

# Midcoast Community Council

*An elected Municipal Advisory Council to the San Mateo County Board of Supervisors*

*Serving 12,000 coastal residents*

Post Office Box 248, Moss Beach, CA 94038-0064

<http://mcc.sanmateo.org>

**Len Erickson**

Chair

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**Leonard Woren**

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April 8, 2011

Mike Crivello  
Camille Leung  
San Mateo County Planning Department  
455 County Center,  
Redwood City, CA 94063

Jo Ginsberg  
California Coastal Commission  
45 Fremont St., Ste. 2000  
San Francisco, CA 94105-2219

Re: Code Enforcement – La Costanera Restaurant - 8150 Cabrillo Highway

The Midcoast Community Council is writing to request that the Department of Planning enforce the zoning and other laws regarding outdoor lighting, signage and other issues at La Costanera restaurant. The responsibility for code enforcement involves both the San Mateo County Planning Department and the California Coastal Commission. We address this letter to the staff of both agencies and ask you to insure collaboration and coverage of these issues. The restaurant is adjacent to Montara State Beach. It is within the designated County Scenic Corridor and must therefore comply with LCP Visual Resource Policies as well as Section 30252 of the Coastal Act.

The lighting and signage are not compliant with current coastal regulations or the operating permit:

1. LCP Policy 8.18 (a) Development Design requires that “Exterior lighting shall be limited to the minimum necessary for safety. All lighting, exterior and interior, must be placed, designed and shielded so as to confine direct rays to the parcel where the lighting is located.”

Contrary to this requirement, the floodlights on the South and East side of the building are not shielded to confine direct rays to the parcel. Rather they illuminate a much larger area, including a significant stretch of Highway One. Drivers on Highway One experience glare, which can create a safety hazard.

The floodlights on the West side of the building are also are not confined to the parcel, rather they are directed at the beach and ocean beyond. Lighting of the beach and ocean can be a hazard for avian species, particularly migrating birds.

2. Coastal Act Sections 30210, 30211, and 30212 require that development between the first public road and the sea provide maximum public access to the shore. Condition 2 of the Coastal Development Permit (P-77-579) issued in 1977 by the Regional Coastal Commission, requires the following “in order to assure adequate parking accommodations for both the restaurant, and adjacent public beach, the hours of operation of the restaurant/bar shall be limited to that period between 5:00 p.m. and normal closing time”. The Coastal Development permit does not allow exclusive use of the parking lot during that time.

The current, unapproved, parking signs warn the public that if they park after 5:00 they will be towed. There is no attempt to distinguish when the restaurant is open or closed-when the lot could be used by the public. They do not say the public is allowed to park there prior to 5:00 or when the restaurant is not open. The signage is against the spirit of shared parking intended by the operating permit: “As conditioned to the hours of operation and reciprocal use”.

The same no-parking signage on the north parking lot discourages the public from parking on an adjoining lot that is public property.

Condition 4 of the Coastal Development permit (P-77-579) issued by the Coastal Commission requires “Applicant shall submit, for staff review and approval, final plans for all signs and lights to be erected on the site”. The current signs and lights and signs have not been reviewed and approved by either the Commission or County Planning.

The MCC supports business on the Coast. We believe all businesses should be subject to the same enforcement of use regulations. All of these restrictions pre-existed the current lease. Other restaurants on the coast are required to be compliant with the use permits, zoning laws and the LCP. While we believe other restaurants may also be in violation of their CDP in respect to parking signs and lights we will address that in a separate letter. At this time we ask that this one be required to do the same.

Thank you for your assistance

Sincerely,

[SIGNED]

Len Erickson  
Chair, Midcoast Community Council

cc:

Don Horsley, San Mateo County District 3 Supervisor  
Jim Eggemeyer, Director, San Mateo County Planning Department  
Eric Canupp, Events Director, La Costanera  
Ruby Pap, California Coastal Commission  
Midcoast Community Council