

**BUSINESS OF THE CITY COUNCIL
OF THE CITY OF HALF MOON BAY**

**SUPPLEMENTAL REVISED
AGENDA REPORT**

For meeting of: **September 20, 2005**

TO: **City Council and the Public**

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

TITLE: **Revised Recommendation re Discussion and Possible Action on Proposed Amendments to the City Local Coastal Program: Revisions to Chapter 17.06 and LUP Policy 9.4 per Measure D; Failed Wells policy; LUP Chapters 1 and 3; and timing of future actions on these and other proposed amendments. PDP 88-04.**

RECOMMENDATION: Consider revised amendments to Chapter 17.06 and LUP Policy 9.4 narrowed to incorporate only changes strictly required by Measure D of 1999. Provide additional direction to staff on such amendments as well as the proposed Policy 10-14(a) ("Failed Wells policy") LUP amendment and amendments to LUP Chapters 1 and 3. Discuss and direct staff on future actions on these amendments and the balance of proposed LCP Amendment 02-05 draft published August 8, 2005.

BACKGROUND: At the September 15, 2005 special meeting, staff presented amendments to Chapter 17.06 (the Measure A implementation ordinance) to incorporate provisions of Measure D of 1999. The ensuing discussion clarified that revising Chapter 17.06 to contain only those amendments specifically mandated by Measure D of 1999 would be the most expeditious way to move such an amendment forward. Therefore staff is revising its recommendation previously distributed in the Agenda Report entitled "for the meeting of September 15 & 20, 2005" and Attachment 1 to that report as described below. The balance of that Agenda Report regarding the "failed well" policy 10-14(a), LUP Chapter 1 (Goals) and Chapter 3 (Environmental Resources), and the Attachments related to those matters remains unchanged.

CHAPTER 17.06 (MEASURE A): Attachment "1A" is a revised amendment to Chapter 17.06 Residential Dwelling Unit Building Permit Allocation System Ordinance which implemented Measure A of 1991 that is intended to contain only those measures strictly required by Measure D of 1999, and no others. Therefore, compared to the version of Chapter 17.06 discussed at the September 15, 2005 Council meeting, the following changes have been made:

- a. Section 17.06.005, Purpose and Intent: References to Measure D are added to subsections "A" and "B.3.iv."
- b. Section 17.06.020 - Annual Allocation: Outdated Sections 17.06.020.B and D are no longer deleted, but are renumbered (to "G" and "I") to accommodate the added sections A through E required by Measure D Section 3(2).

- c. Section 17.06.105 - Annual Allocation for Residential Infill Projects: Outdated references are no longer deleted.
5. Section 17.06.120.E.5 Owner Occupancy: The five points for owner occupancy are no longer deleted.
6. Section 17.06.120.E.8 Tie Breaking Procedure: The tie breaking procedure is no longer changed.

CONSISTENCY WITH LAND USE PLAN POLICY 9.4: State Planning law and the Coastal Act require consistency between the Land Use Plan (LUP) and the zoning ordinance. Policy 9.4 was added to the LUP in 1993 consistency with Measure A. Amendments to this policy have been proposed in both previous Public Review Drafts, most recently on August 8, 2005. However, in accord with the strict limitation to Measure D, certain deletions in the text are suggested to this latest draft as shown in Attachment 1B.

INTERAGENCY: This is the fifteenth hearing by the City Council, and the 34th 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 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 1A: REVISED Proposed amendment to LCP Chapter 17.06

Attachment 1B: Proposed revisions to LUP Policy 9.4 consistent with Measure D.

Jack Liebster
Planning Director

Debra Ryan
City Manager