San Mateo County Planning Commissioners
455 County Center, 2nd Floor
Redwood City, CA 94063

May 20, 2020

Subject: PLN2019-00258 Subdivision Text Amendment

Dear Honorable Commissioners:

There have been an extremely limited number of subdivisions in the rural area of San Mateo County since the adoption of existing regulations and polices. That may have been the intended purpose of the regulations that became more rigorous with the additional requirement of conservation easements for Resource Management District parcel subdivisions that was approved in the recent past. This proposed text amendment would result in expedited land transfers and subdivisions due to a significant relaxation of the rules for public agencies without the requirement for conservation easements or a limited residential parcel size.

Please consider alternatives that do not require a text amendment:

Long-term lease or use easement for recreational purpose purchased from landowner at market rate, or an outright purchase of the parcel with an estate for the landowner.

Both of these approaches could add time to the transaction but would be within the existing rules that have provided protections to agricultural and rural area since the early 1980's and those rules would continue to apply to all landowners.

The proposed text amendment would allow any public agency to apply for a subdivision that included a future recreational component. This could be a public agency without a history of accommodation for agriculture. The project sponsors, MPROSD and POST, have increased their attention and policies to accommodate agricultural interests and concerns over the years, but to be clear that is not the main mission of either organization. There is no guarantee that another public agency utilizing the proposed exemption would respect the agricultural heritage and community to the same degree as both sponsors have demonstrated.

The agricultural community has undergone a transformation with the majority of property in the rural area now owned and/or managed by public agencies and non-profits or under conservation easements held by non-profits organizations. This has changed the nature of agricultural pursuits on the coastside and the proposed amendment could impact this trend in new and unknown ways.

The proposed text amendment would permit subdivision without the test of viable agriculture that the California Coastal Commission has required just for single-family residential projects on existing parcels. The proposed text amendment would allow the creation of 2 or more parcels without meeting the requirement that the agricultural potential of the parcels is not diminished per Section 6350 (e) of the Planned Agricultural District ordinance.

The California Coastal Commission has required affirmative agricultural easements on projects that just involve construction of a single-family residence on Planned Agricultural District parcel, with no creation of additional parcels to ensure continuation of agriculture on the single parcel seeking approval of a house. Is the proposed future recreational use on one parcel worth negating the need to ensure the agricultural use on the other parcel(s) created by the subdivision?

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It is understandable why both MPROSD and POST seek a faster and easier way to secure additional property and projects. However, how long would the public have to wait for the benefit of potential recreation use to offset the repercussion from the subdivision? The proposed text amendment does not exact any committeeen that the recreational use or improvements will actually occur. Is this adequate justification for a free pass at the rules that require a conservation easement and restrict parcel size for private individuals seeking to subdivide their property?

There are pending subdivisions that intend to utilize this amendment and others already discussed at public meetings. Therefore a detailed and comprehensive environmental document is necessary to assess the potential adverse impacts from additional subdivision that would result in additional parcels and potential intensification of use in the rural area. The rural area west of Skyline Blvd has land use policies primarily centered on resource protection. Additional subdivisions typically create more demand on water, soil resources and generate additional traffic. Even though the proposed use on one parcel would have a future recreational benefit is that great enough to offset the other impacts from creating additional parcels?

It is also important to consider the tax consequences of the sale, improvement and maintenance of the targeted properties. Strides have been made to backfill some of the revenue losses however an in-depth study of the overall tax implications from private ownership to public recreation or other conservation related uses should be considered for remaining agricultural community and their need for rural services.

I sincerely appreciate MPROSD, POST, County Staff, Farm Bureau, Agricultural Advisory Committee, Pescadero Advisory Committee and other interested parties that have met and discussed this complicated subject. There may be an alternative that can bridge the differences apparent at this juncture given all the creative and talented people involved on this matter.

I support the Agricultural Advisory Committee's request for a joint workshop to cover the numerous issues raised by this proposed change in order to reach an acceptable outcome for all concerned interests.

Respectfully submitted,

[Signature]

Kerry L. Burke

Cc: San Mateo County Board of Supervisors
    MPROSD Board of Directors
    POST Board of Directors

Burke Land Use
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