

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

AGENDA REPORT

For meeting of: July 13, 2021

TO: Honorable Chair and Planning Commissioners

FROM: John Doughty, Public Works Director
Maziar Bozorginia, City Engineer
Brittney Cozzolino, Associate Planner
Jonathan Woo, Assistant Engineer

TITLE: Coastal Development Permit, File No. PDP-21-018 for Poplar Pedestrian Pathway Reconstruction Project

RECOMMENDATION

By resolution, adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program (MMRP) and approve PDP-21-018, an application for a Coastal Development Permit to remove, replace with new asphalt, and widen the Poplar Pedestrian Pathway running parallel to Poplar Street between Railroad Avenue to the east and the California Coastal Trail to the west, and install three speed tables along Poplar Street, west of Railroad Avenue for traffic calming in the Poplar Beach Blufftop Park area, based upon the Findings and Evidence contained in Exhibit A of the Draft Resolution, and subject to the Conditions of Approval in Exhibit B.

Summary of Project	
File Number	PDP-21-018
Requested Permits/Approvals	Coastal Development Permit
Site Location	Poplar Beach Blufftop Park/Existing pathway alongside Poplar Street between Railroad Avenue and Coastal Trail
Applicant/Property Owner	City of Half Moon Bay
Project Planner	Brittney Cozzolino; (650) 750-2014; bcozzolino@hmbcity.com
Zoning District	OS – P Open Space – Passive; PUD Planned Unit Development
LCP Land Use Plan Designation	Regional Public Recreation
Water Service	Not applicable to project
Sewer Service (Sewer Authority Mid-Coast)	Not applicable to project
Environmental Determination	Mitigated Negative Declaration
Heritage Trees	None in project footprint
	No tree protection plan required

Story Poles	N/A (Project is located in visual resource area but does not involved above-grade structures)
Right of Appeal	Any aggrieved person may appeal the Planning Commission's decision to the City Council within ten (10) working days of the decision.
	The project is located within the Coastal Commission Appeals Jurisdiction; therefore, final City action is appealable to the Coastal Commission.

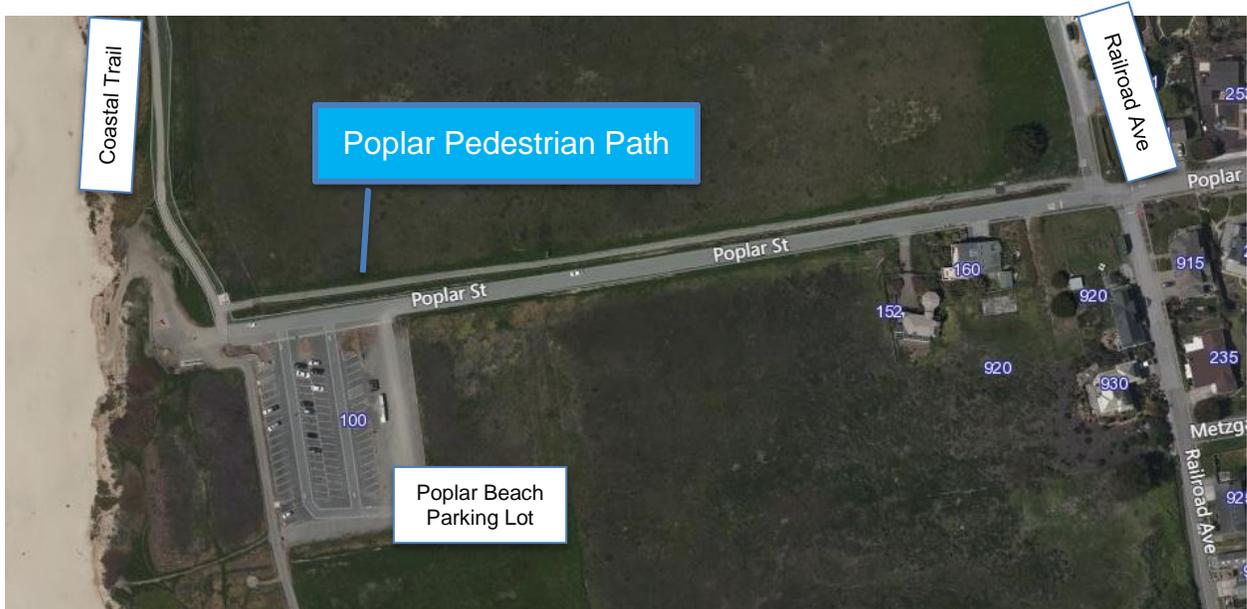


Figure 1. Site Location



Figure 2. Site Photo facing southwest

Site and Surrounding Properties

The project site is located at the Poplar Pedestrian Pathway running parallel to Poplar Street on the western side of Highway 1, extending from Railroad Avenue to the east to the California Coastal Trail to the west. The project site is surrounded by the Poplar Beach Blufftop Park, the undeveloped West of Railroad Planned Development (PD) area, the California Coastal Trail, Poplar Beach and the Pacific Ocean, and the Poplar Beach public parking lot. The western approximately 325 linear feet of the pathway is zoned Open Space – Passive (OS – P), a zoning designation that allows for public trails, while the remaining area passes through the Planned Unit Development (PUD) zoning in the West of Railroad PD area, where public trails are a permitted use prior to master planning. The proposed improvements to the existing public trail are consistent with principally permitted uses in these zones. Land use and zoning for properties surrounding the subject site are as follows:

North	Poplar Beach Blufftop Park West of Railroad PD	OS – P Open Space Passive PUD Planned Unit Development
South	Poplar Beach public parking lot West of Railroad PD	OS-P Open Space Passive PUD Planned Unit Development
East	Arleta Park neighborhood	R-1 B-1 Single-Family Residential
West	Poplar Beach and Pacific Ocean	Open Space

Project Description

The purpose of the project is to improve public safety and enhance bicycle and pedestrian access along the existing Poplar Pedestrian Pathway. The Poplar Pedestrian Pathway provides a bicycle and pedestrian connection between the Arleta Park neighborhood and the shoreline. This area is heavily used by pedestrians, bicyclists, and beachgoers with its accessibility to the Coastal Trail, Poplar Beach, and the ocean. Due to heavy use, the pathway is in poor condition and needs replacement.

The project specifically involves the removal, widening, and replacement of the existing Poplar Street Pedestrian Pathway. The section of pathway east of the existing footbridge, which is approximately 979 feet long, is proposed to be widened to 10 feet. This section of path would be tapered at its western end to match the footbridge. The section of pathway west of the footbridge, which is approximately 35 feet long, would remain 8 feet wide. A border of wooden header board will be placed adjacent to the pathway. The existing split rail fence just south of the pathway and the 8-foot-wide footbridge would remain in place. The project plans are included as Attachment 2 to this staff report.

The project would add approximately 1,700 square feet (0.04 acre) of new pavement to the existing 8,091 square feet (0.19 acre) of pathway, resulting in a total of approximately 9,790 square feet (0.22 acre). Approximately 811 square feet (0.02 acre) of the shoulder on the north side of the pathway closest to Railroad Avenue will need to be re-graded to meet ADA standards. The total project footprint is approximately 0.25 acre.

Traffic calming improvements for this western terminus of Poplar Street are also part of the project scope, including speed tables and traffic signs for the speed tables. Three signs will be located on the existing split-rail fence on the north side of Poplar Street, and three signs will be installed on new signposts on the south side of Poplar Street, outside of the roadside ditch.

Construction staging and storage will occur within an approximately 20-foot by 40-foot temporarily fenced area on existing paved surface within the Poplar Beach Parking Lot. No ground disturbance will occur within the staging area.

Project Background

This project is one of the “Phase 1” components of the Poplar Beach Gateways Plan. The Gateways Plan is a master plan for the Poplar Beach Blufftop Park area, which includes the City-owned land from the Poplar Beach public parking lot north to Kelly Avenue. The intent of the Gateways Plan is to manage this blufftop area actively and effectively in order to enhance user experience and protect natural resources through a suite of near-term and long-term Capital Improvement Program (CIP) projects. The long-term project goals are to protect and enhance the park’s natural resources, plan for sea level rise adaptation with bluff stabilization and managed retreat of the Coastal Trail, and enhance access and recreation opportunities throughout the park for all users. While planning for these long-term improvements, there is a need for more immediate safety and drainage improvements to take place. Several near-term projects are identified as Phase 1 in the Poplar Beach Gateways Plan, while the longer-term managed retreat, bluff stabilization, and park improvement projects are identified as Phase 2 and Phase 3. Phase 1 projects that have independent utility and are necessary to address safety and drainage issues have been moving forward over the last couple years.

This trail reconstruction was presented to the Parks and Recreation Commission on June 23, 2021. The Commission was highly supportive of the project, the widening and the traffic calming aspect.

ANALYSIS

The key issues for this project are conformance with the General Plan/Local Coastal Land Use Plan, conformance with the Zoning Code/LCP Implementation Plan,¹ and compliance with CEQA.

Conformance with the General Plan/Local Coastal Program Land Use Plan

The proposed development is consistent with the Regional Public Recreation General Plan/Local Coastal Land Use Plan designation as the intent of this land use designation is to provide regional public access and recreation opportunities along the publicly owned coastline. The pathway also traverses through the substantially undeveloped West of Railroad PD. Multi-use public trails are a permitted use in substantially undeveloped PDs prior to master planning (see LUP Policy 2-51).

Conformance with the Zoning Code

¹ The Zoning Code is part of the LCP Implementation Plan.

The existing public trail traverses through the West of Railroad PUD area in the Planned Unit Development zoning district and through City-owned property in the OS – P Open Space – Passive Zoning District. Public trails are a principally permitted use in the OS – P zoning district, but the OS – P land use regulations in Chapter 18.12 of the Municipal Code contain limited specific development standards that apply to this scope of work. The project proposes primarily at-grade public access improvements to the existing pedestrian pathway and Poplar Street public right-of-way, and does not involve any new facilities. New above-grade improvements are limited to traffic signs that are well under the maximum height requirement of sixteen feet from grade pursuant to Municipal Code Section 18.12.025(B). Municipal Code Section 18.12.030 generally applies, and states:

“All development occurring in or adjacent to coastal resource areas and environmentally sensitive habitat areas as defined in this title, the local coastal plan, and the general plan shall adhere to the applicable standards set forth therein. Where a conflict occurs between the standards of this chapter and those applicable to coastal resources and environmentally sensitive habitat areas, the more restrictive shall apply.”

For the PUD zoning district, the proposed project is considered both a use consistent with the City’s General Plan and a continuation of an existing use (see Municipal Code Section 18.15.025). As mentioned above, multi-use public trails are a permitted use in substantially undeveloped PDs prior to master planning pursuant to the City’s recently certified LUP, which also serves as the Land Use Element of the City’s General Plan.

Table 2 below identifies key Zoning Code/LCP Implementation Plan issues and their applicability to the subject site. As indicated in the table and described further below, several coastal resource policies apply to the site and the proposed development, but all of these factors are either sufficiently avoided, addressed through conditions of approval, or both. See additional discussion under *Environmental Review* below.

Table 2. Key Zoning Code/LCP Implementation Plan Topics

Topic	Applicability/Explanation	
Environmentally Sensitive Habitat Area	Yes	The project footprint is in proximity to wetlands, coastal terrace prairie, coastal scrub, and suitable habitat for unique and special status species.
Visual Resource Area	Yes	The subject site is <i>not</i> located in a visual resource area as defined by Section 18.37.020 of the Zoning Code, but is located in a visual resource area as defined by the LUP.
Public Access Area	Yes	The subject site provides public beach access and Coastal Trail access.

Coastal Hazard Area	Yes	The project footprint is approximately 100 feet inland of the coastal bluff edge and is not currently subject to shoreline erosion and wave action, but it is anticipated to be affected by future shoreline erosion.
Archaeological Resource Area	Yes	Located in area of potential archaeological sensitivity.
Historic Resources	No	No historic resources exist on the site.

Environmentally Sensitive Habitat

The following LCP policies and code provisions are applicable to this project as it relates to environmentally sensitive habitat areas:

LUP Policy 6-10, Protection and Enhancement of ESHA:

Protect and, where possible, enhance or restore environmentally sensitive habitat areas (ESHAs).

LUP Policy 6-16, Permitted Uses in Terrestrial ESHA and Terrestrial ESHA Buffers:

Terrestrial ESHAs (including the marine environment, sea cliffs, dunes, coastal terrace prairie, and non-aquatic habitat for special status or unique species) shall be protected against significant disruption of habitat values. Only uses dependent on the resources within these areas and their buffer zones (i.e. habitat management and restoration, scientific research and educational activities, and low-intensity public access and recreation) shall be allowed there. Development in areas adjacent to terrestrial ESHAs shall be sited and designed to prevent impacts that would significantly degrade the habitat or recreation value of those areas, and shall be compatible with the continuance of those habitat areas. Temporary disruption (e.g. less than six months) for the construction, alteration, repair, and maintenance of existing or newly permitted facilities or structures is allowed if there are no feasible alternatives and the disruption is repaired and restored to at least an equivalent condition within one year.

LUP Policy 6-18, Standards in Terrestrial ESHA and Terrestrial ESHA Buffers:

Site and design new development permitted in or adjacent to terrestrial ESHA to avoid adverse impacts to ESHA. Methods for avoiding impacts include, but are not limited to utilizing raised boardwalks, installing informative signage and exclusion fencing, and implementing construction best management practices.

LUP Policy 6-35, Standards in Non-Aquatic Habitat for Special Status and Unique Species:

Regardless of an ESHA determination, require proposed development to avoid impacts to special status and unique species through methods such as preconstruction surveys, construction and/or tree removal timing restrictions, and exclusionary fencing.

LUP Policy 6-42, Permitted Uses within Wetland Buffer Zones:

Within wetland buffer zones, permit only the following uses:

- a. Uses allowed within wetlands pursuant to Policy 6-40;
- b. Public scenic overlooks;
- c. Existing agricultural uses;
- d. New agricultural uses, provided that they prevent impacts on the adjacent wetlands and protect the function of the buffer;
- e. Temporary disruption (e.g. less than six months) for the construction, alteration, repair and maintenance of existing or newly permitted facilities or structures if there are no feasible alternatives and the disruption is repaired and restored to at least an equivalent condition; and
- f. Native landscaping.

LUP Policy 6-43, Standards in Wetlands and Wetland Buffer Zones:

Require that development permitted in wetlands and wetland buffer zones minimizes adverse impacts during and after construction. Specifically, require that:

- a. All construction which alters wetland vegetation is required to replace the vegetation including “no action” in order to allow for natural reestablishment and pursuant to applicable mitigation requirements;
- b. All construction takes place during daylight hours;
- c. All paths are elevated (e.g. boardwalks) so as not to impede movement of water, not to compact soil, and otherwise not to disturb wetland plants and animals;
- d. All outdoor lighting is prohibited within wetlands, minimized in the wetland buffer zone, and down-cast and directed away from any wetland so as to not affect wildlife;
- e. Noise from motorized machinery is kept to less than 45-dBA at the wetland boundary, except for farm machinery;
- f. No herbicides are used in wetlands and wetland buffer zones unless there are no feasible alternatives and as specifically approved by the County Agricultural Commissioner and all jurisdictional regulatory agencies; and
- g. Any permit for development includes necessary mitigation, monitoring, reporting and maintenance programs. *(See also Municipal Code Section 18.38.080(G))*

LUP Policy 6-55, Standards in Non-Riparian Watercourses:

Permitted development in non-riparian watercourses and non-riparian watercourse buffer zones shall adhere to the performance standards required for permitted uses in riparian corridors and riparian corridor buffer zones, respectively. *(See also Municipal Code Section 18.38.075(G))*

LUP Policy 6-63, Construction and ESHA:

Ensure that construction does not adversely impact sensitive bird or other animal species in on-site or nearby ESHA, wetlands, or watercourses by requiring construction projects to implement best management practices (e.g. pre-construction surveys, construction and/or tree removal timing restrictions, exclusionary fencing), and, as appropriate based on project scope and site conditions, noise and vibration reduction measures and monitoring by a qualified biologist during construction.

LUP Policy 6-78, ESHA Protection from Runoff:

In areas in or adjacent to an ESHA, plan, site, and design development to protect the ESHA from any significant disruption of habitat values resulting from the discharge of stormwater or dry-weather runoff flows.

The project proposes to reconstruct and widen an existing pedestrian path between Railroad Avenue and the Coastal Trail adjacent to Poplar Street. The intent of the project is to provide safer public access along this pathway as it is currently in poor condition and has multiple trip hazards. Minor excavation and grading will occur in previously disturbed areas to install the new asphalt pathway. The path widening will add approximately 1,700 of new paving to the existing 8,091 square-foot trail area for a new total of 9,790 square feet. Construction staging and storage will occur within the nearby Poplar Beach Parking Lot and will access the project site by Poplar Street and the Coastal Trail.

Chapter 18.38 of the Municipal Code requires that a biological report be prepared for any projects located in or within 100 feet of any sensitive habitat area. As mentioned above, the project site is located within the larger Poplar Beach Blufftop Park area that the City is evaluating for long term improvements related to erosion, drainage, public access, and habitat restoration. A preliminary biological evaluation was prepared for the larger blufftop area for this City project, known as the Poplar Beach Gateways Plan. An additional biological resource evaluation (BRE) was prepared for this specific project as the project area is generally known to support different types of sensitive habitat.

The BRE identified the biological study area (which includes the project footprint plus a 200-foot radius) as containing primarily non-native grasslands to the north of the existing trail, ruderal/disturbed areas immediately bordering the trail and in the areas of proposed trail widening, roadside drainage ditches on either side of Poplar Street, and areas of vernal marsh and northern coastal scrub to the south separated from the project footprint by Poplar Street. The non-native grassland, roadside ditches, and vernal marsh habitats were found to be low to moderate potential habitat for several special status species including the California red-legged frog (CRLF), San Francisco garter snake (SFGF), Choris's popcornflower, coastal marsh milk vetch, perennial goldfields, and nesting or foraging avian species protected by the Migratory Bird Treaty Act. As the BRE site surveys and report were completed prior to certification of the LUP update, the IS/MND additionally addresses the presence of coastal terrace prairie habitat along the bluffs to the west of the project area and the potential for overwintering raptors to occur in the non-native grasslands. The IS/MND also identifies the vernal marsh habitat and roadside ditches as displaying one-parameter wetland characteristics, as consistent with the Poplar Gateways preliminary biological study.

The proposed trail reconstruction is a permitted use in buffer zones for wetlands and environmentally sensitive habitat areas. As such, the trail reconstruction has been sited and designed to prevent impacts that would significantly degrade the habitat or recreation value of those areas and will be compatible with the continuance of those habitat areas. In consideration

of these sensitive habitat areas, the footprint of this project is limited to the existing trail and the previously disturbed, ruderal habitat area immediately north of the trail where the pathway will be widened. The project will not involve any sensitive vegetation removal or disturbance, and sensitive areas including the vernal marsh, coastal terrace prairie, and northern coastal scrub will be fenced off for construction while the roadside ditch between the trail and Poplar Street will be protected through runoff, erosion and sediment control best management practices. Poplar Street separates the project area from the vernal marsh habitat and roadside ditch south of Poplar Street, and no impacts are anticipated. Construction is anticipated to commence in September and be complete by the start of the rainy season to avoid the increased potential for runoff pollution and increased potential for CRLF and SFGS to occur (increases from low to moderate potential between dry and rainy season). Overall, the potential for special status species and migratory birds to occur in the project area is determined to be low due to the heavy foot traffic and the disturbed nature of the project area.

LUP policies provide standards for new development in wetland and ESHA buffer zones. With the limited scope of reconstructing an existing trail and the proposed construction methods, timing, and best management practices, the project complies with each of these policies. The project does not involve any outdoor lighting, wetland vegetation removal, or herbicides. The project will not impede movement of water, disturb wetland plants and animals, or compact soils beyond what has already been significantly compacted in the project footprint by the existing trail and heavy foot traffic, and thus an elevated pathway is not necessary. Project construction will be limited to daytime hours and dry weather conditions, and noise generating construction activities will be kept below required levels at wetland boundaries. Construction best management practices for runoff, erosion, and sediment control will be implemented in conformance with the San Mateo County Water Pollution Prevention Program. This project includes a mitigation, monitoring and reporting program (MMRP) as discussed further below.

To further ensure any potential adverse impacts are avoided, avoidance and minimization measures were recommended by the consulting biologist and an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared. The IS/MND is included as Attachment 3 to this staff report, and the BRE is incorporated into the IS/MND as an appendix. The BRE was circulated for a 45-day review to the applicable resources agencies, including the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, the California Coastal Commission and the Regional Water Quality Control Board. No comment letters or jurisdictional determinations were received. The IS/MND was circulated for a 30-day public review period as discussed further in the *Environmental Review* section below.

The trail design and mitigation measures provided through the IS/MND will ensure that the value and functionality of all nearby sensitive habitat areas will be protected during and after construction. In consultation with the biological consultant, it was determined that exclusionary fencing for CRLF and SFGS is not necessary to install because these species primarily move through upland grasslands and wetland habitats at night and are more likely to occur during wet weather conditions. As proposed, construction activities will be limited to daytime hours and dry weather conditions to significantly reduce the potential for any impacts. A qualified biological

monitor will be present during all ground-disturbing construction activities and will perform a preconstruction survey for CRLF and SFGS in all project areas prior to the start of project activities each morning.

Additional mitigation measures require the limits of the construction zone to be clearly marked and fenced to prevent any impacts to the surrounding habitat areas prior to commencement of construction; focused pre-construction surveys for perennial goldfields and nesting birds; reseeding of any disturbed areas with a native seed mix; and implementation of construction best management practices for erosion, sediment, and runoff control.

Conditions of approval reinforce the Mitigation Monitoring and Reporting Program (MMRP) prepared with the IS/MND. With these mitigation measures and conditions of approval, the proposed trail reconstruction complies with all applicable policies and standards for projects located within buffer zones of environmentally sensitive habitat areas, wetlands, and non-riparian watercourses. The project meets the intent and purpose of the LUP standards for new development in wetland buffer zones as described above.

Visual Resources

Chapter 9 of the LUP establishes Poplar Street as a primary scenic coastal access route and the area west of Railroad Avenue as a broad ocean viewshed. As such, the following LUP policies are applicable to this project:

LUP Policy 9-15: Scenic Coastal Access Routes.

Require that new development on designated scenic coastal access routes from Highway 1 to the beach, including roadway improvements and development proposed in close proximity to the road, protects the scenic quality of the corridor and avoids obstruction or significant degradation of public ocean views such as through provision of sufficient setbacks from the public right-of-way, low building heights, and landscaping that establishes and/or maintains a scenic gateway.

LUP Policy 9-16: Broad Ocean Views.

Ensure that areas providing broad, public ocean views, including as designated on Figure 9-1, are preserved and enhanced in association with new development projects. In such areas, structures shall be sited and designed to avoid obstruction of broad, public ocean views, shall not exceed 15 feet in height unless an increase in height would not obstruct public views to the ocean or would facilitate clustering of development so as to result in greater view protection, and shall ensure that any proposed landscaping, when mature, will not obstruct public views to the ocean.

The City's Zoning Code defines visual resource areas as those within 200 yards of Highway 1, those providing broad ocean views from Highway 1 in specific locations, and those along specific scenic coastal access routes. Although the subject site is not specifically named in the "Broad Ocean Views" or "Scenic Coastal Access Routes" categories in the Zoning Code, it does fit the intent of these categories for visual resource protection. It is the City's intent to update this

section of the zoning code to conform with the new LUP policies cited above. In the meantime, LUP Policy 1-2 provides that where the LUP policies are more protective of coastal resources and coastal access than the Implementation Plan (IP), the LUP shall take precedence.

In any case, the majority of the project scope entails at-grade improvements and the scenic quality of the Poplar Street corridor and broad ocean viewshed will be substantially unchanged. The only above-grade improvements include six traffic signs for the proposed speed tables. The new signs will be consistent with the existing signs in the area, and will be located at intervals to provide required traffic safety information. The proposed project will significantly improve safe access to this heavily used coastal area and does not involve any above-grade structural development that will obstruct broad ocean views.

Public Access

The following LCP policies and ordinances are applicable to this project as it relates to public coastal access:

LUP Policy 5-1, Maximum Coastal Access and Recreational Opportunities:

Provide maximum coastal access and recreational opportunities for all people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from overuse.

LUP Policy 5-8, New Development Public Coastal Access Management Plan:

Development with the potential to impact public coastal access, whether during construction or after, shall develop a public coastal access management plan designed to identify and limit impacts to public coastal access. Plans shall identify peak use times and measures to avoid disruption during those times; minimize beach, road, and trail closures; identify alternative access routes; and provide for public safety.

LUP Policy 5-16, Siting and Design of Public Accessways:

Lateral and vertical public coastal accessways shall be sited and designed to account for likely uses of the facility; topographic and site constraints; the fragility of natural resources; potential future risks of erosion and sea level rise; the need for adaptable, non-permanent designs in erosive areas; and compatibility with adjacent land uses. Where trails are permitted uses within sensitive habitat areas and their buffers, new trail segments and improvements shall be sited and designed to minimize and mitigate impacts to the habitat and buffer areas.

LUP Policy 5-19: Signage for Accessways:

All vertical and lateral public accessways shall have clearly posted and maintained signs specifying the public's right to use these areas. Signs shall also identify any limitations on the public's right of access and specific uses. Signs shall be provided in both English and Spanish.

LUP Policy 5-28, Trails Accessible for All User Groups:

Trails designed and designated as multi-use shall be accessible for all user groups, including walkers, bicyclists, and equestrians (as land use policy allows). Ensure that the network provides appropriate trail amenities for each trail type or user group such as lighting, benches, and signage, as appropriate with respect to sensitive habitat area and visual resource protection. Encourage improvements that will reduce conflicts between all types of users, such as speed-graded trails.

LUP Policy 5-30, Minimize Potential Impacts of Trails:

Multi-use trails, associated amenities, and passive recreational features shall be located to minimize impacts to sensitive habitats and other sensitive surrounding land uses, such as residences and agriculture.

LUP Policy 5-31, Improve Existing Trails:

Improve existing trails and trail amenities to address erosion, environmental concerns, and public safety. Consider options to retrofit or relocate existing trails and amenities to reduce impacts from sea level rise.

LUP Policy 5-34, Trail Design and Maintenance:

Trails shall be designed and maintained for good drainage, using natural grades and surrounding vegetation; lasting ADA compliance; and sustainable implementation and maintenance with respect to ESHA and City resources (e.g. staffing, budget, capacity).

The proposed project is to reconstruct and widen the existing Poplar Pedestrian Pathway between Railroad Avenue and the Coastal Trail adjacent to Poplar Street. The intent of the project is to provide safer bicycle and pedestrian access along this pathway as it is currently in poor condition and has multiple trip hazards. The larger area includes the Poplar Beach Blufftop Park, the Coastal Trail, equestrian trail, a public beach parking lot. This area is historically heavily used for public coastal access and recreation.

The proposed improvements will enhance and preserve public coastal access and recreation by creating a safer, ADA-compliant walkway down to the Coastal Trail and shoreline. Existing signage notifies the public of their ability to use this pathway to access the Coastal Trail and beach, and conditions of approval require additional signage to be provided in Spanish. The proposed trail is designed to accommodate the heavy bicycle and pedestrian traffic that this area experiences, and has incorporated design and mitigation measures to minimize impacts to sensitive habitats and their buffer areas as described above.

The project scope also includes installation of speed tables on Poplar Street for traffic calming measures, consistent with the goals of the Poplar Beach Gateways Plan and the Poplar Street Traffic Calming and Safety Project. Traffic safety signage notifying vehicles of the speed tables will also be installed on either side of Poplar Street. The intent of these project elements is to further improve safe public access down to this popular beach access area. The speed tables will slow vehicular traffic on Poplar Street, which will reduce automobile sound levels. The noise

produced from vehicles driving over the speed tables is negligible and will not impact environmental resources or nearby residents.

Construction staging and storage will occur within the nearby Poplar Beach Parking Lot and will access the project site by Poplar Street and the Coastal Trail. Construction is anticipated to take 1 to 2 months, and will be limited to weekdays. Temporary public access impacts will occur during construction along the Poplar Pedestrian Pathways and during movement of construction equipment from the staging area to the project site along Poplar Street and briefly along the Coastal Trail to access the western-most path segment between the Coastal Trail and the existing footbridge. Project implementation will include traffic control and detours to ensure bicycle, pedestrian, and equestrian access to and along the shoreline is maintained during construction. By avoiding weekend construction, the project avoids peak use times of this coastal access area.

Conditions of approval reinforce the proposed access management measures and require sufficient notice to be posted at the site and advertised through online forums prior to the commencement of construction. Overall, the proposed project will enhance and maximize public access and recreation opportunities along the Poplar Pedestrian Pathway and to the Poplar Beach area.

Coastal Hazards

The following LCP policies and ordinances are applicable to this project as it relates to coastal hazards:

LUP Policy 7-8, Shoreline Hazards and New Development:

Ensure that new development, including land division, is sized, sited and designed to be safe from shoreline hazards such as coastal flooding, shoreline erosion, tsunami inundation, seawater intrusion, and other sea level rise impacts without requiring a shoreline protection device at any time over the anticipated life span of the structure.

LUP Policy 7-16, Grading near Beachfront or Blufftop:

Require that any grading necessary to establish proper drainage, install minor improvements (e.g. trails), restore eroded areas, restore habitat, or provide permitted accessways directs water runoff away from the beach or edge of the bluff or requires runoff to be handled so as to prevent damage to the beach or bluff from surface and percolating water.

LUP Policy 7-23, Infrastructure and Public Facilities:

Site, design, and upgrade infrastructure and public facilities, including roads, trails, parks, and other public access and recreation facilities with consideration for shoreline hazards including sea level rise impacts that may occur over the anticipated life of the development. Ensure that the connectivity of infrastructure is preserved in the event of ongoing erosion or wave run-up, and ensure adequate egress/evacuation is preserved during storm events. In cases where facilities cannot be sustainably maintained, removal or abandonment of infrastructure should be evaluated, and the least environmentally damaging approach shall be implemented. Where facilities can be safely sited for the near term but future impacts are

likely, require an adaptive management plan detailing steps for maintenance, retrofitting, and/or relocation.

The proposed project is located approximately 100 feet from the coastal bluff edge, and while not currently subject to shoreline hazards, it is anticipated that the coastal bluffs in this area will erode at an accelerated rate with sea level rise and will eventually impact the Poplar Pedestrian Pathway. Modifications to this pathway may become necessary over time, and there is no part of the proposed design that would prevent the City from doing this in the future. The City is pre-emptively planning for sea level rise in the project area through the Poplar Beach Gateways Plan, which includes adaptation and retreat approaches for overall management of the Poplar Beach blufftop area.

The project itself will neither create nor contribute to hazards as it is replacing an existing asphalt path in kind, will direct drainage to the north of the path away from the bluff edge, and will be safe from shoreline hazards without requiring a shoreline protective device over the anticipated life of the pathway.

Archaeological Resources

The following LCP policies and ordinances are applicable to this project as it relates to archaeological resources:

LUP Policy 8-6, Native American Consultation:

Notify and consult with Native American organizations of proposed developments or land use actions that have the potential to adversely impact cultural resources early in the development review process, providing early and frequent opportunities for concerned Native American parties to comment on or participate in any treatment plan for sites with cultural or religious significance to the Native American community. Development on sensitive sites requires on-site monitoring by appropriate Native American consultant(s) such as tribal monitors and a qualified archaeologist for all grading, excavation, and site preparation activities that involve earth-moving operations.

LUP Policy 8-9, Archaeological Survey with Development Applications:

Require the submission of a report by a qualified archaeologist as part of applications for new development based on the location and scope of the project, including within any archaeologically sensitive area as designated on the archaeological resources map. In areas vulnerable to sea level rise impacts, require a site-specific evaluation of potential sea level rise impacts to any archaeological resources on the development site. A report may include the results of an archaeological records review and/or survey observations with findings on actual and potential resources on the site, impacts of the development proposed, and any recommended mitigation measures. All feasible mitigation measures shall be incorporated in any plan for development prior to the issuance of a permit for development.

LUP Policy 8-10, Archaeological and Paleontological Resources Monitoring:

Require, where a predevelopment survey identifies the potential to affect known or newly discovered archaeological, Native American, or paleontological resources, the submittal of a monitoring and reporting plan that identifies methods and describes the procedures for selecting archeological and Native American monitors and procedures that will be followed if additional or unexpected resources are encountered during development of the site. Procedures may include, but are not limited to, provisions for cessation of all grading and construction activities in the area of the discovery that has any potential to uncover or otherwise disturb cultural deposits in the area of the discovery and all construction that may foreclose mitigation options to allow for significance testing, additional investigation and mitigation.

Municipal Code Section 18.38.095, Archaeological Resources.

A. Site Protection. Development within an area designated on the map of potential archaeological resources shall include such designs and methods of construction as will offer protection for any potential archeological site.

B. Public Projects. As a part of any project to construct new roads, trails, sewer or water lines, or other public projects involving substantial excavation which could destroy archaeological resources within the areas designated on the map of potential archaeological resources, provision shall be made for a qualified archeologist to conduct an archaeological survey and to sample and salvage the site as a part of the construction project.

[...]

The IS/MND for this project concludes the potential for archaeological, paleontological, historical, or tribal cultural resources to occur is low as none have been identified within the project area in the past, the project area is previously disturbed, and there will be limited excavation required for the trail reconstruction. To ensure potential impacts are less than significant, mitigation measures are included in the MMRP that address handling, consultation and mitigation requirements in the event that resources, objects, or artifacts are discovered during construction.

As the project site is located within an area designated as potentially sensitive for archaeological resources on LUP Figure 8-1: Archaeological Sensitivity Areas, a cultural resource records search was performed following the draft IS/MND in compliance with LUP policies. The search returned positive results for Sacred Lands, thus conditions of approval require consultation with the appropriate Native American tribal representative(s) to comply with the above-cited LCP policies. If changes to the project are necessary following consultation, the City will seek an amendment to this permit. Changes are not anticipated to be necessary due to the project scope of reconstructing an existing trail. With the mitigation measures of the MMRP and the additional conditions of approval, there are no anticipated impacts to cultural resources.

Environmental Review

Since avoidance and minimization measures were recommended by the consulting biologist, a CEQA exemption would not be appropriate for this project and an Initial Study (IS) was prepared. In order to ensure that any significant adverse environmental impacts are avoided, a Mitigated

Negative Declaration (MND) was prepared. Mitigation measures primarily address biological resources, cultural resources, tribal cultural resources, and paleontological resources and require a construction personnel education program and several surveys to be conducted by a qualified biologist prior to commencement of construction.

The Draft IS/MND was circulated for a 30-day comment period that ends on July 11, 2021. At the time of this staff report publication, no comments have been received. Any comments received between publication of this staff report and close of the 30-day comment period will be provided to the Commission prior to the hearing.

Conclusion

Based on the above analysis, staff concludes that the proposed development is consistent with the General Plan/Local Coastal Land Use Plan and the Zoning Code/LCP Implementation Plan; is compatible with surrounding development; and conforms to the requirements of the California Environmental Quality Act. Staff recommends approval of the project based on the findings and conditions of approval (Exhibits A and B of the attached Draft Resolution).

ATTACHMENTS

1. Draft Resolution with Findings and Evidence, Exhibit A and Conditions of Approval, Exhibit B.
2. Project Plans
3. Initial Study/Mitigated Negative Declaration