



**COUNTY OF SAN MATEO
ENVIRONMENTAL SERVICES AGENCY**

Date: June 13, 2002

Set Time: 9:30 a.m.

Hearing Date: July 9, 2002

To: Honorable Board of Supervisors

From: Marcia Raines, Director of Environmental Services *WRaines*

Subject: Resubmittal of an LCP amendment for the Moss Beach Highlands Project to the Coastal Commission for certification.

County File Number: PLN 1999-00452

RECOMMENDATION

Adopt a resolution directing staff to resubmit the LCP amendment for the Moss Beach Highlands Project to the Coastal Commission for certification of conformity with the California Coastal Act, and clarifying that the County is willing to consider modifications to the LCP amendment, if recommended by the Coastal Commission.

PROPOSAL

Staff is proposing that the Board direct staff to resubmit the Local Coastal Program (LCP) amendment for the Moss Beach Highlands Project to the Coastal Commission for certification, by adopting a resolution, Attachment A. The resolution also clarifies that the County is willing to consider modifications to the LCP amendment, if recommended by the Coastal Commission. Resubmittal of the LCP amendment and related actions will also allow the project applicant additional time to provide information requested by the Coastal Commission staff, and to work with the Coastal Commission staff to resolve any issues related to Coastal Act compliance, prior to consideration by the Coastal Commission.

BACKGROUND

The Board of Supervisors approved the Moss Beach Highlands Residential Development Project on August 8, 2000. The project is located on the 12.5-acre South Moss Beach Designated Affordable Housing site on Etheldore Street at the southern end of Moss Beach. The project consists of 73 affordable senior apartments, a recreation building, 55 single-family homes and a tot lot playground. To support the development, a number of infrastructure improvements were included as part of the project. Approvals granted by the County included: (1) certification of a Final Environmental Impact Report (FEIR), (2) Local Coastal Program Amendment, (3) Zoning Map and Text Amendments, (4) Major Subdivision, (5) Coastal Development Permit, and (6) Grading Permit.

The LCP amendment consisted of two parts: (1) an amendment to LCP Policy 3.16 to allow flexibility in the affordability requirements applicable to the designated affordable housing sites; and (2) Zoning Map and Text Amendments to adopt a PUD Ordinance allowing a mix of multi-family and single-family residential uses on the site, and development standards tailored specifically to the site. As directed by the Board, staff submitted this LCP amendment to the Coastal Commission for certification of conformity with the Coastal Act. The County's submittal to the Coastal Commission was deemed complete on June 1, 2001.

DISCUSSION

1. Clarification that the County is Willing to Consider Modifications

In processing the LCP amendment for consideration by the Coastal Commission, the Coastal Commission staff has determined that language in County Resolution No. 63828, which directed staff to submit the amendment to the Coastal Commission, is unclear as to whether or not the County is willing to consider modifications to the LCP amendment.

Specifically, the Coastal Commission staff is concerned that if the County intended that no modifications be recommended by the Commission, it will hinder their ability to work with the applicant to make adjustments to the project to ensure better compliance with the Coastal Act. In fact, County staff believes that the language requesting no modifications was included in the resolution inadvertently, and that the Board never indicated an unwillingness to consider modifications recommended by the Coastal Commission. As such, staff is recommending that the Board adopt the attached resolution resubmitting the LCP amendment and related actions to the Coastal Commission, clarifying that the County is willing to consider modifications to the amendment to improve Coastal Act compliance. Any modifications recommended by the Coastal Commission will be brought back to your Board, and the Board will have the opportunity to accept or reject the modifications.

2. Timeline for Coastal Commission Action on LCP Amendment

Staff is also recommending that the Board resubmit the LCP amendment to the Coastal Commission so that the Coastal Commission staff and the applicant will have additional time to process the amendment. Coastal Commission regulations require action on an LCP

amendment within 60 days of when a submittal is deemed complete, with the option to extend that period by one year. As mentioned, the County's submittal to the Coastal Commission was deemed complete on June 1, 2001, so the deadline for Coastal Commission action is August 1, 2002. The Coastal Commission staff reports that they are still seeking additional information from the applicant, in order to adequately evaluate the project's compliance with the Coastal Act.

However, delays in project processing have resulted since the applicant on the project has changed from Kaufman and Broad to Mid-Peninsula Housing Coalition. Mid-Peninsula has been working to find a for-profit developer to build the single-family home/market-rate portion of the project and to help pay for the required infrastructure improvements. At this time, they are working with SummerHill Homes, a local for-profit developer. Given the importance of this project to the County with regard to meeting affordable housing goals, staff believes that the applicant deserves additional time to work with the Coastal Commission staff toward approval of the project by the Coastal Commission. Resubmittal of the LCP amendment will allow the timeline for Coastal Commission action to be reset, giving the applicant the time needed.

VISION ALIGNMENT

The resubmittal of the LCP amendment for the Moss Beach Highlands Residential Development Project keeps the commitment to offer the full range of housing choices. It also supports goal number 9, which states that housing exists for people at all income levels and for all generations of families, by allowing more time for the project applicant to work with the Coastal Commission to gain approval of a project which will provide affordable housing for seniors and market-rate single-family homes for families.

ATTACHMENTS

- A. Resolution Resubmitting LCP Amendment to the Coastal Commission

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RECOMMENDED
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John Math
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COUNTY MANAGER