



January 2, 2023

To: Joe LaClair, Zoning Hearing Officer and Summer Burlison, Project Planner

From: Lennie Roberts, Green Foothills

Re: Zoning Hearing Officer January 6, 2023 Agenda, Item 2: CDP and Use Permit for two new farm labor housing (mobile) units and a new septic system on a 1.15-acre property, 1585 Sunshine Valley Road, Moss Beach. PLN2022-00058, APN 037-053-080

Dear Joe and Summer,

On behalf of Green Foothills, I write **in support** of the proposed two new prefabricated Farm Worker Housing Units at 1585 Sunshine Valley Road. However, I would like to point out an error in the staff report regarding the name of the creek. I also have a couple of comments/clarifications regarding the proposed project's septic system expansion area, and documentation of recent construction of a new large hoop house in the area south of Dean Creek, apparently without benefit of permits — most of which is likely located within the creek's riparian buffer zone.

Error in Staff Report: References to "Moss Beach Creek" on pages 3,4, and 7 of the Staff Report are incorrect. The name of this intermittent creek is "Dean Creek" which historically has also been called "Sunshine Valley Creek". See: <http://sanmateorcd.org/CCA%20Watershed%20Assessment>

Project Description, page 3 notes that the property has "multiple hoop houses". The June 2022 Boundary and Topographic Map, by BGT Land Surveying (Staff Report Attachment C) indicates there are four existing hoop houses located generally in the area where the two proposed farmworker housing units will be located. The same Boundary and Topographic Map shows no structures located in the area south of Dean Creek. The Septic System Plan (SSP) prepared by Langley Hill Quarry (June 29, 2022) indicates: "Hoop Houses to be removed/relocated". The Staff Report is silent as to whether the hoop houses will be removed or relocated, and if the latter, where would they be? Given the restrictions on the area designated on the SSP as Septic System Expansion Field A, B, and C, with the notation: "This area must be protected and land in this area dedicated to future use when necessary", as well as the topography of this area (slopes and drainage swale), Green Foothills recommends that this area be duly restricted as a condition of project approval to ensure future compliance with the SSP.

Unpermitted Development: I visited the area on January 1, 2023 to view the project site from Sunshine Valley Road, and was surprised to see that a new hoop house structure has recently been constructed in the area south of Dean Creek (see attached photos taken from Sunshine Valley Road).

This area is the only other relatively level undeveloped area of the property. However, due to the creek's willow riparian area associated with the creek and its required 30' buffer zone setback (depicted on Map Attachment 2 "Willow Riparian Extent" of the WRA Updated Biological Assessment dated April 4, 2022) there is insufficient area outside the 30' buffer zone to accommodate relocation or



construction of new hoop structures. However, LCP Policy 7.9.b.(7) does allow agricultural uses, within the 30' buffer zone, provided no existing riparian vegetation is removed, and no soil is allowed to enter stream channels.

This new hoop structure has not been included in the project description, nor has it been analyzed for conformance with the LCP. In her September 22, 2022 letter to the Agricultural Advisory Committee, the Applicant notes that she purchased the land for her horticultural business in 2017, and in 2019 she built the storage barn. The Staff Report, page 3, indicates a CDP and Grading Permit received County approval on September 7, 2018 for "a shade structure, storage barn, and driveway to support commercial succulent nursery use" on the property" (PLN2017-00331). (n.b., I was unable to access this PLN on line, and would appreciate receiving a copy of that Staff Report, so I can better understand what development was included in that CDP).

If indeed the new hoop structure is indeed unpermitted, I request that you defer consideration of this item so the new structure and any associated grading, water line extension, etc. can be analyzed for conformity with the LCP and included as part of this CDP approval.

Thanks for consideration of my comments.

Sincerely,

Lennie Roberts, Legislative Advocate, Green Foothills