



Date: August 23, 2017

To: Midcoast Community Council
P.O Box Moss Beach, CA 94038
Att: Lisa Ketcham

From: Carlos Zubieta Architect

Subject: Response to "draft letter" uploaded to Mid Coast Community Council website regarding 199 Arbor Lane, Moss Beach- Proposed new single-family dwelling. PLN2016-00444 (APN-037-123-430) LOT 12

This letter aims to clarify inaccurate comments made in regards to the subject property.

- 1- The subject property does not sit next to the ocean bluff, Lot # 11 is a property owned by the Arbor Lane Association which abuts the bluff. The rate of erosion established by studies conducted by Michelucci and Associates between the period of 1997 to today is established to be 0.55 ft per year. Taking into consideration this rate of erosion it would take 54 years to reach the west property line on Lot 12.
- 2- When comparing surveys perform in 1997 to current map dated 2016, there is no evidence of "severe erosion" at Dean Creek embankment. This is not an ocean bluff, therefore the rate of erosion must not be calculated in the same manner. In a letter to San Mateo County the abutting neighbor Steven King sent various photos trying to depict said erosion. These photos were not of our property but the King's and others further away along Dean Creek. Our civil drainage plans specifically address this issue by draining our property away from Dean Creek.
- 3- We are not asking for shoreline armoring, Coastal Commission Prohibits this type of mitigation measures to deal with bluff retreat.
- 4- Debris falling into the ocean from the bluff top is from Lot #11 owned by Arbor Lane Association, there is no evidence of debris falling from LOT 12, this comment does not apply to this property.
- 5- No other property on the bluff or in this community has such "deed restrictions" placed on their Title, this would significantly impact our property value and would impose discriminatory restrictions. I'd like to point out that this property was part of the 1972 approved subdivision which grants "equal rights of development" to all owners. (Subdivided Lands Law (Sections 11000 - 11200 of the Business and Professions Code) Singling out our property for such restrictions is discriminatory in nature.
- 6- Last but not least, the 50 year erosion hand drawn map attached to MCCC Draft Document dated August 23rd, 2017 is incorrect as can be observed in the current site conditions, It assumed a much more aggressive erosion rate which clearly has not taken place over the last 44 years.



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7- Labeling our project “similar” to any other project in the vicinity without due diligence is irresponsible. We are consulting with reputable professionals familiar with local building codes and regulations. Each property is unique and process inherent challenges depending on it’s geological and physical characteristics. Understanding sub-soils conditions, drainage patterns and bluff physical characteristics facing the ocean is imperative to a decision by the MCCC. The LCP’s Hazards Component regulates blufftop development. LCP Policy 9.8(a) requires that new blufftop development be located where it will not create or contribute to erosion problems or geologic instability. Additionally, Policies 9.8(a)-(c) require the submittal of a site stability evaluation containing specific criteria, which must be completed prior to issuance of a CDP. The LCP requires an analysis of the site stability in order to make the findings that even with projected erosion, site stability and wave action (including sea level rise), the proposed development will be stable for the economic life of the development (no less than 50 years).

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