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COUNTY OF SAN MATEO

INTERDEPARTMENTAL CORRESPONDENCE

To: Honorable Board of Supervisors
From: County Counsel
Subject: Request of the Midcoast Community Council for an Advisory Election
Regarding the Mirada Surf Property
Date: August 12, 1998

Recommendation: Consider the request of the Midcoast Community Council to submit an advisory measure to a vote of the electorate on the question of whether the General Plan and zoning designation of certain property lying between El Granada and Miramar, commonly referred to as the Mirada Surf property, should be amended to allow subdivision into thirty-five (35) residential parcels.

Background:

The owners of a parcel of property located west of Highway 1, between the unincorporated communities of El Granada and Miramar, have applied for a General Plan and zoning amendment for the property, as part of a proposal to subdivide and develop the parcel into 35 home sites. The property, which is in the urban area of the Coastal Zone, is currently designated Public Recreation - Community Park in the General Plan, and is zoned Resource Management/Coastal Zone. The proposal is to redesignate the parcel Medium Low Density Residential in the General Plan, and to rezone the property to Planned Unit Development. In the normal course of events, the rezoning and General Plan amendments would go to the Planning Commission for a recommendation, and then to the Board for adoption. Because the property is in the Coastal Zone, these amendments would also constitute LCP amendments, and would require Coastal Commission certification. Currently, the proposal is being reviewed by the Planning Division and an environmental impact report is being prepared.

Discussion:

The Midcoast Community Council has asked that the Board place an advisory measure on the November 1998 ballot asking the voters for their opinion regarding this proposal. A copy of the letter from the Council and correspondence between this office and the Council is attached. The Council has requested that the vote be restricted to those voting precincts which comprise the voting area for the Council itself. The advisory measure as proposed by the Council would read:

"Should a change to the Local Coastal Plan that permits Rezoning of what is now designated parkland be permitted to allow the building of thirty-five residences."

The Board has the authority to place advisory measures, such as that presented, on the ballot. The measure, if adopted, would have no binding effect on this Board. The Board may designate the area in which the advisory vote will occur. If a General Plan or zoning amendment were actually submitted to the electorate, a countywide vote would be required. However, an advisory measure can be limited to a specific area.

An Environmental Impact Report is currently being prepared for the proposed rezoning and General Plan amendments. That Report will be part of the public hearing process which the Planning Commission and the Board will conduct. Regardless of the results of any advisory election that statutory public hearing process would have to be followed by the Board and the Planning Commission.


THOMAS F. CASEY, III, COUNTY COUNSEL

cc: John Maltbie, County Manager
Paul Koenig, Director of Environmental Services
Warren Slocum, Assessor-County Clerk-Recorder
Midcoast Community Council
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