application. Such changes could not increase the number or height of building identified by the site plan. This section of the proposed Ordinance has been clarified.

g. Parking:

Should wording be added to address potential future issue of overflow off-site parking so that additional onsite parking could be added later without amending the PUD?

Staff Response: The wording in Section K of the Ordinance states that the applicant must provide a minimum of 142 parking spaces. If, at a future date, the applicant wished to create more parking spaces, it would not require amending the ordinance

h. Setbacks:

Since the referenced concept plan setbacks result from feedback at early community meetings held by the applicant, it seems important to include the goal here, to “cluster the development near the center of the parcel and preserve approximately half the site as open space.”

Staff response: Staff concurs and this language has been added to the Goals section of ordinance. Also, please reference the previous discussion regarding adjustment to the setback of the two buildings along the Carlos Street property line.

2. Comments from the Midcoast Community Council

In the period after the January hearing, Staff received a request from the MCC to include responses to all three of the comment letters that the Council had submitted regarding this project. Those comments are listed below:

a. May 22, 2019 comments

In the updated Cover Letter, in response to earlier MCC comments, it states:

The proposed live-work preference for the project will ultimately be determined by San Mateo County. In earlier meetings and documents, the preference for renters who work in the area was said to be part of the MidPen Housing application process. Please clarify how the County will determine this, and under what process.

Staff Response: San Mateo County's Department of Housing (DOH) has contributed approximately \$4.5 Million in Measure K funding to Cypress Point. Measure K is funded by revenues from a County-wide half cent sales tax. The large Measure K contribution to this project will result in a County deed restriction on approximately 49% of the units at Cypress Point. Because Measure K is paid by residents County-wide, DOH typically does not allow the exclusion of residents of any County jurisdiction for its deed restricted units. However, the County recognizes the great need for affordable housing

in the coastal County region and the challenges facing low-income families living or working on the coast to access affordable housing in the County's bay-side region. In order to balance the affordable housing needs throughout San Mateo County with the unique challenge to deliver affordable housing in the County's coastal region, DOH will permit 52 (approximately 75%) of all homes at Cypress Point, which includes half of the County-restricted units, to be preferenced for individuals and families who live or work in the greater Moss Beach region.

In the Policy Consistency Evaluation document, it states:

The project would consist of two-story buildings with roof heights varying between 32 and 36 feet. Considering the elevation of the project site and existing on site trees to be retained, the project would not appear out of scale with the community. Related statements are made in the Aesthetic Visual Resources document in sections 2 and 6, with both sections stating "Less than Significant Impact". The MCC disagrees, and regards this as a Significant Impact.

As the MCC has stated many times in the past, we believe that building heights above 28 feet are a problem for the Midcoast, impacting views, and increasing perception of high mass in developments. This is particularly true with 18 buildings in close proximity. We request that the maximum height be limited to 28 feet to be consistent with existing Midcoast standards. This could easily be done by having a lower pitched roof than is shown in the preliminary design drawings. There is no need for a 4 in 12 slope roof in this area, and many homes have significantly lower slopes. The comparison to the height of the existing water tanks is not relevant, in our opinion.

Staff Response: See previous discussion above regarding height and mass.

Please list all the changes proposed to the PUD Zoning for this parcel.

Staff Response: The proposed changes to the current PUD were listed in the following table contained in the January 22, 2020 staff report, which has been updated based on the changes to the Amendment proposal that have been made since that time:

Development Standard	Existing PUD-124	Proposed PUD-140
Project Density	Medium High Density: 52 Affordable d.u. 96 Market Rate d.u.	Medium Density: 71 Affordable d.u.
Building Setbacks		
West:	20 feet	<u>20</u> 44 feet
East:	20 feet	182 feet
North:	40 feet	135 feet
South:	20 feet	156 feet
Total Impervious Surface:	46% of project site (220,814 sq. ft.)	23.44% of project site (112,600 sq. ft.)

Building Height	28 feet avg. (two stories)	28 32—36 feet <u>max avg.</u> (two stories)
Parking	Approx. 300 spaces	<u>Minimum of</u> 142 spaces

In the Energy Report, in the Impact Analysis section, is this paragraph:

CONSTRUCTION ENERGY USAGE

Project construction would require site preparation, site grading and excavation, trenching, interior architectural finishing, paving and landscaping. Construction would be typical for the region and building type, and the project site does not include unusual building challenges that would require unusually high energy usage. The importation of a maximum of 7,000 cubic yards of fill material would be required, which would result in a maximum of 692 haul truck trips, as indicated in the California Emissions Estimator Model (CalEEMod) modeling estimates in the Air Quality Technical Report.

We are concerned about the amount of fill, and particularly the number of haul truck trips to bring it to the site. We would suggest a design change to minimize the amount of fill required for the project, and if at all possible, to use cut and fill methods, rather than importing fill.

Staff Response: This topic was discussed in the January 22 staff report. Staff’s response from that report is provided below:

“This concern will be analyzed and discussed during the development review process, and does not require a revision to the proposed amendment to ensure that it will be adequately addressed. The details of the needed site preparation activities, and the ways in which impacts associated with grading and fill activities can be reduced will be fully vetted at the CDP stage. Minor modifications to the PUD site plan, as necessary to minimize construction impacts can be approved administratively, provided that they are reasonably consistent with the site plan and fulfill the conditions of the CDP that is required to construct the proposed PUD. For example, adjustments to the precise location of buildings could be altered a foot or two to preserve a particular tree, or the proposed elevation of a building pad could be adjusted to reduce grading and impacts associated with that activity.”

With respect to the updated evaluation of traffic impact and mitigation, we appreciate the inclusion of transportation alternatives, and discussion of roundabouts, rather than just signals. The Council requests that the PUD zoning change not be approved until after Connect the Coastside is finalized and approved by the Coastal Commission.

Staff Response: Please refer to Section IV.A.1 of this report.

b. September 26, 2018 comments

Hazardous Materials

Additional soil sampling should be performed, as recommended in the Phase 2 report, to assess the horizontal extent of lead-impacted surface soils.

Staff Response: This topic was discussed in the January 22 staff report. Staff's response from that report is provided below:

“Additional soil sampling has been performed, as documented by the ‘Additional Subsurface Investigation and Water Well Evaluation’ report, which states:

Lead was detected in each of the soil samples analyzed from the 0.0-foot depth in Borings CS-1 through CS-6. Detected concentrations of lead ranged between 13 and 290 milligrams per kilogram (mg/kg). Of these concentrations, lead was found to exceed its applicable RWQCB ESLs for residential land use and any land use/any depth (for construction workers) at only one (1) location, Boring CS-3 (at a concentration of 290 mg/kg), which lies slightly north of Boring B-7.

As discussed with MidPen Housing Corporation, the Site will be redeveloped for residential land use. During redevelopment, the entire Site will be graded and the potential exposure to lead impacted soils will be removed.

This investigation indicates that construction preparation activities, if approved in the future, will necessitate the excavation of soils to the extent that the potential for exposure to unhealthy levels of lead will be eliminated. The development review process (Phase 2 of this project) will provide an opportunity to confirm this assumption, and identify additional remediation activities that may be necessary.”

Remnants of 1940's-era buildings should be assessed for asbestos-containing materials, and surface soils should be analyzed for elevated levels of asbestos fibers.

Staff Response: This topic was discussed in the January 22 staff report. Staff's response from that report is provided below:

“Potential environmental impacts associated with demolition activities will be addressed during the development review process for any construction project proposed on the site. The proposed amendments do not have any effect on this requirement. Safely eliminating the hazards associated with these abandoned structures is likely to be a beneficial impact of potential future development.”

Traffic Impacts and the Comprehensive Transportation Management Plan (CTMP)

It does not serve the community or the project, to attempt to determine key circulation elements for Moss Beach absent an approved long-range Comprehensive Transportation Management Plan (CTMP), aka Connect the Coastside.

Staff Response: Please refer to Section IV.A.1 of this report.

c. August 22, 2018 comments

Midcoast Residential Build-out

MCC has consistently advocated for the need to significantly reduce Midcoast residential build-out. The proposed LCP amendment would reduce land use density for this 11-acre parcel from medium-high to medium. Residential build-out numbers currently allocated to the parcel would be reduced by more than half, from 148 to 71 units.

Staff Response: comment noted.

Affordability and Residency Preference for Local Workers

A stated project objective is to improve the jobs-housing balance in the Midcoast region; however, Midcoast housing far exceeds local jobs. The applicant has stated they would not be legally allowed to restrict housing to those with local jobs, but that a portion of the units will include a preference for households who already live or work in the region. MCC would prefer that the preference apply to all units. Every new residential unit that does not provide affordable housing for our local workforce, adds to our coastal jobs/housing imbalance and traffic congestion.

Staff Response: Please see Section IV.B.2.a of this report.

The requested amendment to LCP Policy 3.15(d) calls for all units, apart from resident manager's, to serve low- or moderate-income households. Elsewhere in the submittal the project consistently proposes all units restricted to low income (less than 80% AMI). MCC requests that the proposed LCP amendment match the rest of the submittal regarding low income affordability.

Staff Response: The proposed language in the amendment has been updated.

Construction Phasing

Construction is proposed in one phase, over approximately 18 months. If built in two phases, would there be more opportunity for residents with Coastside jobs to receive preference? Approving more than the annual limit of 40 residential units/year cannot be justified if many of those units will go to residents commuting to jobs out of the area.

Staff Response: As discussed previously, whether the project is constructed in two phases or one will not determine the final number of units that will have a live/work preference placed upon them. This is dictated by the funding sources. The County's ability to authorize the development of more than 40 unit per year, for the purpose of

accommodating an affordable housing project, is established by the LCP and will be addressed during the review of the required CDP.

Public Transit

The project site is located on the Hwy 1 corridor adjacent to SamTrans Route 17 bus stops at 14th & 16th. Route 17 directly reaches Coastside job hubs in Half Moon Bay, Princeton, and Pacifica (10 minutes to Linda Mar and 25 minutes to downtown HMB). Current #17 service is hourly on weekdays, and every two hours on weekends. However, on weekdays at this location there is no southbound AM or northbound PM service when #17 is routed via Sunshine Valley Road (SVR). Route #18 has limited weekday service to Middle and High School in HMB but is also routed via SVR. Outside those hours, ridership utilizing SVR bus stops is very low and the more direct route on Etheldore and Highway 1 better serves other riders.

Mitigation TRAF-5B: The applicant proposes to address the safety of pedestrians crossing to the adjacent southbound bus stop at the lighthouse hostel by eliminating it and re-routing all buses via SVR. That would also eliminate the Hwy 1 bus stop at 14th, and Etheldore stops at California and Vermont. The closest bus stops to the project would then be 1/2 mile to 7th/Main or 3/4 mile to Etheldore/SVR, well outside the 1/4-mile range of convenience.

This proposal ignores the need for safe crossing at lighthouse/16th for the Coastal Trail, and inefficiency of SVR during non-school hours and travel direction. In order to serve the project, it would be better to keep the adjacent bus stop at the lighthouse hostel and explore re-routing all Route 17 trips to Hwy 1 and Etheldore, and leaving Route 18 to serve school riders on SVR.

This project highlights the urgent need for expanded Coastside public transit. Without convenient school and commuter bus service at this location on the highway corridor, or a project-sponsored shuttle to and from local jobs, this project cannot be justified.

Bike/Pedestrian Safety & Mobility

For pedestrian safety, Mitigation TRAF-5A proposes a sidewalk connection between the project entrance on Carlos to the north side of Sierra Street. The need for safe highway crossing at the lighthouse/16th cannot be brushed aside by saying there is no need for residents to cross the highway because the bus stop has been removed. East side residents, workers and visitors all need to be able to conveniently walk or bike to the west side for recreation. Two crossing concepts for the lighthouse/16th were included in the 2012 Mobility Study – a raised median refuge island for 2-stage crossing and an overcrossing to the south where the road cut makes that feasible. The proposed project, with a significant number of new bike/ped/transit users, makes a safe crossing urgent.

If this housing project is to proceed, the Parallel Trail segment in this area must be prioritized and implemented, at a minimum between downtown Moss Beach and 14th St. Creating a bike/pedestrian-friendly community and calming highway traffic will help draw the kind of neighborhood commercial businesses needed to serve existing and future residents.

Vehicle Highway Access & Safety

Carlos Street:

Mitigation TRAF-2B proposes to decrease hazards by closing Carlos St north of the project entrance to all vehicles except emergency services. The Mobility Study and Connect the Coastside show this intersection as right turn only entering the highway and continued use of the center left turn lane eastbound into Carlos. Traffic counts show significant existing peak hour traffic from Sierra and Stetson using this route, which should remain available. Feasibility of re-routing Carlos to 16th for safer vehicle highway access needs further analysis. It is insufficient to say it is not feasible due to grading requirements and Level of Service (LOS) impact on 16th St, which has only three residences.

Vallemar/Etheldore and lighthouse/16th:

Mitigation TRAF-3B proposes to address LOS by restricting peak hour left turns entering the highway at Etheldore/Vallemar. Left turns would be reassigned to Calif/Wienke. This would be a significant re-route for Vallemar which does not connect directly to Wienke and would add trips to that complicated 5-way intersection. As long as there is lane space on Vallemar so that left turning vehicles do not block those turning right, turning movements should not be restricted simply to achieve a better LOS rating. A similar right-turn-only restriction proposed for lighthouse/16th during PM peak period seems unnecessary to address LOS at that very lightly used intersection.

California/Wienke:

Mitigation TRAF-1A proposes to address LOS by converting intersection control at California/Wienke to roundabout or signal, to be determined by ICE study required by Caltrans. California meets the signal warrant under existing conditions. Additional project trips at this intersection should be re-calculated for keeping Carlos open and should also consider that all new and re-assigned traffic will not necessarily use California for highway access. When a queue builds, motorists often choose among the three other adjacent intersections to spread out the wait time to enter the highway. MCC and the community are adamantly opposed to any more traffic signals in the Midcoast. A signal at California, stopping highway traffic, and added pollution-spewing stacking lanes further splitting our town, would destroy the community vision for a context appropriate village circulation plan as was outlined in the Safety & Mobility Study. A roundabout at each end of Moss Beach would calm traffic without stopping it, provide safe pedestrian crossings, and convenient U-turns to avoid making left turns onto the highway, improving LOS at all intersections.

Staff Response: Please refer to Section IV.A.1 of this report.

Discrepancies in submittal documents

Consistency Evaluation

Table 1, LCP Policies:

Policy 3.16(a) - "limits the number of building permits in any 12-month period to 60".

Correction: not building permits, but affordable housing units.

Staff Response: Correction noted.

Policy 3.3: “A portion of units in the project will include a preference for households who already live or work in the region.”

Other references in the application make no mention of limiting this preference to a portion of the units. Please clarify.

Staff Response: Please refer to Section IV.B.2.a of this report.

“According to census data compiled in 2016, the three adjacent communities of Montara, Moss Beach, and El Granada – all of which are within 6 miles of the project site – contain 1,364 jobs.”

Does this include jobs in Princeton and unincorporated Miramar?

Staff Response: Yes.

“The project is within 1/4 mile walking distance of the Coastside Market grocery, Moss Beach Park, Farallone View Elementary School, and the Seton Coastside Medical Center.”

Correction: Coastside Market (a liquor/convenience store) and Moss Beach Park 1/2 mile, Farallone View School 1 mile, Seton Medical Center 1.2 miles.

Staff Response: Corrections noted.

Table 4 Community Plan 7.2(b): “The project would consist of two-story buildings with roof heights varying between 32 and 36 ft.”

This conflicts with PUD-124, #5: “No structure shall exceed two stories or an average height of 25 ft.” Adherence to the lower height limit will help with neighborhood visual compatibility.

Staff Response: Please refer to Section III.B of this report.

Cumulative Impacts Analysis

*Table 3 – List of Reasonably Foreseeable Projects
HMB and Pacifica included comprehensive list with single-family dwellings. SMC unincorporated Midcoast includes only Big Wave, Harbor Village RV, 7th St Hotel, Main St Hotel. The mixed-use building at Hwy 1/Virginia and the many Midcoast single-family dwellings in the permitting process should be included.*

Staff Response: Comment noted. Staff will update this table with the above cited projects prior to submittal of the Amendment to the Coastal Commission.

3. Comments from Brian Gaffney (January 22, 2020)

a. Environmental Review Requirements

I. San Mateo County Must Conduct Environmental Review of the Discretionary Approvals the County Will Consider for the Project.

The proposed Cypress Point project includes proposed amendment to the San Mateo County General Plan to change the land use designation of APN 037-022- 070, amendment to the County's Zoning Map, amendment of the County's zoning text, and creation of an entirely new Planned Unit Development (PUD) designation for the project site. Each of these proposed changes are discretionary acts which the County may or may not approve.

If the San Mateo County Board of Supervisors approves the proposed changes to the LCP, these LCP amendments will need to be subsequently certified by the California Coastal Commission. The approval of the LCP amendments by the California Coastal Commission is exempt from the requirement to prepare an EIR, but not exempt from CEQA's substantive requirements.

The County is required to conduct its own environmental review of the discretionary approvals the County will consider for the project, and cannot rely upon the Coastal Commission's compliance with CEQA. Further, the County must not defer its environmental review until subsequent review of a Coastal Development Permit (CDP).

Staff Response: Staff disagrees with these assertions based on our reading of CEQA and experience processing LCP amendments and CDP's. In accordance with CEQA, the County's processing of the LCP amendments and implementing zoning amendments are subject to a CEQA exemption. (Pub. Resources Code § 21080.9).

Following the County's submittal, the CCC will conduct an environmental review of the proposed Amendment that is the functional equivalent of CEQA. (14 Cal Code Regs §15251(c),(f)). The applicant's consultants have prepared a set of technical reports that are publicly available and will be evaluated during a CCC's functionally equivalent CEQA review. If the Amendment is certified by the CCC, the County will need to determine if it is willing to accept any conditions the CCC places on its certification, which could necessitate changes to the site plan proposed by the Amendment. Assuming any such modifications are accepted, the applicant will need to submit a detailed development application that will enable the County to conduct a project level CEQA review.

While a "Local Coastal Program" includes a local government's land use plans, zoning ordinances, and zoning district maps, not all such plans and zoning constitute the LCP. By statute it is only those plans and zoning which "implement the provisions and policies" of the Coastal Act at the local level." (Pub. Res Code 30108.6.) Here, there is

no showing the general plan amendment and zoning changes implement the Coastal Act.

Likewise, the creation of an entirely new Planned Unit Development, designation for the project site, PUD-140, is a discretionary action by the County which will result in foreseeable physical environment changes, i.e. development of the site. Amendment of the PUD is not necessary for amendment of the LCP. In fact, the PUD designation is clearly not part of San Mateo County's LCP.

Staff Response: Mr. Gaffney is incorrect in stating that the County Zoning Regulations, including the existing PUD, are not a part of the LCP. As described in the CCC documents prepared in conjunction with LCP certification, the sections of the County Zoning Regulations that apply within the coastal zone are a key component of the LCP's Implementation Program. Accordingly, any changes to these Zoning Regulations constitutes an LCP Amendment requiring CCC certification.

II. Review by the Coastal Commission Is Limited To Conformance with Coastal Act and Coastal Resources.

The Coastal Commission's review of an LCP amendment is limited to a determination that the amendment is or is not consistent with the coastal zone values cited in Section 30001 of the Act, as well as its conformance with the requirements of Chapter 3 (commencing with Section 30200) of the Coastal Act.

As such, the Coastal Commission's environmental review necessarily will not reach to reasonably foreseeable environmental impacts of the proposed project beyond impacts to coastal resources. For example, consideration of traffic impacts may not extend to analysis of traffic impacts to neighborhood streets. Likewise, the adverse impacts of the project on emergency evacuation of Moss Beach may not be reached by the Commission's review – as such impacts while potentially adverse and significant – do not pertain to coastal resources. Therefore, review by San Mateo County of environmental impacts cannot be avoided on the assertion that Coastal Commission review will substitute.

Staff Response: The focus of the CCC's review does not change the fact that the LCP Amendment review process has been determined by the Secretary of Resources to be the functional equivalent of CEQA. There is no effort by the County to "avoid" the review of environmental impacts. The Planning and Building Department is following well established procedures and making sure that all applicable requirements are being appropriately addressed at the right time in the process. As noted above, once the CCC takes action, the applicant will need to submit a detailed development application that will enable the County to conduct a project level CEQA review. Such review will cover any County- and project-specific environmental impacts not considered in the CCC's functionally equivalent CEQA review.

b. Zoning Requirements

III. The County Has Failed to Follow Its Own Zoning Regulations in Review of the Proposed Project.

A. The CDP Is Not Being Considered Concurrently with Other Project Approvals.

*San Mateo's Zoning Regulation require that an application for a Coastal Development permit "shall" be made **prior to or concurrently with** application for any other permit or approvals required for the project by the San Mateo County Ordinance Code. Zoning Regulation 6238.7. Likewise, "to the extent possible, action on a Coastal Development Permit **shall** be taken concurrently with action on other permits or approvals required for the project. Zoning Regulation 6328.9.*

Here, however, the County will not follow its own zoning regulations. The County will not consider the CDP until after amending the LCP, General Plan, zoning and PUD. Moreover, the purpose of this impermissible 2-stage review is to avoid analysis of impacts, mitigation measures and alternatives until the subsequent CDP review.

Staff Response: The cited sections of the Zoning Regulations clearly applies to permit approvals, not Plan and Zoning amendments. It is intended to address projects that require multiple permits types (e.g. Design Review, Grading, and Coastal Development Permits), for the purposes of consolidating the hearings on a specific development proposal and ensuring that all construction related issues are dealt with comprehensively.

In this case, any future proposal to construct an affordable housing project at the subject location will require a Design Review Permit, Grading Permit and CDP. In accordance with the Zoning Regulations cited by the commenter, consideration of these permits will be consolidated into a single project case file and action. What is currently before the Planning Commission is a LCP Amendment, which for reasons previously described, would be inappropriate to consolidate with the review of development applications that are reliant upon the CCC's certification of the Amendment.

B. The County Is Not Following the Proper Procedure for Adoption of a New PUD District.

Zoning Regulation 6191 mandates that no PUD District shall be enacted for any area unless and until the Planning Commission shall first have reviewed a precise plan of the subject area and its environs, and found that the proposed zoning of the area would be in harmony with said plan, and would not be in conflict with the County Master Plan, or with any other current land use plan for a sub area of the County previously adopted by the Planning Commission.

1. Review of Conceptual Not Precise Plans.

The Planning Commission will not review a precise plan of the subject area and its environs. In fact, proposed PUD-140 only refers to "conceptual development plans presented to the San Mateo County Planning Commission on January 22, 2020," a "Conceptual Grading Plan," and a "conceptual landscape plan." Such "conceptual" plans can not constitute the precise plans to be reviewed by the

Planning Commission. Thus, the County has not complied with Zoning Regulation 6191.

Staff Response: The commenter overstates the significance of the term precise plan, which is not defined by the regulations and has different applications based on the context of a particular PUD application. For example, outside of the coastal zone, in zoning districts where there will be no discretionary approvals required after a PUD is approved, the PUD must contain sufficient detail to ensure it will be carried out with all relevant requirements.

In the coastal zone, where an LCP Amendment is required to establish or amend a PUD, the context is different. There are many levels of approval required, to first obtain CCC certification of the amendment, and then to obtain approval of the development and construction plans. In such cases, the level of detail required for the Amendment should be adequate to enable decision makers to determine if the plan and zoning changes comply with the relevant standards of review (i.e. consistency with the Coastal Act and the LCP Land Use Plan), recognize that changes to the propose site plan may be required by the CCC, and acknowledge that detailed plans that conform to the terms of the certified Amendment will be submitted for detailed consideration at the time of permit review.

2. No Evaluation of Conflict With the San Mateo General Plan.

In evaluating compliance with Zoning Regulation 6191, the Staff Report vaguely asserts that “Based on the previous discussion in the LCP Compliance Section of this report (Section A.2), the proposed PUD Zoning District regulations, for this parcel, are in harmony with applicable LCP policies. Section A.2 is a purported evaluation of the Consistency of Zoning Amendments with the San Mateo County Local Coastal Program Land Use Plan.

Neither in Section A.2 nor under compliance with Zoning Regulation 6191 does the County evaluate consistency of the proposed project with the San Mateo General Plan and its various policies.

3. No Evaluation of Conflict With the Montara-Moss Beach-El Granada Community Plan. According to the San Mateo County General Plan, the project site is located in the Montara-Moss Beach El Granada community plan area. See Attachment H to the January 22 Staff Report. The County adopted the Montara-Moss Beach-El Granada Community Plan in 1978. According to the General Plan such Plans are “part of the General Plan and contain more specific policies for certain geographic areas.” The San Mateo County General Plan explains that “Area Plans allow for more local application of General Plan element policies.” Despite this, the Planning Commission has not evaluated the proposed project’s compliance with the Montara-Moss Beach-El Granada Community Plan.

Staff Response: The LCP Land Use Plan is a component of the General Plan, and is consistent with, and more specific than, the broader General Plan Policies it carries out. The Montara-Moss Beach-El Granada Community Plan was adopted prior to the LCP, and the policies and regulations contained in the LCP were crafted to help carry out that plan. Accordingly, a determination that the Amendment is consistent with the LCP is

equivalent to confirming that no conflict exists with the General Plan or Community Plan.

The additional comments contained in Mr. Gaffney's comment letter include the following two allegations:

c. Adequacy of Staff Report

The Staff Report and its Attachments do not adequately analyze environmental impacts and mitigations.

Staff Response: The proposed Amendment, when submitted for CCC review and certification, will be accompanied by the analyses contained in the staff reports prepared for this matter, as well as the 21 technical reports submitted by the applicant, which are available on the County's website. The CCC will determine if it requires additional environmental information to complete its analysis when CCC staff reviews the Amendment submittal for completeness.

d. LCP and Coastal Act Consistency

The proposed project is inconsistent with the Coastal Act and the San Mateo County LCP.

Staff Response: The comments under this topic have been responded to elsewhere in this memorandum, and in the report prepared for the January 22, 2020 meeting. The changes and clarifications made to the Amendment since that hearing address to some of these comments.

Attachments

- A. Planning Commission Recommendations
- B. Proposed Resolution
- C. Proposed Zoning Amendment Ordinance
- D. Preliminary Circulation Improvements Plan

Attachment A – Planning Commission Recommendation

County of San Mateo
Planning and Building Department

PLANNING COMMISSION RECOMMENDATION

Permit or Project File Number: PLN 2018-00264 Hearing Date: June 10, 2020

Prepared By: Michael Schaller For Adoption By: Planning Commission

PLANNING COMMISSION RECOMMENDATIONS

Regarding the Local Coastal Plan Land Use Map Amendment

The Planning Commission recommends that the Board of Supervisors:

1. Direct staff to submit the attached resolution proposing to amend the San Mateo County Local Coastal Plan Land Use Map to change the subject parcel's Local Coastal Plan Map designation from "Medium High Density Residential" to "Medium Density Residential" for California Coastal Commission certification.

Regarding the Local Coastal Program Land Use Plan Amendment

The Planning Commission recommends that the Board of Supervisors:

2. Direct staff to submit the attached resolution proposing to amend San Mateo County Local Coastal Plan Policy 3.15(d) to read: 100% of the total units constructed on the site (with the exception of the manager's apartment) are reserved for low-income households (defined as households earning up to 80% of the Average Median Income") for California Coastal Commission certification.

Regarding the Zoning Amendments

The Planning Commission recommends that the Board of Supervisors:

3. Direct staff to include Exhibit A to the attached Resolution, to be submitted for Coastal Commission certification. Exhibit A proposes to amend the San Mateo County Zoning Regulations by repealing the existing PUD-124 designation and regulations, adopting the proposed PUD-140 designation and regulations, and adding the Design Review Zoning Overlay to the parcel designated PUD-140.

Attachment B – Proposed Resolution

RESOLUTION NO. _____

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

* * * * *

RESOLUTION DIRECTING STAFF TO SUBMIT THE PROPOSED LOCAL COASTAL PROGRAM (LCP) AMENDMENTS FOR 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. 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 Mid-Coast area and designated the subject parcel (APN 037-022-070) as an "affordable housing" site; and

WHEREAS, in 1986, 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. This proposal is for 71 affordable dwelling units with no market rate housing component. The proposed rezoning reduces 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 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 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 Coastal Commission certification, the San Mateo County Local Coastal Plan Land Use Plan to change the text of Policy 3.15(d) as follows:

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.*~~

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 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 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

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.

Attachment C – Proposed Ordinance

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 Coastside 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.

* * * * *

Attachment D – Preliminary Circulation Improvement Plan

Cypress Point Preliminary scope of conceptual circulation improvements, subject to further evaluation and input

Pedestrian and bicycle access

Pedestrian and bicyclist access to site on Sierra Street or Carlos Street with inviting and walkable entry/exit and internal wayfinding to encourage pedestrian and bicycle route choice to transit stops at California Ave / Etheldore St along Sierra St / Stetson St.

- Internal wayfinding signage to encourage residents to walk and bike to local destinations.
- Facilitate pedestrian connections to transit stops at California Ave /Etheldore St through improvements along Sierra St /Stetson St:
 - Carlos St - Add sidewalks on Carlos St from project entrance to Sierra St.
 - Sierra St - Clear/plane existing sidewalk that fronts site on Sierra St from Carlos St to Stetson St.
 - Sierra St / Stetson St - Add high visibility crosswalk with advanced yield markings (2) and yield signs (2) for pedestrians to cross Sierra St to Stetson St on southeast corner. Add 1-way stop on northbound Stetson St.
 - Stetson St / Kelmore St - Add ramp with truncated domes on northeast corner if feasible with fire station configuration and drainage. Add high visibility crosswalk (1) to cross Kelmore St.
 - Stetson St / California Ave - Add high visibility crosswalk with advanced stop bar (1) to cross Stetson St (from northeast corner to northwest corner toward Etheldore St).
 - California Ave / Etheldore St - Add high visibility crosswalks with advanced stop bars (2) to access bus stops on southeast and northwest corners (2).
 - California Ave, S of Etheldore St - Add sidewalk on west side of California Ave where missing to connect to downtown Moss Beach.
- Provision of centralized and visible bicycle parking area with long-term (lockers or other), short-term bicycle parking, and bicycle repair station. Provide transportation information, including points of interest and walk/bike/transit options.
- Assist in implementation of the planned Class III Bikeways (per draft of Unincorporated San Mateo County Active Transportation Plan) by providing sharrows on Sierra St between project site and California Ave, and on California Ave between Sierra St and Carlos St.

Transit improvements and transportation demand management strategies

- Fair share contribution for accessible bus stops (NE and SW corners), if feasible, at California Ave / Etheldore St (design will accessibility per Americans with Disabilities Act of 1990 (ADA) design guidelines and SamTrans specifications), including providing bus bench at each.
- Implement a suite of transportation demand management strategies, including consideration of transit subsidies for regular commuters, promoting forthcoming City/County Association of Governments (C/CAG) pilot program to subsidize Waze Carpool and transportation network companies (e.g., Lyftshare) rides to transit during commute hours, and others.

Vehicular improvements

- Address sight distance and safety concerns at Carlos St / Highway 1 by converting Carlos St into emergency vehicle access only between Highway 1 and the driveway for the project site.
- Fair share contribution to intersection control at Highway 1 to mitigate project impacts. Recent traffic impact analysis identifies a need for intersection control at California Avenue and Highway 1; however, continued study and scenario planning will be taken to consider Vallemar St / Etheldore St and Highway 1, per the original recommendations of the Highway 1 Safety and Mobility Study: Phase 2. The final intersection control location and design (e.g., traffic signal, roundabout, and additional necessary infrastructure improvements to facilitate) will be influenced by ongoing long-range planning efforts (Connect the Coastside, Unincorporated San Mateo County Active Transportation Plan, Caltrans District 4 Pedestrian Plan, and others), County's fiscal standing in light of COVID-19, Caltrans approval and required Intersection Control Evaluation (ICE) analysis, environmental conditions and rights-of-way, and others.

Map of Conceptual Transportation Improvements

