

March 12, 2001

FAX: 5 pages

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re: Staff Report on MCC Development Issues

Dear Marcia & Terry:

These are our collective thoughts on the staff report you sent over last week. I thought we'd have at least one more meeting with Rich & Marcia and a little more notice and time before anything went before the Board, because there are still some issues to be addressed within this initial context.

The report should clarify, in terms of the MidCoast Council, where requests and ideas had come from. The Council did originally request that these and other issues arising from current residential development be looked into, and formed a "Development Issues Subcommittee" to work with the County and look into possible solutions. It was this subcommittee that had met with Rich & Marcia, and at this time, the required report back to the full Council has not occurred. To be most effective in our representation before the Board we believe that this proposal and any further input we give should be reviewed by the full MCC first, to provide the opportunity for an update and background report and solicit input from Councilmembers and the community. To move this along, we've scheduled a report and review of this process for our next MCC meeting on 3/14/01, and would like to have the Council review any further changes to the proposal before the Board hearing.

This is a very good report. We especially support the mapping report and the re-review, although we have some ideas for refinement which are detailed below. There are issues on the table beyond the immediate subjects included in this report, but this is a good starting point.

Although they are within the context of the proposed report, some of the items discussed below may be beyond the scope of immediate implementation, and may be best presented in a more informational manner which includes an explanation of the need for further study and a request that the Board direct such study

And as I noted in my earlier reply, Committee member Dennis Doherty would be out of town at the scheduled hearing date for an extensive trip to visit relatives in Ireland which he is unable to reschedule.

Postponing the hearing until April 10th or 17th would have the following benefits:

- It will allow time to address the extended issues below.
- It will allow all parties involved to be present.
- It will give us the required time for a review by the Council.
- It will facilitate a more comprehensive presentation to the Board which more fully reflects the planning processes involved in its development.

Our purpose in requesting this process was to (a) initiate ongoing study and consideration of the "cumulative impacts of accelerated residential development" to existing infrastructure, community character, quality-of-life, environmental resources, etc. that were not foreseen in existing regulations and guidelines and (b) provide a level of information and communication between the County and MidCoast communities that we hope would help eliminate un-necessary appeals and reduce the excessive demands on the time and energy of planning staff who are responsible for fielding inquiries on development activities. We feel that these points should be the main focus of the discussion and this emphasis should be reflected in the staff report. The work currently proceeding on the drainage issue is an excellent example.

We expect that work on some of the more extensive longer-term issues that have been raised -- scheduling project approvals based on cumulative neighborhood impacts, for example -- will grow from the use and review of these initial actions, but it is important to confirm that is the attitude at work here. Our specific suggestions are as follows:

**1. Regular reporting and mapping of planning permit applications.**

This is a very good idea as outlined, and we would like to note that this would not be useful for the MCC alone, but would be a good planning tool for pro-active analysis of potential impacts to the developing communities countywide. Mapping gives a quick and easy look at specific areas where residential development might be intensifying and locations where potential problems with traffic, drainage, and environmental impacts might develop. The extra time initially required to prepare these reports could easily be outweighed by the proactive benefits provided by the information generated.

We had also discussed at our meeting with Rich & Marcia that this sort of analysis should include not only projects in the application stage, but also those in the construction stage and possibly projects recently completed as well, e.g. the map I prepared of the "Cedar Street Drainage" took this approach.

**2. Notification of changes to planning permit applications.**

We would like to clarify that when the MCC P&Z Committee reviews referrals, the applicant is always notified and involved in any meetings and on-site reviews. If the applicant or an appropriate representative of the project is not available, we do not proceed with the review without their agreement.

One reason we request notification of permit and application changes is that the majority of the projects we review are subject to staff-level approval, and do not go to hearing. At times, when the only notification of substantial change to the project that we receive is in the form of a decision letter which cannot be withdrawn, the only available avenue for further consideration is the appeal process. From my personal experience, this tends to be a confrontational and defensive situation, as staff develops arguments to defend the decision and appellants attempt to discredit those arguments and projects are subjected to substantial delay – a situation we would hope to avoid with the opportunity of a second review cycle.

The staff report also states that “Referral agencies ... have the same rights of appeal as other members of the public.” Our understanding, under current interpretation, is that the MCC does not have the right of appeal, as we are a part of the County organization and the County would not be appealing its own decisions. And again, the purpose here is to avoid appeals where possible. This should be noted in the report.

The suggested time for turnaround on revised referrals of 2 weeks in many cases would be inadequate to place them on our agenda for a regular meeting. A period of 2-3 weeks is preferable because this would accommodate our regular Planning and Zoning Committee meeting schedule of every 1st and 3rd Wednesday.

**3. Contractors blocking street access.**

We were surprised to learn that the California Highway Patrol is responsible for enforcing parking regulations in the residential area of the MidCoast. This seems to be a difficult task, considering the work load of dealing with Highways 1 and 92. We would appreciate confirmation that this is, in fact, the case.

A street full of construction vehicles and activities that block the street, trap residents in their driveways, or result in property damage from maneuvering equipment create part of the accumulative frustration we see expressed in our communities concerning construction projects. The Sheriff's office has a working relationship with County Code Enforcement and the Building inspectors. We are hopeful that an arrangement could be made among those agencies to deal with street access problems.

**4. Posting of signs in the Midcoast summarizing construction hours, noise limits and contact numbers for complaints.**

The idea of expanded project site posting listing extent of work, permits required, hours of work, etc. had been discussed, and we had worked up some samples for presentation (included as an attachment.) These would be posted on site after application approval for neighborhood notification and information, and would be as essential as the proposed neighborhood posting. We had also discussed having site posting for the duration of the application process, instead of the current 10-day notice at the time of application filing.

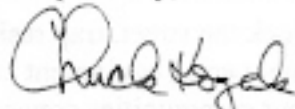
The report states that the "... County does not limit construction activities or construction noise per se." Yet building permits come with very specific directions on when construction activities are permitted. The report should clarify this point. We had also asked for consideration of further time limitations on heavy machinery operation and other high-volume or high-impact activities, as have been currently implemented in Atherton and in Mill Valley. A number of local builders now voluntarily limit heavy machinery operation to more restrictive hours (9 AM - 4 PM) and on weekdays only. The Board could be asked to direct further immediate research on this item should they find it appropriate.

- 5. Prohibition on well drilling during the winter season.**  
**6. Joint review of coastal zone well permit applications by Planning and Environmental Health.**

We agree with the report's suggestions on these items, and would like to encourage that the report emphasize that this policy would result in less inadvertent property and environmental damage from inadequate analysis of the impacts of well drilling.

Thank you for your continued efforts on these issues. We hope the above suggestions can contribute positively to a better working relationship between the County and the MidCoast Communities. I can be reached at my cell phone number on Monday if you wish to discuss this further.

Respectfully, for the MCC Development Issues Subcommittee,



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cc: MidCoast Community Council  
Attachment: Sample Site Posting and Mill valley Construction Notice Sign

CONSTRUCTION INFORMATION FOR:  
**123 MIDCOAST COURT**

PERMITTED CONSTRUCTION WORK:

PLANNING, BUILDING, AND PUBLIC WORKS PERMITS:

- PLN2000-00000, BLD2000-0000
- REMOVE 6 TREES OVER 8" IN DIAMETER
  - EXCAVATE APPROXIMATELY 80 CU YDS
  - FILL APPROXIMATELY 20 CU YDS
  - CONSTRUCT NEW HOME  
2649 SQ FT, INCLUDING 2 CAR ATTACHED GARAGE  
FIBER CEMENT LAP SIDING  
COMPOSITION SHINGLE ROOF
  - INSTALL SEWER, WATER, AND POWER UTILITIES
  - CONSTRUCT ASPHALT DRIVEWAY APPROACH

ATTENTION CONTRACTORS

PERMITTED CONSTRUCTION HOURS:

MON. - FRI. 7am-6pm, SAT. 9am-5pm

NO CONSTRUCTION SUNDAYS OR HOLIDAYS

DO NOT BLOCK STREET OR LOCAL EMERGENCY

ACCESS FOR EXTENDED PERIODS

FOR MORE INFORMATION

CALL SAN MATEO COUNTY PLANNING AND BUILDING  
(650) 363-4161

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DURATION OF THE ABOVE PERMIT ACTIVITY

THIS SIGN IS THE PROPERTY OF SAN MATEO COUNTY

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PUNISHABLE BY A \$1000 FINE (penal code sec. 77-777)



Construction sign  
in Mill Valley