



November 29, 2005

San Mateo County Board of Supervisors President Rich Gordon
Supervisors Church, Hill, Jacobs Gibson and Tissier
400 County Center
Redwood City, CA 94063

Dear President Gordon and Members of the Board,

After reviewing the Board of Supervisors Staff Report for the upcoming December 6 hearing, Committee for Green Foothills appreciates the opportunity to submit the following comments on behalf of our 1300 member families.

As a preface to our issue-by-issue analysis of the Board subcommittee's proposals, we must stress the fact that the California Coastal Act already contains a comprehensive vision to guide future growth, availability and access to infrastructure and protection of coastal resources within the coastal zone throughout the State. For this reason, we believe that while it may have been well intentioned, the Board's creation of its own principles to guide Midcoast growth was an unnecessary task that significantly extended the review period for this project, and did not address the legal standard of review – the California Coastal Act.

Protection and expansion of public access to the shoreline, protection, enhancement and restoration of environmentally sensitive habitat areas and protection of agricultural lands, commercial fisheries and archaeological resources all take precedence over residential development within the Coastal Act. And although it was enacted nearly 30 years ago, opinion polls continue to show that the Coastal Act and its mandated coastal resource protections enjoy ever-increasing support from residents throughout the state. The shoreline belongs to everyone, and Californians take their stewardship responsibilities very seriously.

Viewed in relationship to the Coastal Act, many of the Board subcommittee's recommendations seem contradictory to the stated purpose of the Local Coastal Program. In five instances, the Board proposals follow the Planning Commission's recommendations (Issues 1, 2, 17, 18, 20). **CGF is in agreement with these except for the fact that the Coastal Act already contains provisions for resolving LCP policy conflicts (Section 30007.5), making the new policy proposed in Issue 20 unnecessary.**

Issue 3 contains recommendations related to infrastructure that encourage growth without the key information from studies that are not completed to determine whether adequate water will be available to serve it. The proposal to expand Highway 1 to four lanes within the urban Midcoast appears to ignore several facts: the City of Half Moon Bay has no plans to create four lanes in the section of Highway 1 within their city limits, the Devil's Slide Tunnel will contain only one lane in each direction and cannot be altered without a countywide vote and the Coastal Act specifies that Highway 1 remain two lanes in rural areas. The projected 2010 traffic levels for Highways 1 and 92 are Level of Service "F"

which is unacceptable under LCP Policy 2.49. With these planning and operational constraints, it is imperative that strong measures be taken to reduce the rate of growth and the ultimate buildout for the urban Midcoast rather than expanding highway capacity within the urban area only to have peak commuter traffic at a standstill on Highways 1 and 92.

Issue 4 contains a recommendation for a growth rate that is nearly double the 1% overwhelmingly approved by the citizens of Half Moon Bay. While the urban Midcoast is divided into two different jurisdictions, City and County administered areas share the same geography, the same infrastructure, the same constraints, and the same consequences of increasing development. A 1% growth rate limit on the Midcoast is an essential element to ensure that new development within the County's jurisdiction does not overwhelm the shared capacities of water, sewer, and highways systems.

The proposal to exempt units for people with disabilities from the growth rate limit has several flaws. The County's willingness to interpret the appropriateness of land uses within specific zonings district without the benefit of accompanying LCP amendments allowing such uses is problematic. Facilities requiring special permitting considerations to serve disabled individuals need to be legally dedicated to those uses for the life of the project (approximately 50 years) and need to be constructed in areas that are appropriately zoned. We believe that if the County wants to accommodate the proposed residential facility for persons with disabilities, it would be preferable to rezone the site for this use.

While providing incentives for lot merger may be seen as preferable to a mandatory policy, the complexity and relatively short duration of the proposed program outlined in **Issue 5** make its advantages minimal when compared to the increased work load created for the already short-staffed planning department. The 18-month incentive period would provide ample time for owners of contiguous lots to sell or give them to family members or business partners, creating the checker boarding effect that would exempt them from the merger requirement altogether.

Regarding the four merger incentives presented, we believe that: 1) adding bonus floor area effectively undoes the 18 month process that created FAR standards for the Midcoast, 2) reducing the covered parking requirement could allow more living space, again increasing FAR, 3) **reduction in permit fees, if feasible, would be acceptable** and 4) allowing all of these incentives for affordable housing creates a house that is no longer affordable due to its larger size and potentially not buildable if no water connections are available in areas where the moratorium still exists. Water availability remains a concern for the affordable housing proposal contained in **Issue 6** as well.

Item 7 covers uses in the C-1 district. While we agree that residential uses be located only on the second floor, removing the size restriction on the living area will encourage primarily residential uses in commercially zoned areas. A 28-foot height limit and 20-foot front yard setback are more conducive to today's trend towards projects built on a more human scale with open areas to enhance livability. These standards should not be optional.

CGF remains opposed to any increases in the number of caretaker units in the waterfront district. The 20% currently allowed was a compromise position at the time it was enacted and should not be increased as **Item 8** proposes.

Residential uses should not be allowed in the COSC district, as the Planning Commission recommended for **Item 9**.

Until the Airport Layout Plan portion of the Master Plan and ALUC evaluation are complete for the Half Moon Bay Airport it is premature to recommend any of the land use changes proposed in **Items 10 and 11**.

Areas within the proposed Airport Commercial zoning district currently contain wetlands and prime agricultural soils. Rezoning these lands for commercial use violates the priorities of the LCP to protect natural habitat and agricultural uses.

Item 12 again suggests expanding Highway 1 to four lanes, a proposal that lacks adequate analysis as to its impacts on Highways 1 and 92, as we discussed in **Item 3** above. **A proposal to require TDM's for projects generating 50 or more peak hour trips is a welcome suggestion that should be adopted.**

We support the recommendation for **Item 13** that changes permitted uses, house height, floor area and design review applicable to the Midcoast RM/CZ and PAD zoned land.

The proposal to retain the status quo in **Item 14** is not acceptable, however. Houses constructed in the northern portion of the Rural Residential area on parcels smaller than 5 acres are not included in the build out numbers and the adequacy of parcel sizes to accommodate both a well and a septic system depends greatly on the hydrogeology of the site, potentially requiring more than a one acre minimum to provide a safe and adequate well water supply and on-site septic system.

For the reasons discussed in **Issue 5** above, a policy of comprehensive merger to create parcels of at least five acres should be implemented in Rural Residential and Open Space designations instead of the voluntary incentive proposal contained in **Issue 15**.

The subcommittee recommendation in **Item 16** to wait a minimum of five years before even entering into talks to secure the Caltrans Right of Way land for passive public recreation and possible supplemental water supplies does not acknowledge that state legislation sponsored by locally elected legislators could accomplish this goal in a far shorter time frame. **We urge the Board to give this item priority status in response to the outpouring of support from the community and the unique opportunity that construction of the tunnel has provided.** We do not believe it is necessary to wait until the completion of the tunnel to resolve the issue of the now-surplus Bypass Right of Way.

We support the subcommittee proposals for Items 17 and 18 but encourage the Board to follow the Planning Commissions recommendation for **Item 19**, applying an impervious surface limit for commercial as well as residential areas. Run-off and flooding continue to be major problems in the Midcoast, causing property losses, safety concerns and environmental degradation.

Items 21 and 22 follow the Planning Commission's recommendations and should be adopted.

Item 23 is an ambitious attempt to address the need for affordable housing. **CGF is in agreement with the requirement that all new second dwelling units be established as affordable units, subject to income and rent limits.** The preparation and pre-approval of house designs for all substandard lots is problematic. Not all building sites are similar in size or topography and exempting such projects from Design Review could mean that as many as 1605 houses on the Midcoast would be of a design type that is appropriate for only a small number of locations. In addition, allowing these incentives for market rate as well as affordable projects will only encourage development on substandard lots, directly contradicting the stated goals of the merger proposals. **Any type of incentive should be offered for affordable units only. Of the incentives suggested, only waived permit fees and interest free or reduced interest loans are acceptable.**

We acknowledge the time and effort that the Board, the Project Planner and the planning staff have devoted to this project. We all want the best possible outcome from the Midcoast LCP Update. To that end, Committee for Green Foothills asks for your careful consideration of our comments. Should you have any questions, please don't hesitate to call me at 650-728-5215 or email me at april@montara.com.

Sincerely,

<signed>

April Vargas
Board Vice President