

05/08/01

To: San Mateo County
From: Midcoast Community Council Planning and Zoning Committee
RE: Neg. Dec. - PLN 2000-00833/ 037-086-260

The Midcoast Community Council Planning and Zoning Committee finds, based on the initial study for the project and upon substantial evidence in the record, that:

- I. The project and the others associated with it will have adverse impacts on the flora of the area.
- II. The project will degrade the aesthetic quality of the area.
- III. The project and the others associated with it will have adverse impacts on the traffic and land use.
- IV. The project and the others associated with it will have the potential to degrade the quality of the environment.
- V. The project and the others associated with it, will create short-term impacts to the disadvantage of the long-term environmental goals,
- VI. The project and the others associated with it will create impacts for a project that are individually significant and cumulatively considerable.
- VII. The project and the others associated with it will cause substantial adverse effects on human beings, either directly or indirectly.
- VIII. This project must be viewed in its entirety, as one of 7 seven homes with 18 test wells and associated infrastructure proposed to be built on a parcel designated and zoned for one house. The Committee finds that this project is being evaluated in a piecemeal fashion.

The Committee finds that the environmental impact will be significant; that the appropriate EIR equivalent was done as part of the creation of the LCP, and recommends that the project be limited to the density determined by the zoning matrix in LCP *Table 1.3. Under the neg. dec. full the project (eighteen test wells, seven homes and associated infrastructure) must be evaluated for consistency with the General Plan and the Local Coastal Program.

It has been brought to this Committees' attention that there are two issues that should be resolved before this neg. dec. is considered: water and sewer.

Although the Coastal Commission approved drilling up to 3 test wells, it required that the well be evaluated as to whether it meets the County's CDP requirements. The second special condition imposed required the disturbed vegetation be replaced upon completion of all well drilling and construction activities. This has not yet happened. Thus the well has not yet met either of the two special conditions imposed as part of the Nov. 6, 1998 Coastal Commission decision.

It is not clear what method of sewage disposal will be used for either this single element or for the project in its entirety. The Committee has recently learned of an agreement between Montara Sanitary District and the other agencies comprising the Sewer Authority Midcoastside that precludes Montara Sanitary District from serving any areas zoned RM.

COMMENTS:

I. FLORA:

The flora on the entire parcel consists of one of the last remaining stands of coastal prairie in the area. It was identified in the 1978 Montara, Moss Beach, El Granada Community Plan [M.MB.EG CP] EIR as "recommended preserve lands. Twelve years later, the Final Montara -Moss Beach Water Well EIR identified this entire parcel as "Botanically unique coastal grassland of significant value on ocean bluff". The General Plan Sensitive Habitat Map [1.3M] locates this parcel in the "Wildlife Refuges, Reserves, and Scientific Study Areas" and the "Marine and Estuarine Habitats". This is mapped as a sensitive habitat. The neg. dec. before this committee does not include mitigation's to protect the biological resources on this parcel. It is important to note that this area was not adequately protected during the test well development nor has it been restored as required under Special Condition 2 in the Coastal Commission decision F7a, made on Nov. 6, 1998. We recommend that this should be remedied with the planting of appropriate native grassland species prior to the issuance of a CDP converting the test well to a domestic well and given sufficient time to establish itself prior to any further development. (LCP 8.16)

II. AESTHETICS:

This project is in a Scenic Corridor, as designated by the San Mateo County General Plan Scenic Corridors map. It is a "coastal terrace" thus falling under Chapter 8 of the LCP per definition 8.1. This location is clearly the most visible site for a home on the 2.47 acre parcel (policy 8.5, *8.15). This home is significantly larger than any of the adjacent urban cottages and homes on adjacent parcels. The larger of the homes are approximately 2200 sq. ft. This house will be more than double the average house size on Vallemar and Juliana. Thus it cannot conform to LCP Policy 8.20 It and the six others proposed will degrade the aesthetic standard stated in the M.MB.EG CP Community Appearance Policies.

It will block the views of the ocean and shore to travelers on Juliana St. and the end of Wienke Way.

III. TRAFFIC AND LAND USE:

This parcel is designated "General Open Space" on the San Mateo County Mid-Coast Area Land Use Map. On the Land Use Map this parcel is accorded the same density designation as other areas subject to determination of density by application of the density matrix in *Table 1.3. Accordingly this entire 2.7 ac parcel is entitled to one density credit.

The Local Coastal Program was formulated through the analysis of an array of environmental and planning variables. One of these was the traffic capacity of

Highways One and 92. As proposed this project will allow a sevenfold increase in traffic generated by this single parcel from that allowed by the land use designation and zoning. There are other significant parcels given this same land use designation and zoning in the urban Mid-Coast, including, but not limited to Pillar Point on the west side of Princeton. The Coastal Commission has found that traffic is a significant problem affecting development on the urban San Mateo County coastal area. Any increase in traffic allowed by ignoring the zoning and land use designation would increase road congestion for residents and visitors in addition to furthering the degradation of air quality in the downwind areas of the entire Bay Area. Additional congestion will create impediments to visitors attempting to visit the coast. Additional congestion will degrade the quality of life for residents.

This parcel is one of many in the urban Midcoast designated OS and zoned RM. Changes to the application of the land use designation and zoning this parcel will have implications for the development of other parcels. Thus the adverse effects on land use extend beyond the boundaries of this parcel. Open space is a limited non-renewable resource. It is given the highest standards of protection. The LCP, General Plan and zoning ordinances all contain provisions which must be enforced to protect it.

Rural lands within the urban areas are subject to "open space uses" [LCP Policy 1.3(b)]. General Plan Table 9.1P requires that the use must "be consistent with the protection of open space". There has been no analysis of how the proposed project of seven large houses will protect this open space, this sensitive habit, this visual resource, ground water resources or the adjacent bluff top. There has been no analysis of how this increase from one home to seven will alleviate existing traffic congestion or impact other community infrastructure. As previous analysis determined that this parcel could have one density credit, an EIR must be done to justify the sevenfold increase in intensity of land use.

IV. QUALITY OF ENVIRONMENT

Quality of Environment includes not only the immediate parcel but the adjacent community and the larger community as well. This project has the potential to greatly degrade the quality of the environment.

One of the remaining areas of coastal prairie will be destroyed. The first element of this project, drilling the test well destroyed a portion of the native grasses. There is no record that the recommendation for transplanting of native bunch grasses was done. There has been no reseeding or replanting of native bunch grasses, annuals or perennials on the site to mitigate the damage done by drilling the test well.

Among other degradations to the quality of the environment from this project: the views of the coast and ocean available to travelers from the adjacent roads will be

impeded. Traffic congestion will be made worse. Air quality will be degraded by additional traffic. The existing trail used by visitors to the coast will be blocked by a future element of this of the project of seven houses and infrastructure.. Other future parts of the project will result in the destruction of significant trees on the parcel.

V. SHORT TERM/LONG TERM GOALS:

Achieving the short term goals of creating luxury housing and increasing the property tax revenues for the County will disadvantage of long term goals of the LCP- including the M.MB.EG CP, the General Plan, and the State of California.

The M.MB.EG CP states:

Conservation and Open Space – agriculture and general open space areas are designated to protect the environment and to strengthen the community, by preserving open space between developed areas and maintaining distinct urban limits.

Trails- recreation corridors along stream and water channels are designated to provide trail access from urbanized areas to parks, beaches, and the open space surrounding the community.

The LCP Land Use Plan reads: *"The coastal Act of 1976 transferred the responsibility of preparing a Coastal Plan from the State...to each of the 15 Counties...along the coast. The purpose of the Land Use Plan is to protect coastal resources,...the Land Use Plan places stronger emphasis on expanding public access opportunities to the County's beaches,...and protecting environmentally sensitive habitats than is found in prevailing local policy.*

v *"Protect, maintain and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and man made resources....The Act establishes a framework for resolving the many controversies over the use of land in the Coastal Zone. Through its policies, it sets up a land use priority system which gives highest priority to the preservation and protection of environmentally sensitive habitats...*

Section 6310 of Chapter 20A, San Mateo County Zoning Ordinance, says: *The purposes of this chapter are to carry out the objectives and policies of the Open Space and Conservation Elements, as well as other elements adopted as a part of the General Plan of San Mateo County, to meet the requirements of Section 65910 of the Government code of the State of California requiring formulation of an open space zoning ordinance,...*

The long term goals of the protection of open space, sensitive habitats, and community cannot be met by allowing urban density development on rural

density/designated lands. The function of the planning chapters as well as other relevant chapters of the planning documents, the General Plan, the LCP, the Community Plan, the zoning and development ordinances, is to look at both short term and long term benefits and risks. Alone each contains goals and policies to protect the coastal zone environment and communities, together they weave a strong protective net of goals, policies, and ordinances. Each goes through an extensive evaluation process in concert with the others to ensure that there is no conflict between them. The goals of the community, County and State are clearly stated; none include ignoring its own or elements of the others to create more luxury houses. In order to meet the intent and the letter of the LCP, the General Plan, the Coastal, and the Open Space Act this project cannot be considered in a piecemeal fashion. It must be considered as the entire project of eighteen test wells, seven houses and all infrastructure.

VI: IMPACTS:

This project involves a very unique landform and biological area. It is adjacent to a biologically sensitive recreation area. It is adjacent to and contains in part a heavily used coastal access trail. The Committee finds that many of the impacts associated with this project were not identified in the Environmental Analysis attached to the staff report. Please see our Environmental Analysis [attachment]. As the neg. dec. is used to determine the necessity of an EIR, it is our opinion that if the zoning, LCP and General Plan policies are applied and the appropriate conditions added most of the impacts will be mitigated.

This committee is concerned that the CDP required by the Coastal Commission to convert the test well to a domestic well has not been required by the County prior to this neg. dec. It is critical to the protections afforded the community and the environment that no steps be omitted from the permit process. The impacts of short cutting the permit process, especially with piecemeal development, are not only physical - loss of open space, closure of trails, inappropriately placed houses, destruction of heritage trees, etc. - but attitudinal: The County loses credibility to the public.

VII: ADVERSE EFFECTS ON HUMANS:

The sevenfold increase in demand for roads, water, and other public services will have substantial cumulative impact individuals and the community. It will deprive residents of existing and new homes built on conforming lots the protections from excessive demand on infrastructure afforded them by the LCP. One element of this project will block a trail with a long history of heavy use by coastal visitors and residents. The structure in question will block coastal and ocean view from Juliana St.,

and Wienke Way. If this project is built as envisioned there will be seven homes constructed. The impacts from this construction activity have not been evaluated for the cumulative impacts on the neighborhood. Noise and parking associated with construction activity must be evaluated.