

3/22/95

Report on RM Districts
by
Planning and Zoning Committee

It has been brought to the attention of the Planning and Zoning Committee that the San Mateo County Planning Department has been approving projects that contradict the land use designations in the Local Coastal Plan, the San Mateo County General Plan and the supporting ordinances. The urban and rural RM Districts are endangered.

The Planning and Zoning Committee has had the issue of development at densities greater than envisioned in the Local Coastal Plan brought to its attention.

In the March 6th workshop with Mr. T. Burnes, Planning Administrator and Mr. Michael Murphy, Deputy County Counsel, we explored the history and the implications of the increased densities to the Midcoast community.

It is our opinion that the development of the RM districts at densities far greater than planned for will be detrimental to the rural small-town character of the area and will eventually cause the loss of the rural residential greenbelt around the urban areas of the community. The current county policies of attending only to the antique subdivisions and of granting variances in the RM districts will not allow management of growth which is consistent with the present character of the area.

DEFINITIONS:

URBAN/RURAL BOUNDARY: The urban/rural boundary is a line separating urban from rural areas in order to indicate clearly where intensive urban development and less intensive rural development will be permitted in the County.

Its intent is to define the outer limits to urban public services.

RESOURCE MANAGEMENT: The RM district is defined primarily by the allowed density of development. This can vary from site to site depending on the physical characteristics of the area in question. Typically the area allocated for density credits varies from one per five acres to one per forty acres. Density credits and uses include agricultural, residential and commercial.

The Resource Management Zone was created by San Mateo County in the early 1970's. It is intended to fulfill the requirements of a State law requiring local governments to designate areas as open space as to zone them accordingly. The RM designation is the legal definition of the State open space preservation act. The residential density allowed in an RM district is one dwelling unit to parcels 5 to 40 acres in size. There are four distinct kinds of RM Districts on the midcoast. The first is the huge tracts of land which have not been subdivided into small parcels. These are mainly the hillsides which are unsuitable for farming and too far from urban areas to develop. The second is the Rural Residential Subdivisions. These are areas subdivided in the early 1900's but not intensively developed by the 1970's. These were included in the RM Districts to act as buffers between the agricultural lands and the more densely developed urban areas. They are intended to have lot sizes generally less than or slightly larger than five acres. The third and fourth categories were created to act as buffers between communities and to give open space areas to the urban parts of the midcoast. These consist of a few unsubdivided parcels with the balance having be subdivided before the zoning ordinances.

BUFFER ZONE: The buffer zone is an area of lower density development between areas in an urban setting. In the rural setting it provides a transition between the urban areas and the agricultural areas.

GENERAL OPEN SPACE: Open space areas include development, but at much lower densities than in urban areas. The definitions include controlling the density of development. In the areas defined as Community Open Space the uses are generally restricted to recreation.

The History

- 1906-30 On the midcoast developers created many subdivisions without regard for the underlying topography or natural drainage swells. Over the years some of the old subdivisions were developed while others remained virtually unimproved.
- 1972 The Coastal Act, Proposition 20, was passed statewide by the people of California. It was enacted to preserve coastal area while recognizing the needs of fishermen, farmers, visitors, and residents.
- 1973 San Mateo County enacted the progressive ordinances making clear distinctions between urban and rural areas and creating areas planned for limited development. "Resource Management" (RM). Density in RM areas was limited to a maximum of one house per five acres. Some of these old, undeveloped subdivisions were included in the RM zoning.
- 1976 The California Coastal Act was passed by the State legislature, replacing Proposition 20. Responsibility for achieving the goals of the 1972 Act was given to local government upon completion of a community based coastal plan, and upon approval of the plan by the State Coastal Commission.
- 1976-78 The Montara/Moss Beach/El Granada Community Plan was written by community members and county planners in a series of workshops. The plan kept the open space areas and buffer districts and created a boundary for urban growth.
- 1972-79 The Coastal Commission identified the areas which were to become RM Districts as too small to support housing at a density of one residence per two acres.
- 1979 The Local Coastal Plan (LCP) was created from the Montara/Moss Beach/El Granada Community Plan. The Urban/Rural Boundary was formalized. The very low density designation for the RM zones (one dwelling unit per five acres) remained the same and has not changed since. Also, in an effort to maintain existing large parcels, ordinances were passed requiring the merger of contiguous parcels prior to development.
- 1984 The State Subdivision Map Act was amended, establishing that any subdivided parcels that weren't merged before 1981 could be developed as separate home sites, regardless of their size, as long as they met the standards for public health. This act gave developers a giant loophole by contradicting the LCP's density designation.

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The Midcoast Community Council is formed to give the midcoast community a voice before County government regarding issues of public importance. Among a few other issues specifically cited, the Councils charter says its purpose is to seek "preservation of the rural small town character by protecting the existence of agricultural lands"; "the retention of a greenbelt around urban areas"; and "maintaining the coastal protections afforded by the County Local Coastal Plan".

The Implications:

- The urban RM districts could end up with development of 2500 square foot lots instead of those lot sizes specified in the LCP resulting in densities far greater than those envisioned by the LCP. In addition to losing the visual resource of open space this would impact the sewer and water districts as these homes will need public utilities.
 - In the rural RM district it could mean up to 3 residences per acre or 15 residences per 5 acres instead of the 1 per 5 acres maximum called for in the LCP. This could mean up to 6 septic systems on a 200'x400' block. corrective measures should these All of these homes would be on domestic wells. We have all seen the need for emergency public water hookups in El Granada and Half Moon Bay when wells are placed too close together and the water quality becomes undrinkable or the well is unable to supply any water. Further, should the County decide later that this density of septic systems is too great, the LCP would need to be amended, the homes could be forced to use public sewer, affecting the Montara Sanitary Board and the new sewage plant, This area would then be open to development with 2500 square foot lots.
- In addition, we have noticed that changes to the LCP and the zoning ordinances receive very little public attention or analysis from the midcoast. We think that the long term result of this will be unanticipated changes counter to the character and integrity of our community. These changes will result in a further erosion of the intent of our fundamental planning guide, the LCP.

EXAMPLES OF ISSUES:

URBAN RM AREAS: On the bluffs, on the West side of Highway One there is a parcel of approximately five acres. It was zoned RM and designated in the LCP as an open space with public beach access. Although it contains an old, undeveloped subdivision it was planned to have one home.

In the last several years it has been bought and sold several times. The most recent purchaser apparently managed to have it rezoned to R-1 or 5000 square foot lots. There was no notice to any neighbors or the community so they could voice their opinions on what this major change means to them.

Currently there are 8 homesites for sale on this parcel.

RURAL RM DISTRICTS: According to Terry Burnes in the meeting on March 8th there is only one county constraint on lot sizes in these areas: what area will accommodate a septic system. So the minimum size shrinks from one home per five acres to one per one-third or one-half acre. There is no incentive for builders to exceed that. There are many large appearing parcels in these areas which have not been merged. If speculators were to acquire these parcels densities would increase dramatically. One incentive for this to happen is that these lots are not assessed by the Montara Sanitary District. This has already begun. In the Wienke Addition speculators purchased less than one acre and have plans to put two houses and two septic systems on it. An interesting note is that the County will not permit 2 horses on a lot that small.

INFORMATION: Today the Planning Commission heard a proposal by the Planning Department to reduce the notification distance of neighbors for variances. The MidCoast Community Council first recieved notice of this last week.

We think that there are several steps that the Midcoast Community Council can take today which will have the immediate effect of aiding the preservation of the RM Districts. We recommend further study of related issues to see what other solutions are available to the community.

1. Request that the Board of Supervisors make sure that every amendment to the LCP come before the MC3 for a public hearing with adequate time for publicity and public commentary such that the MC3 can relay its opinion to the necessary agency early in the process.
2. Request the Board of Supervisors make sure that any amendment to the General Plan come before the MC3 for a public hearing with adequate time for publicity and public commentary such that the MC3 can relay its opinion to the necessary agency early in the process.
3. Request that the Board of Supervisors make sure that any amendments to zoning ordinances or the permit process come before the MC3 with adequate time for public hearing and commentary such that the MC3 can relay its opinion to the Planning Department.
4. As variances often affect nearby neighbors, any variance application for a project in the RM District should include notification of all neighbors within 500 feet.
5. Any divisions of existing parcels or change in the intended density in the RM District should be subject to community notification and review. Evaluation of any creation new building sites should be evaluated by staff under all of the RM criteria and LCP densities and rejected if the land division does not meet the density standards established in the LCP.