

# BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

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April 18, 2016

## VIA E-MAIL

Jack Liebster, Planning Manager  
Kristin Drumm, Senior Planner  
Marin County Community Development Agency  
3501 Civic Center Drive, Suite 308  
San Rafael, California 94903-4157

Re: Resubmittal of Local Coastal Program (“LCP”) – Land Use Plan Amendments (“LUPA”) and Implementation Program Amendments (“IPA”) to California Coastal Commission.

Dear Mr. Liebster and Ms. Drumm:

Thank you very much for reaching out to the Bolinas Community Public Utility District (“BCPUD”), and to Bolinas residents directly affected by the above-referenced amendments and the update to the Local Coastal Program overall. While we appreciate that you contacted us directly, please note that we have only had about two weeks to review the notices provided, read at least some of the lengthy and obtuse planning documents at issue, and endeavor to analyze the precise impact and implications of these documents (and most specifically the Coastal Commission staff’s proposed revisions to those documents) for our district and residents. It is clear that the Coastal Commission staff made extensive and highly significant revisions via its “Suggested Modifications” to the above-referenced amendments and it is unfortunate that after all of the many years of work the County staff and Board of Supervisors have devoted to the update of the Local Coastal Plan, so little time has been allocated to the receipt of public comment on the Coastal Commission staff’s proposed revisions.

We have reviewed the County staff letter to the Board of Supervisors and the accompanying staff recommendation concerning the Resubmittal and have the following comments:

1. We strongly support the County staff’s recommendation that the concept of “coastal redevelopment” as proposed by Coastal Commission staff be omitted from the Local Coastal Plan. The Coastal Commission staff proposes to define “coastal redevelopment” requiring a Coastal Permit as the alteration of 50 percent or more of any single major structural component, or a 50 percent increase in floor area, or any alterations exceeding 50 percent of the structure’s market value, (including exterior and/or interior renovations) all of which would need to be tracked cumulatively from the date of the Local Coastal Plan certification. As noted by County staff “introducing the concept of “redevelopment”, among other things, would have the effect of transforming “existing” structures into “new” development over time” by rendering many improvements currently exempt from coastal permitting subject to the costly and lengthy permit process. As further noted by County staff, “[t]he term “redevelopment” describing this new formation of rules does not appear on the Coastal Act, or in the Administrative regulations that govern the application of the Act.” We urge the Board of Supervisors to accept the County staff’s recommendation to omit this concept from the LCP.

2. We strongly disagree with County staff's recommendation to modify the implementation language in Section 22.64.110 concerning the residential character in coastal villages. As County staff notes, the Board of Supervisors directed staff to retain Land Use Policy C-CD-15, *which discourages the conversion of residential to commercial uses in coastal villages.* Staff now essentially proposes an exception to swallow much of that policy, by suggesting that the policy be revised to say:

“11. **Residential Character in villages.** Consistent with the limitations to the village core commercial area outlined in C-PK-3, discourage the conversion of residential to commercial uses on coastal villages per Land Use Policy C-CD-15.”

We urge the Board of Supervisors to leave the text of the implementation language as it is, without the additional language proposed by staff. (For reasons stated below, we also strongly oppose the revisions proposed to C-PK-3 by the Coastal Commission staff.)

3. We strongly support County staff's efforts to omit language proposed by Coastal Commission staff to impose additional requirements on public service providers (such as the BCPUD) with regard to water and wastewater service and we oppose the Coastal Commission staff's suggested modifications in their entirety. The BCPUD, like all public water systems in California, already is extensively regulated by the State Water Resources Control Board and other federal and state entities with expertise in water and wastewater management and operation, and has responsibly managed the water supply and wastewater system of Bolinas for more than one hundred years. The Coastal Commission staff's language in many respects seeks to micromanage local agency operations and extend far beyond the intent of the Coastal Act and its administrative regulations. We urge the Board of Supervisors to reject the additional requirements proposed by Coastal Commission staff.
4. We strongly oppose the Coastal Commission staff's suggested modifications to Land Use Policy C-PK-3, which addresses mixed uses in the Coastal Village Commercial/Residential (C-VCR) zoning district. The Coastal Commission staff has proposed language to define a new “village commercial core area” which does not exist in the Coastal Act and where residential uses would be limited. The stated purpose behind the Coastal Commission staff's proposal is to show preference to/priority for “visitor-serving commercial establishments” over residences. In our view, this is completely inconsistent with the Coastal Act emphasis on maintaining the “established character” of village commercial areas. Bolinas' commercial district – which long predates the passage of the Coastal Act -- has *never* emphasized tourist shops or other “visitor-serving” businesses and forcing a community to completely alter its historic character is antithetical to the very Act that the Coastal Commission staff is seeking to implement.

In our view, many of the Coastal Commission staff's suggested modifications of the various documents that comprise the update of the Local Coastal Plan overlook the fact that Bolinas, like most of the other villages in the coastal zone, is a community where real people work, go to school, purchase groceries, post letters, visit museums, listen to music, go to restaurants, attend churches, and so forth – in short, we *live* here. Our town has existed as a vital rural community for well over a hundred years and has produced extraordinary scientists,

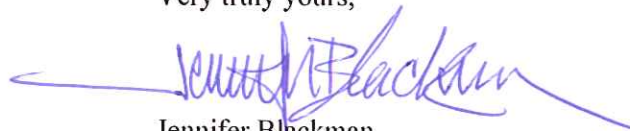
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farmers, artists, activists, teachers, authors, filmmakers, among others, many of whom can no longer afford to live here due to the rising cost of living throughout the Bay Area. We have a real and serious affordable housing crisis and one way Bolinas has been able to begin to address this crisis is by tremendous community efforts to install affordable housing in our downtown commercial area, some of which would not have been possible if the Coastal Commission staff's arbitrary delineation of a "village commercial core zone" was in effect at the time. We acknowledge that we live in a beautiful place and no one disagrees with the purpose and intent of the Coastal Act to preserve the coast of California (and access thereto) for the benefit of all people (which seems to be a genuine issue elsewhere in the state), but the burdens imposed by many of the modifications proposed by the Coastal Commission staff would be extraordinary, very costly, and most notably, beyond the intent of the Act itself.

In addition, there is no acknowledgement we can find in the LCP documents of the significant impact visitors have on the resources and infrastructure of the villages in the Coastal zone, as well as on the coastline itself. For example, visitors leave a regrettable amount of garbage on the public beaches. For many years, the downtown businesses in Bolinas informally have contributed to a fund to hire community members to pick up the trash on the Bolinas beach and ensure it is disposed of properly at the town's expense. Visitors use our town's water and sewer systems and pay none of the costs associated with providing those services. Visitors have extraordinary impacts on the local roads and parking in the beach (and nearby) areas, which presents very real public health and safety issues – because Bolinas is geographically isolated and both of the main roads in town dead-end at the beach, visitors to town regularly park illegally on our narrow streets, at times blocking access for emergency and other vehicles. Unfortunately, it seems that the Coastal Act and its implementing regulations do not contain any provisions to regulate the behavior of coastal visitors, even where such behavior is clearly deleterious to the coast itself and/or to the historical character of the coastal villages located there.

Thank you for this opportunity to convey our comments; please let me know if you have any questions or would like to discuss any aspect of this letter.

Very truly yours,



Jennifer Blackman  
General Manager

cc: Supervisor Steve Kinsey (via email)  
Supervisor Judy Arnold (via email)  
Supervisor Damon Connolly (via email)  
Supervisor Katie Rice (via email)  
Supervisor Kate Sears (via email)