

# Midcoast Community Council

*An elected Municipal Advisory Council to the San Mateo County Board of Supervisors  
Serving 12,000 coastal residents*

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June 1, 2011

Zoning Hearing Officer  
Department of Planning and Zoning  
Redwood City, Ca

Re: PLN2009-00123, 25 Bernal Avenue, Moss Beach

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The Midcoast Council requests that the following be taken into consideration regarding the requested use permit for a setback reduction on the above property.

Setbacks are critical to land use planning and building placement. They create light and space between buildings, protect privacy, and decrease density. The reduction of setbacks is problematic and decreases property values and quality of life for residents. Zoning variances and use permits to reduce setbacks should only be used under extreme circumstances and not in lieu of good design that is appropriate for the context and meets zoning regulations for the parcel.

In this case the applicant is requesting a setback reduction to accommodate a façade articulation along a flat wall plane. We understand that this is to allow a pop-out into the setback of what would otherwise be a 28 foot wall. The use of a setback change in this case is to solve what is, in essence, a design issue. This use of the setback space for part of the building will indeed increase density and negatively impact the privacy of the future use of the lot next door.

The use permit is required because the parcel does not meet current zoning regulations. The Seal Cove area has a Geologic Hazard overlay and minimum parcel size of 20,000 square feet. This is to allow placement of buildings to avoid the hazard. At 5,000 square feet the proposed development will be at four times the intended density and potentially unsafe.

There are two adjacent lots that are for sale. They are also substandard lots. It has been a long-standing policy of the county to require a property owner to acquire available adjacent lots if they wish to build a larger home, rather than issuing setback variances or use permits to allow high density building that does not conform to zoning standards.

It is bad policy and planning to utilize use permits to solve design issues which increase density and encourage applicants to apply for them, rather than designing homes that comply with the zoning restrictions for the size of the lot.

We ask that the ZHO deny the request for a use permit under these circumstances. The applicant should be required to comply with county policy by acquiring the available adjacent lots in order to build the current design – which could be placed on the property to meet the setbacks. Or the project should be sent back to Design Review for a design that fits on the lot with no setback issues and meets the zoning requirements.

Sincerely,

s/Len Erickson  
Chair, Midcoast Community Council