May 25, 2020

Fred Hanson, Chair, and Commissioners,
San Mateo County Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item 2 on the May 27, 2020 Agenda: Local Coastal Program Amendment to address inconsistencies between the Definition of Development in California Coastal Act Section 30106 and County Local Coastal Program Land Use Plan Policy 1.2 and Implementing Policies in the Planned Agricultural District (PAD), Resource Management District/Coastal Zone (RM/CZ) and Subdivision Regulations Article 9 and 10; County File Number PLN2019-00258

Dear Chair Hansen and Commissioners,

I write in support of the Staff Recommendation that you (1) recommend to the Board of Supervisors that they approve the requested LCP Amendment, subject to certification by the California Coastal Commission, and (2) recommend that the Board of Supervisors adopt the resolution in Attachment A.

The proposed LCP Amendment will resolve inconsistencies between the Definition of Development in the California Coastal Act and the County’s Local Coastal Program and relevant sections of the County’s Implementing Ordinances (PAD, RM/CZ, and Subdivision Regulations) that are applicable solely to “the purchase of land by a public agency for public recreational use”.

Any subsequent public recreational use or development, including trails, parking areas, and other public recreational facilities, would still require a Coastal Development Permit. A good example of this CDP requirement is Item #1 on your May 27 Agenda, which is consideration of a Coastal Development Permit and Planned Agricultural Permit for the drilling of a domestic well for park users at Butano State Park.

As pointed out in our letter of March 26, 2020 (Staff Report Attachment P), the specific language in Coastal Act Section 20106 and the LCP Land Use Plan (LUP) Policy 1.2 “Definition of Development” exempting land divisions “for the purchase of land by a public agency for public recreational use” is controlling, and takes precedence over any apparent contradiction in the County Zoning and Subdivision Regulations. We believe that it is helpful for all interested parties to have clarification of any ambiguities or inconsistencies in the LCP. In this case, the proposed Amendment is, in our view, a de minimus change to the Zoning and Subdivision Regulations.

Notably, the Definition of Development in the County Zoning Regulations Section 6328.3(h) also includes the same exemption of land divisions “for the purchase of land by a public agency for public
recreational use” which further supports the importance of clearing up any potential confusion by the cited inconsistencies in the PAD, RM/CZ and Subdivision Regulations.

Thank you for considering our comments,

Lennie Roberts, Legislative Advocate, Green Foothills

cc: Mike Williams, MROSD