

MIDCOAST COMMUNITY COUNCIL

Serving the Communities of
Princeton, El Granada, Moss Beach, Montara and Miramar

March 26, 1992

RE: Mirada Beach Park Concept Plan

Members of the Planning Commission:

The MidCoast Community Council is concerned that the Planning Commission has apparently made up its mind on the issue of the Mirada Beach Park project's compliance with the RM District regulations. The Commission seems to agree with the applicant's attorney that inconsistencies exist between LCP policies and the RM zoning requirements. We believe that a closer examination of the County's historic records shows otherwise - that there is no inconsistency between these documents.

The LCP and RM District regulations were written together in 1980. The RM District was modified to implement the LCP policies and this occurred simultaneously with adoption of the LCP. It was not a case of subsequent ordinances being prepared after staff had lost sight of the policy direction of the LCP. These regulations were reviewed by County staff, Coastal Commission staff, the Planning Commission, the Board of Supervisors, and the Coastal Commission and found to be consistent. In fact, Mr. McCracken, who now suggests inconsistencies, found no such inconsistencies when he wrote and reviewed the documents as a member of the County Counsel's Office. The attached excerpts from 1980 staff reports document the repeated findings of consistency and also discuss the intent of the RM District and its intensity (density credit) limits.

The clearly stated intent of the RM District in 1980 was not to accommodate significant amounts of visitor-serving uses, which were specifically to be located in the CCR and PAD zones (see Notation 1). The staff reports note that density credits apply and relate to water use (see Notation 2) and even discussed one area of concern that non-water using facilities, such as parking lots and self-contained (i.e. no water hook-ups) RV parks might not have intensity limits (see Notation 3). The reports also state that zone changes from RM would be necessary if intensive recreational uses were to be approved (see Notation 4).

It is clear that issues of RM density credit:water use calculations and the inappropriateness of RM for intensive recreation were considered by staff, the Planning Commission, the Board of Supervisors and the Coastal Commission upon adoption of the LCP and RM regulations. To find inconsistencies between the documents today could only be based on a desire to accommodate the proposed development, against local opposition, as a great benefit to the entire County. What benefits would result from the Mirada Beach project? Certainly not great economic return to the County. Certainly not use of the RV park by most County residents. Certainly not maintenance of the coastal environment and beauty.

We continue to request that the Planning Commission uphold its existing zoning regulations. If consideration is to be given to modifying RM District regulations, we suggest this occur through a formal study, not via a specific development application. We also believe that the Planning Commission should not take on the role of setting (or re-interpreting) county zoning policy – that this responsibility lies with the Board of Supervisors.

Sincerely,

Kit Dove
Chairman

cc: Board of Supervisors
Diane Regonini
Half Moon Bay Review
San Mateo Times

Coastal Commission staff report, Nov. 1980, for adoption of LCP:

"The RM District was developed by the County in the early 1970's to provide flexible regulation of rural areas while being sensitive to the environmental and developmental constraints of those rural areas. As the majority of rural lands on the Coastsides are now recommended for a land use designation of agriculture...the use of the RM District on the proposed zoning maps is greatly reduced and is proposed to implement only those land uses proposed as Open Space."

Public Recreation was acknowledged to occur in the RM or PAD zoning district (Table B.1)

"Zoning ordinances carrying out the bulk of the Recreation and Visitor Serving Facilities Component are the Coastsides Commercial Recreation zone district, the Planned Agriculture zone district, and the Coastal Development district. Other zone districts are also used to carry out specific recommendations of this component, or would permit recreation and visitor serving development under more limited circumstances (RM, COSC, C-1)."

"Minor changes were required in the (zoning) ordinances to make them internally consistent, to fulfill the purpose of carrying out LCP policies, and to accommodate modifications (conditions) required for Coastal Act consistency of the LCP. As modified, the LCP was found consistent with the certified Recreation and Visitor Serving policies and will be adequate to carry them out."

San Mateo County LCP Implementation Plan – Staff Summary, Analysis and Preliminary Recommendation, Oct. 1980

"Resource Management: This zone permits a wide variety of uses subject to a sliding density scale based on characteristics of the land...Areas designed Public Recreation and zoned RM include Gray Whale Cove State Beach, a portion of Fitzgerald Marine Reserve, and an area between El Granada and Miramar. The allowable density of use is not clearly stated, but equates to a "density credit" to 315 gallons of daily water use (Sec. 6317 Revised, pF-1. The zone contains no intensity range for non-water using development such as public parking, off-road vehicles, or self contained RV camping.) Since no equivalents are indicated in terms of land use, it is difficult to calculate what might be allowed on a given parcel. Staff made an attempt to estimate the allowable uses for Montara-Gray Whale State Beach (zoned PAD and RM, which contain the same density matrix and water use equivalent.) Using the State Parks Development Plan description of the land, most will have no more than one credit per 80 acres. The total of about 1,750 acres allows about 22.25 density credits, or about 7,000 gallons/day of water use."

"Preliminary Recommendation: Rezone specific areas where intensive recreational development is to be permitted, if any, to appropriate intensities consistent with recommendation of the Shoreline Access, Recreation, and Locating New Development components. Include an RM density credit equivalent for non-water-using development. Where intensive recreational development locations are unknown, give priority to those uses (policy 11.5) by revising the density credit equivalent to 800 gallons/day of water use for priority development (coastal-dependent, public and commercial recreation, visitor-serving).

San Mateo County LCP: Land Use and Implementation Plans Executive Director's Recommendation Adopted by Coastal Commission October 23, 1980

"If conditioned as suggested (#11-1 thru 20), the Recreation and Visitor-Serving LCP Component will carry out the Coastal Act policies on the local level, and will be consistent with the relevant portions of the Coastal Act."

"11-11 Modify the policy on development standards for private facilities (11.15) as follows:

..."Require that private recreation and visitor serving facilities conform to the intensities of use appropriate to the rural or urban setting and to the requirements of the individual site. In rural areas, limit visitor-serving development to water supply requirements of 630 gallons per density credit."

"DEVELOPMENT STANDARDS (9) Revise the Resource Management/Coastal Zone District as follows:

- (a) Sec. 6317: Add the provision that a density credit equals 630 gallons/day of water for a priority use in the LCP."

NOTE: Underlining added to highlight specific points.