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Hon. President and Board of Supervisors, San Mateo County
Hall of Justice and records
400 County Center
Redwood city, CA 94063

RE: Midcoast Local Coastal Program (LCP) Update Project

Honorable President and Board Members:

As a member of the Midcoast Community Council and Montara Water and Sanitary District I participated in the recommendations made by both boards. However, I want to take this opportunity to put some additional thoughts in writing for you. Thanks you for holding this hearing near the midcoast.

The current set of recommendations from the Committee of the Board of Supervisors [Committee] contain laudable intents and goals for the Local Coastal Program. Unfortunately some of these new policies in addition to the recommendation not to adopt changes to policies that would keep growth within the planned, zoned densities will result in irreparable damage to coastal resources.

Although current LCP Policy 2.12: Timing and Capacity of Later Phases¹ addresses the necessary, fundamental guidelines for future infrastructure growth, Planning Commission recommendation #3² is a more complete and succinct statement for what planning for

¹ LCP Policy 2.12: Timing and Capacity of Later Phases

- (a) Use the results of Phase 1 monitoring to determine the timing and capacity of later phase(s).
- (b) Guide timing by allowing later phase(s) to begin when Phase 1 capacity has been or will be consumed within the time period required to construct additional capacity.
- (c) Establish the capacity by: (1) estimating the capacity needed to serve the land use plan at buildout, (2) considering the availability of related public works to establish whether capacity increases would overburden existing and probable future capacity of public works and (3) considering the availability of funds...

²Planning Commission recommendation #3:

The Planning Commission recommends that the Board (a) accept the updated data, (b) complete hydrological studies to determine available water resources, and (c) **plan growth to the level resources can support. (emphasis added)**

future growth should be premised on. I encourage you to adopt Planning Commission recommendation #3 as the overriding principle guiding these and all future changes to the LCP.

Policy 2.12 and PC recommendation #3 are complementary, not mutually exclusive. Using them in concert will result in a fiscally sound planning guide for implementing the CA Coastal Act on the San Mateo County midcoast.

In the past 6 years, since the sewer plant expansion was finished, the County has had a unique opportunity to examine the cumulative effects of its current policies on coastal resources. I have picked the three to discuss here that I have commented on over that last ten years to your Board: traffic, storm water management and residential water supplies. These issues have been raised to me by many of the folks I meet living on or visiting this part of the coast.

It is important to note that development does not affect just a single resource. Multiple components in the community are affected by every new construction project: water, sewer, drainage, traffic, recreation needs, schools, creeks, although there are more.

What has happened since 1999 when the sewer moratorium ended and new construction commenced? What have the effects been of the almost 200 new homes built here in the past six years?

Traffic: In 1980, when the LCP came into effect there was no overall traffic master plan, in spite of the projected growth and public testimony requesting improvements for road and safety modifications to benefit visitors and residents alike. Development anticipated in the LCP did not happen during the ensuing 20 years due to water and sewer moratoria.

Since 1980: The population of California almost doubled; the number of drivers more than doubled, the number of visitors to the coast dramatically increased; bussing to local schools ceased; accidents numbers increased; twice daily traffic jams are the norm; people have died trying to get across lanes of traffic; and visitors have not been able to visit the coast because the congestion on Highways 1 and 92 has made it impossible. It is time to develop the traffic master plan requested by the community in 1979 and by the Midcoast Community Council in 1997.

The Board of Supervisors Committee recommends a policy to expand Highway 1 in the urban area up to 4 lanes. This recommendation is new, having been first suggested in the Committee report. The report contains no quantification or documentation of how this expansion in the urban area will relieve traffic congestion on the rural access ways to the midcoast. There is no plan for safety improvements; no plan for beach access from the east to the west; no plan for visitor parking. These are all elements that ought to be considered when widening the highway. When the LCP was initially created a series of planning studies, discussions, and recommendations was created for each major infrastructure segment. I urge the County to have public planning process for Highway 1 here on the coast, accessible to those most affected.

Countywide Measure A, the sales tax to provide continuing tax dollars for transportation projects, does not contain a provision to pay for expansion of Highway 1 in the urban midcoast. How will these changes be financed? According to Policy 2.12 financing must be considered as part of the policy change.

Storm water management: Much like the previous issue, storm water management is entirely the responsibility of the County. Much like the traffic problems there is no plan, and very little money in place to remedy the problems caused by the current levels of development. No provision has been made to deal with the flooding and pollution exacerbated by future development.

Our storm drain system has historically consisted of, and for the most part remains, a system of open drainage ditches conveying the runoff from impervious surfaces into natural creeks and drainages, eventually conveying the effluent to beaches and the ocean. The current policy appears to be to fix the flooding where it is the worst without looking at upstream causes nor at downstream effects. Despite the Clean Water Act, the review of the County NPDES permit, and the knowledge that increased building causes quantifiable increases in storm water runoff and associated pollution, no comprehensive storm water management and treatment system has even been planned, much less built.

There is no plan to remediate or mitigate the urban pollution and silting of creeks caused by having a storm water management system created early last century. The County must put a modern, effective storm water management system in place before granting entitlements to new housing

Domestic Water Supply: Like the previous two issues permits for wells are entirely the responsibility of the County. With few exceptions, all new residential development has been on individual wells. In the urban area the wells are on closely spaced, individual, residential lots with no regard to the effects on aquifers, creeks or nearby wells from overdraft.

The County has no program to monitor the health of nearby wetlands from the cumulative impacts of individual wells. There is no program to monitor the safe yield of each aquifer in which there are large numbers of individual wells. The 1989 Montara Moss Beach Water Well EIR made determinations of the safe yield for each of the 6 sub-aquifers in Montara and Moss Beach. It identified sensitive habitats that needed monitoring if substantial numbers of wells were withdrawing water from each aquifer. A simple computation of the cumulative water use from existing wells in 2 of the aquifers in Moss Beach indicates that they are close to overdraft in normal rainfall years; potentially affected wetlands are identified in that EIR.

Although the County knows of several wells in Half Moon Bay and El Granada that have been deemed 'failed' it continues to allow new development on wells, putting families at risk. There is no priority allocation for failed wells in Montara and Moss Beach. Montara Water and Sanitary District will need to have over 1,000,000 gallons a day on hand to serve each of the priority allocations before one failed well in our district can be

served. Please give Montara and Moss Beach residents the same rights as folks in El Granada and Miramar have: priority allocations for failed wells.

Doubling the population, at any growth rate will increase the damage to and destruction of coastal resources if there are no funded solutions in place.

Comments on each key issue:

#1: Residential Buildout Estimate

As this number is based on subdivisions created 100 years ago, a cumulative impact assessment of development of the 3000 additional houses should be done before adding incentives or entitlements to lots that are substandard or nonconforming. The assessment should examine all aspects of associated impacts including traffic, storm water management and guaranteed water supply.

Alternative uses of residential lots should be explored. The 1998 ABAG Subregional Planning Report recommends:

The amount of residential development currently allowed by existing land use plans in the subregion would create a surplus of approximately 4,800 potential housing units above the number that would be needed to accommodate projected growth in Coastside jobs by the year 2015.16 If these housing units are built, and no parallel increase in job growth occurs, the subregion's jobs-housing imbalance will expand and further complicate all other strategies to reduce increases in Coastside congestion. Therefore, in developing land use policy for the Coastside, it is crucial for the County to acknowledge the importance of promoting a jobs-housing balance in the subregion by fostering additional job growth while exploring the feasibility of allowing other land uses in areas now zoned exclusively for housing.

#2: Number of Substandard Lots

This number does not include the substandard lots in the rural residential and planned agriculture districts. They have the potential to add substantial numbers to this category when counted as unmerged lots that can be sold.

#3: Infrastructure Demand at Buildout

The MWSD and GSD letters add detail that makes the blanket statements regarding sewer and water questionable. All new residential development in the urban areas is dependent on new wells. There are very few emergency connections available in CCWD and none available in MWSD.

Under recent California law developments of 500 or more new homes must have a proven water supply, yet in this LCP update the County is set to entitle over 3000 new homes without that guarantee. The groundwater study should be done prior to any

entitlements being given. The County should not approve any new development without a guaranteed water source.

Phase 2: The County has not documented the capacity needs of phase 1 as required by LCP 2.9. Phase 2 involves far more infrastructure than simply the water for the midcoast and sewer for a portion of it as suggested by the staff report. As noted in the GSD letter the wet weather flow system suffers from spills that appear to increase in frequency as new residential development increases. We need a county operated stormwater management system to prevent neighborhood flooding and creek and beach pollution. It must go beyond cutting the weeds in the ditches or making portions of the system deeper. It must go through the full design and EIR process. Discussion of phase 2 is premature until these solutions and the financing for them are in place.

#4: Residential Growth Rate Limit

Half Moon Bay has adopted a 1% growth rate limit. Pacifica grows at a lesser rate than Half Moon Bay. Adopting anything in excess of 1% will cause problems for Half Moon Bay and Pacifica. The 1998 ABAG Subregional Planning Report states:

As stated in ABAG's 1973 Regional Ocean Coastline Plan for the San Francisco Bay Area, which represented the Coastal Element of their Regional Plan:

Existing and future use of natural resources, recreation resources, scenic values, and unique agricultural lands of the coastal area involve decisions which cannot be made solely by local governments which are not always able to identify larger interests. Although each governmental level has important contributions to make to a comprehensive planning and management process, regional, state and national perspectives are needed. _

One of the primary goals of ABAG's 1973 Coastline Plan was to promote the conservation of the Bay Area's coastal resources through a subregional planning approach. The 1998 Coastsides Subregional Planning Project reflects a continued commitment to that goal.

Clearly the County needs to be seeking to match the growth rates of our neighboring communities, not outpacing them.

Any development for residential units for disabled persons must be carefully considered to ensure the best circumstances for persons in need of care. Any housing for such people must have a minimum 50 year guarantee that the use will not be changed. They should be in residential neighborhoods close to needed services.

Clarifying that permits apply units and not permits will help to protect coastal resources.

#5: Merge Residential Substandard Lots

Immediate merger of substandard lots in common ownership will help to remedy the problems created in the past with the lag between the implementation of the merger policy and the mergers themselves. A checkerboard pattern of ownership was created when several families with large holding of residential lots traded small lots into differing ownership to avoid the merger required in 1980. Had these been immediately merged or had a system to stop the swaps once the pattern became clear we would not have so many substandard lots today.

#6 Nonconforming Parcel Development Controls

The intent of my suggestions regarding the rationale for the County adopting the Half Moon Bay proportionality rule on the midcoast was to

- a) first give owners an incentive to merge lots by having conforming lots have a larger F.A.R than nonconforming lots
- b) for stand-alone nonconforming lots affordable housing opportunities would exist because the houses would be substantially smaller, and therefore less expensive, than the larger houses on larger lots.

Incentives to increase the number of houses built on nonconforming lots belong in non-coastal areas.

#7: Residential Uses in the C-1 (Neighborhood Commercial) District

The recommendation to have as much or more commercial than residential and to keep residential in the second floor is very positive.

While mixed-use is an attractive concept it needs to be applied in the context of current urban planning. This includes larger boulevard setbacks, large landscape corridors to enhance the combined business and residential areas, urban parkways to balance the taller buildings, and urban parks for the recreation needs of the residents of the commercial areas. These concepts are not included in these policies. Described here are buildings substantially taller than those directly adjacent to them with no landscaping setbacks, no urban park areas and a continuing zoning allowing zero setbacks for the commercial structures. While a commendable idea, it needs to be fully planned, with the implementing ordinances as part of the plan, before being adopted.

#8: Residential Uses in the W (Waterfront) District

There is not justification in the Coastal Act to increase the number of residences in our very small waterfront district, particularly as the Board is increasing residential uses in other areas with no significant increase in commercial or industrial opportunities.

Waterfront zoning is specifically for business that must be nearby the harbor. The Waterfront district is a unique coastal asset, housing is not.

#9: Residential Uses in the COSC (Coastside Open space Conservation) District

I urge the Board of Supervisors to adopt the Planning Commission recommendation, although adopting the El Granada Gateway District for the entire, historically significant, Burnham Strip is in keeping with the Coastal Act and the Burnham Plan. It is important

to note that the creeks traversing the Strip and the wetlands existing on it should be mapped to ensure protection.

#10: Increasing Commercial and Employment Opportunities

Safety should be the first concern of the Board. I urge adopting the Planning Commission recommendation and deferring giving development entitlements until after the needed new safety standards are implemented as part of the Airport Master Plan. The new Airport Commercial areas appear to be placed either on prime soils or existing wetlands. No determination of the availability of water or sewer capacity has been made. Indeed, the County airport is still serviced by a septic system that appears to need more frequent than average maintenance even though many years ago the Montara Water and Sanitary District requested the County connect to the sewer system.

#11 Development controls in the AO (Airport Overlay) District

I urge adopting the Planning Commission recommendation and deferring giving development entitlements until after the needed new safety standards are implemented as part of the Airport Master Plan.

#12: Midcoast Traffic Mitigation Requirements

I agree with revising the TDM's. A traffic master plan is long overdue. Until we can, per LCP Policy 2.12, determine what highway capacity is needed for buildout, (whatever buildout is determined to be once the Phase 1 evaluations have been completed) and find a way to finance the highway expansion, we should not be implementing policy changes for Highway 1.

#13: Development Controls in Midcoast RM-CZ and PAD Districts

I support the concept, although (using the smallest parcel size noted in the next section) the smallest will result in at house and garage greater than 3900 sq ft. This is significantly larger than many of the existing homes on parcels closer to the zoned parcel size of 5 acres.

#14: Rural Designation

This area was designated in the existing LCP for very low density development of .2 d.u./acre. The buildout numbers were calculated with this density. The Local Coastal Program, Vol 1, Land Use Plan documents why this area was designated for very low density development. It is not an urban reserve. It was intended to be an agricultural buffer between the undeveloped ag/open space lands and the dense urban areas. It is an area traversed by earthquake faults and creeks with a mixture of wetlands and steeply sloped areas. New roadway development will traverse creeks, wetlands and extremely steep slopes. There are many, many 2500 sq ft. lots, in common ownership, which can be transferred in separate ownership, creating, under the current County practice, uncounted entitlements for high density residential development in areas ill-suited for it.

Montara Water and Sanitary District does not assess fees within the rural residential area unless a home is connected to our services. It does collect monies to pay for the bond to purchase the water district. This money is used to ensure that the hydrants serving the

area can provide necessary water with adequate pressure for fire protection. You may recall that when Citizens Utilities owned and operated the water system these parcels paid nothing for the water, storage and hydrant maintenance for the fire protection system. The system often had insufficient water pressure to sufficiently protect the area.

#15: Lot Merger in Rural Midcoast Areas

I cannot see how these would work to encourage lot merger.

#16: Use of the CalTrans Devil's Slide Bypass Property

I think it is appropriate for the County to work with CalTrans on the disposition of the property remaining from the Bypass project. However, while doing that, the County can designate the property for open space uses, water resource uses and open space recreation. Postponing consideration of these matters is not in the interests of the adjacent communities of Moss Beach and Montara, nor in the interest of protecting coastal resources. I hope the County will work with Montara Water and Sanitary District to help it acquire the land for much needed water supplies and to continue recreational opportunities for the community.

#17: Highway 1 Pedestrian Improvements

I am in full agreement with this action and committee recommendation. This will further visitor access and low cost opportunities to enjoy the coast.

#18: Updating Midcoast Trails Policies

I am in full agreement with this action and committee recommendation. This will further visitor access and low cost opportunities to enjoy the coast.

#19: Impervious Surface Limit/Winter Grading

Adoption of the Tahoe Regional Planning Agency standards for impervious surface limits will protect creeks and the beaches from pollutants spread and deposited by urban stormwater runoff. This is a body of law that has been in use for decades. It has survived litigation at the US Supreme Court. There is no need to create our own standards from scratch. This should be done before any new building occurs. We have no stormwater management system that treats the storm water before it enters the waters of the creeks and ocean. The County should stop asphaltting our drainage channels, this only accelerates the speed of runoff and allows pollutants to stay in the runoff.

Grading standards must be enforced. Toleration of raw, unprotected cut slopes from one rainy season to the next must stop.

Illegal tree removals increase runoff pollution and runoff. The County needs to establish a policy to require replacement trees that will grow to the same size as those that were removed.

#20 Codifying Coastal Act Sections

While this is an excellent concept, I believe that all LCP policies must be adhered to in development decisions, not just a select few. With regret, I recommend not adopting the Planning Commission recommendation as it is too vague and open to misinterpretation.

#21 LCP Tasks Assigned to the County

I am in full agreement with this action and committee recommendation.

#22 LCP Policy Conflicts/Ambiguous Provisions

I am in full agreement with this action and committee recommendation although they must be resolved in a way that best protects coastal resources.

#23 New Midcoast Affordable Housing Policy

I think a more thorough examination of why more affordable housing units have not been built here is necessary. Perhaps rezoning of the 3 affordable housing sites to low density live-work districts might be more achievable given the sensitive habitats and other constraints present on the sites.

Reducing parking requirements should not be an option. At night, often streets in each community do not meet the required width of fire safety because so many cars are parked on both sides. Creating a greater need for on street parking could cause a serious safety hazard.

The County cannot find the use permit for the old Chart House. How can it begin to keep track of the rental rates of individual houses? It is important, especially when trying to implement important policies, to make sure they are enforceable. The coast is not the place for the County to implement its regional affordable housing objectives – especially when it is considering converting potential W district and C-1 commercial space to housing.

In closing, deferring action on items to ensure that the appropriate quantification and planning occurs will serve to ensure that the coast grows in a carefully considered manner most protective of coastal resources. I am speaking particularly in reference to the need for an overall drainage and stormwater management plan, a traffic master plan, and the changes being proposed for the airport.

I would ask that any issue that the County and Coastal Commission can find agreement on should be adopted by the County. Coastal protection should be a goal we can all agree on.

Thanks for reading this through to the end.

Sincerely

Kathryn Slater-Carter