



*Sensible planning and protection
for the San Mateo County Midcoast*

Date: January 6, 2020

To: Members of the Midcoast Community Council

Cc: Michael Schaller, Project Planner

San Mateo County Planning Commission

Steve Monowitz, Director Planning and Building

Erik Martinez, California Coastal Commission Planner

Stephanie Rexing, California Coastal Commission District Supervisor

San Mateo County Supervisor Don Horsley

From: Resist Density Board of Directors

Re: January 8, 2020 MCC Agenda and Proposed Cypress Point Project

Dear MCC Members,

We write to urge you to include in this Wednesday's 1/8/2020 meeting an agenda item on the proposed Cypress Point project in Moss Beach and its Local Coastal Program (LCP) amendment. (Please note that the MCC agenda for this January 8 is dated 2019.)

The timing is critical, as we understand that the Cypress Point project LCP amendment will be on the San Mateo County's Planning Commission agenda to be held in a special meeting in Half Moon Bay on January 22. The next MCC meeting is canceled due to this meeting. If this Planning Commission meeting is indeed a public hearing on this LCP amendment, the Midcoast community needs to be notified now and the full scope of what changes are being considered needs to be clarified.

Having the Planning Commission consider this project before the Midcoast Community Council is contrary to the information on the San Mateo County website for the project.

<https://planning.smcgov.org/cypress-point-affordable-housing-community-project>. There the County has represented since at least April 2019 that "The applicant – MidPen Housing – submitted the application materials for this project on July 17, 2018. The next opportunity for public input will be when the project is formally brought before the Midcoast Community Council for their consideration and recommendation at a later date."

Through our Public Records Act (PRA) requests, Resist Density has uncovered information which raises major questions about the process surrounding MidPen Housing's proposed Cypress Point project in Moss Beach and its Local Coastal Program (LCP) amendment being presented as Phase One of the application.

We're including below an email chain we received through our PRA requests. These 2018 - 2019 communications are between MidPen's land use consultant, McCabe & Company, and the California Coastal Commission (CCC). In it, Renee Ananda of the CCC opines that the Coastal Development Permit (CDP) for Cypress Point would not be appealable to the CCC once the LCP is amended. We and the Midcoast community need to know if this CDP verdict by Renee



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Ananda is correct and what it means to the process of the LCP amendment and the project approval. When will MidPen Housing be required to produce an Environmental Impact Report or CEQA equivalent addressing specific concerns raised by Agencies, the MCC, the public and Resist Density? Will MidPen Housing be exempt from addressing major environmental concerns regarding traffic, road safety and infrastructure in this Planning Commission hearing? Will this allow MidPen Housing to sidestep important procedures established to protect the Coastal community?

As background, McCabe & Company describes itself: "McCabe & Company has helped hundreds of clients gain Coastal Commission approval for a wide variety of projects. Our effectiveness is evidenced by our proven track record of success." (For more information, visit <http://mccabeandcompany.net>)

MidPen Housing's April 15, 2019 application submission for an LCP amendment in conjunction with San Mateo County provided conflicting information about the project approval process. In May 2019, Resist Density submitted comments on the submission and asked for clarification on the process. Our questions have not been addressed to date.

The email chain below raises a very important concern that the community does not fully understand. We urge the MCC to consider the significance of the proposed LCP change and pursue clarification from the County on the process. With Supervisor Horsley attending this Wednesday's meeting, it is opportune to include him in the discussion. There must be transparency; the community needs to be informed and involved in such a significant project as this!

Thank you for your consideration. We look forward to your timely response,

- Resist Density Board of Directors

Begin forwarded message:

From: Anne Blemker <ablemker@mccabeandcompany.net>
Subject: FW: Cypress Point Question
Date: June 5, 2019 at 9:47:56 AM PDT
To: "Rexing, Stephanie@Coastal" <Stephanie.Rexing@coastal.ca.gov>

Hi Stephanie,

It was definitely Renee (not Ruby!) that I was talking to about this project last year. Please see our exchange below. She concurred that the project would not be appealable after certification of the LCPA.



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I'll send the meeting request to you, Erik and Jeannine later today. The Planning Commission isn't expected to hear this until September/October, so a meeting sometime in the next month or so would be great.

Thanks,
Anne

Anne Blemker
McCabe & Company
10520 Oakbend Drive
San Diego, CA 92131
310.463.9888

From: "Ananda, Renee@Coastal" <Renee.Ananda@coastal.ca.gov>
Date: Wednesday, September 26, 2018 at 9:39 AM
To: Anne Blemker <ablemker@mccabeandcompany.net>
Subject: RE: Cypress Point Question

Hello Anne,

I just left you a voicemail message. Correct, it would not be appealable to the Commission. Thank you, RTA

From: Anne Blemker [<mailto:ablemker@mccabeandcompany.net>]
Sent: Wednesday, September 26, 2018 8:06 AM
To: Ananda, Renee@Coastal
Subject: Re: Cypress Point Question

Hi Renee,

Just wanted to follow up on my question below. Once the LCP is updated, would the project be appealable? I wouldn't think so (because the project would be in conformance with the LCP and be the "principal permitted use"), but wanted to confirm with you.

Thanks,
Anne

On Sep 20, 2018, at 10:24 AM, Anne Blemker <ablemker@mccabeandcompany.net> wrote:

Thanks for getting back to me. (Especially during mail-out for October!) One follow-up question: once the LCPA is approved, would the County-issued CDP be appealable? I would think not since the project would then be consistent with the LCP.



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Anne

From: "Ananda, Renee@Coastal" <Renee.Ananda@coastal.ca.gov>

Date: Wednesday, September 19, 2018 at 6:04 PM

To: Anne Blemker <ablemker@mccabeandcompany.net>

Subject: RE: Cypress Point Question

Hello Anne,

The parcel is zoned PUD-124, and although the geographic location of the proposed project site is within the County's permit jurisdiction, MidPen's proposed project would require an amendment to the Local Coastal Program (LCP) because what they are pursuing, is not in conformity with the Development Plan specified in the March 11, 1986 PUD-124 ordinance (See No. 3089 below). The amendment will likely be a Major Amendment because the proposed project, although reduced from what is approved in the LCP, will change the intensification of land use.

PUD-124 Ordinance No. 3089-March 11, 1986

The following regulation shall govern use and development of a portion of the property commonly known as Farallon Heights in Moss Beach; Assessor's Parcel Number 037-022-040:

1. Purpose

The following PUD-124 regulation shall govern the land use and development of Farallon Vista, a residential complex for affordable and market rate housing, sited on an 11.02 acre parcel located east of Carlos Street and north of Sierra Street in Moss Beach.

2. Development Plan



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All developments shall conform to the development plans for the property as approved by the Planning Commission on October 9, 1985, and by the Board of Supervisors on March 11, 1986, and on file in the Office of the County Planning Division. Determination of conformity with the plan shall be made by the County Planning Director.

3. Use

The following uses only shall be allowed:

a. Residential development and related parking facilities for affordable and market rate housing as defined in Policies 3.19, 3.28 and 3.29 of the County Local Coastal Program.

b. Recreational uses for residents of the housing complex, i.e., exercise course, play area, tot lots, barbecue areas, etc.

...

Hope this answers your question. Sorry I couldn't reply sooner. I am in the middle of preparing for the October hearing. Thank you, RTA

*Renée T. Ananda, Coastal Program Analyst
California Coastal Commission – North Central Coast District
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San Francisco, CA 94105*

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renee.ananda@coastal.ca.gov*



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From: Anne Blemker [<mailto:ablemker@mccabeandcompany.net>]

Sent: Wednesday, September 19, 2018 12:20 PM

To: Ananda, Renee@Coastal

Subject: Cypress Point Question

Hi Renee,

Hope all is well. Just wanted to follow up on my voicemail to you. Susan and I were recently brought on to help with the Cypress Point affordable housing project in Moss Beach. I'm getting up to speed and going through all of the materials now. My primary question is: why would the local CDP be appealable? It doesn't seem to meet the typical criteria and I can't find a post cert map for this area of the County.

Thanks very much,

Anne

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