

BUSINESS OF THE PLANNING COMMISSION OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **October 13, 2005**

TO: City Council and the Public

FROM: Jack Liebster, Planning Director
Wendy Brewer Lama, LCP Planning Consultant

TITLE: Discussion and Possible Adoption of Reports on Proposed Amendments to the City Local Coastal Program: Revisions to HMBMC Chapter 17.06 and 18.04; LUP Policy 9.4; and LUP Chapter 3. PDP 88-04.

RECOMMENDATION: Adopt two Reports to the City Council concurring in the Council's modifications to proposed amendments to the Local Coastal Program. The first addresses Subdivision Code Chapter 17.06, Zoning Code Chapter 18.04, and LUP Policy 9.4 to implement changes strictly required by Measure D of 1999. The second addresses amendments to LUP Chapter 3. The Council has asked the Commission to act at the October 13 meeting.

BACKGROUND: Since the adoption of proposed LCP amendments by the Planning Commission and the distribution of the Public Review Draft containing those amendments on April 29, 2005, the City Council conducted twelve additional public meetings to listen to and consider public comments and develop revisions to the proposed amendments in response.

At the Council's September 20, 2005 special meeting, this process culminated in the Council directing staff to submit to the Coastal Commission a set of revised measures to implement Measure D, and modifications to the amendments to Chapter 3 of the LUP (Environmentally Sensitive Habitats). In addition, the Council also directed the submission of Chapter 1 of the LUP and Policy 10-14A, the "Failed Wells" policy. These latter two items were unchanged since the Planning Commission's action and the April Public Review Draft, except for moving the Agriculture Goal up from #16 to #5).

As required in state planning law Government Code § 65857 and HMBMC Section 18.24.050 ("Amendments"), the Council does "not adopt an amendatory ordinance until it shall have first referred such proposal to the Planning Commission for a report." Therefore the Council also directed the Planning Commission 1. to consider the proposed changes to Chapter 3 and report back to the City Council at the Planning Commission's earliest opportunity; and 2. to consider the implementation of Measure D and to report back to the City Council, with the strong request the Planning Commission adopt its report on Measure D at the Planning Commission meeting on October 13, such that the City Council will be able to consider Measure D at the Council's October 18 meeting. To facilitate this, staff has drafted the attached two reports for Commission consideration and possible adoption.

Report on Implementation of Measure D: The Council's action was to adopt amendments that would contain only those amendments specifically mandated by Measure D of 1999, as the most

expeditious way to move such an amendment forward. These changes are made in Chapter 17.06 (the Measure A implementation ordinance), Chapter 18.04 (“Residential Growth Limitations”) and LUP Policy 9.4 (“Residential Growth Limitation”), as included in the attached report.

Report on Proposed Amendments to Chapter 3 : Chapter 3 (Environmentally Sensitive Habitat Areas, Marine And Water Resources) contains critical policies on ditches and other “constructed habitats” (Policy 3-1.B), the definition of wetlands (Policy 3-1.D), and the elimination of the buffer requirement for existing residentially developed lots, and where special status species are present, substituting instead measures to avoid adverse impacts (Policy 3-3(d)). The Report shows the policies of the current LUP that would be replaced in **Times Roman typeface with crossout**. The other crossout and underline shown represent suggested changes in response to public comments and Council review made to the version approved by the Planning Commission.

INTERAGENCY: This is the 35th meeting overall in the current program to amend the City of Half Moon Bay’s Local Coastal Program (LCP). Notice for public hearings and public participation has met the standards set forth in Commission Regulations Section 13515 and 13552(a).

AVAILABILITY OF LCP DOCUMENTS FOR PUBLIC REVIEW

The updated Public Review Draft, public workshop schedule and related materials are posted on the City’s website at www.hmbcity.com. From the Home Page, click on Planning and follow the navigation to the listing of hearings and applicable staff reports. Staff reports are also available for review at the public library and at City Hall. Public comments are welcome in writing as well as at the hearings.

ATTACHMENTS

- Attachment 1:** Draft Planning Commission Report to Council re LUP Policy 9.4, Chapter 17.06, and Chapter 18.04
- Attachment 1A:** Proposed revisions to LUP Policy 9.4 consistent with Measure D.
- Attachment 1B:** Proposed Amendment to LCP Chapter 17.06
- Attachment 1C:** Proposed Amendment to LCP Chapter 18.04

- Attachment 2:** Draft Planning Commission Report to Council re LUP Chapter 3
- Attachment 2A:** Proposed revisions to LUP Chapter 3

Jack Liebster
Planning Director

Debra Ryan
City Manager