

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4883  
HEARING IMPAIRED: (415) 904-5200

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## RECORD PACKET COPY

Filed: 3/26/96  
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Staff: SM-SC  
Staff Report: 7/24/96  
Hearing Date: 8/15/96  
Commission Action:  
5/09/96 - Open and Continue

STAFF REPORT: APPEAL  
SUBSTANTIAL ISSUE AND DE NOVO ACTION

LOCAL GOVERNMENT: San Mateo County  
LOCAL DECISION: Approved with conditions  
APPEAL NUMBER: A-3-SMC-96-025  
APPLICANT: ERIC JACOBSEN  
APPELLANT: Richard Lohman  
PROJECT LOCATION: 445 Mirada Road, Miramar, San Mateo County  
PROJECT DESCRIPTION: Bed and Breakfast Inn with 3 guest rooms and a manager's unit called the "Galway Bay Inn"  
SUBSTANTIVE FILE DOCUMENTS: San Mateo County Coastal Development Permit File No. 90-45; San Mateo County Local Coastal Program

## SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission find that the appeal raises a **substantial issue** regarding project conformance with policies of the San Mateo County certified Local Coastal Program (LCP), then **approve** a permit subject to conditions necessary to ensure LCP consistency.

The appellant's contentions, applicable LCP policies, project evaluation, and necessary conditions are summarized by the following table:

| Appellant's Contentions<br>(see Exhibit 3)  | LCP Policies  | Project Evaluation   | Necessary Conditions   |
|---|---|--|--|
| <p>Fire truck turn around area is within 50 year erosion zone and will require rebuilding and supporting the ocean bluff.</p> | <p>9.8a. Permit bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected economic life span of the development (at least 50 years)...</p> <p>9.12a. Permit construction of shoreline structures only when necessary to protect existing development...</p> <p>9.12b. Protect existing roadway facilities which provide public access to beaches and recreational facilities when alternative routes are not feasible...</p> | <p>The fire turn around area is within the 50 year erosion zone if no action is taken to protect Mirada Road and the coastal recreation trail from further erosion. The applicant has submitted, however, supplemental geotechnical information which indicates that planned efforts to protect Mirada Road and the coastal trail will decrease erosion rates to the extent that it is "probable" that no erosion protection will be necessary for the fire turn around area within the 50 year design life.</p> | <p>Project consistency with LCP Policy 9.8a. is dependent upon implementation of a separate project to protect Mirada Road and the coastal trail from further erosion. Funding for this separate erosion protection project is currently being pursued by the City of Half Moon Bay and San Mateo County, but the extent of the project, and a commitment to its implementation, is not currently available. As a result, it is necessary to condition the subject project in a manner which requires that prior to the transmittal of the permit, the applicant shall submit evidence that the erosion protection project will be implemented, and result in a reduction of erosion rates so that the fire turn around area will not be threatened during the 50 year economic life span. Alternatively, the applicant may submit revised plans which eliminate development from within the erosion setback area.</p> |
| <p>Applicant has proposed erosion rates that are too low.</p>   | <p>9.8b. Require the submittal of a site stability evaluation report...</p>   | <p>The applicant submitted geotechnical evaluations conducted by registered professional geotechnical engineers throughout the local review process in compliance with LCP requirements.</p>   | <p>none required</p>   |

| Appellant's Contentions<br>(see Exhibit 3)   | LCP Policies   | Project Evaluation  | Necessary Conditions   |
|--|--|---|--|
| The project is not designed to function as a visitor serving facility, but as a residence. | <p>2.8 Reserves public works capacities for priority land uses (e.g., visitor-serving developments)</p> <p>11.5 Gives priority to visitor serving and commercial recreation facilities over residential development.</p> | The local conditions of approval require that the inn rooms be available for rent no fewer than 180 days each calendar year. This condition is not adequate to ensure that the project will truly function as a visitor serving facility.   | Special Condition 2 requires a deed restriction acknowledging that this permit is for visitor serving purposes only. This condition limits the length of stay to 29 consecutive days, and 84 days per year per visitor. It also requires the bi-annual submission of transient Occupancy Tax records in order to ensure that the project functions as a visitor serving use. |
| Coastal Commission staff has previously expressed concerns regarding the proposed project. | Coastal Commission staff comments submitted during local review questioned project conformance with LCP Policies 9.8 regarding bluff top development, as well as 7.9, 7.11, and 7.12 protecting sensitive habitat areas  | <p>Erosion issues are addressed by the first row of this table.</p> <p>With respect to Commission staff concerns regarding the originally proposed location of the parking area within a riparian buffer zone, the applicant revised the parking area layout. Current plans illustrate that the parking area will be located outside of the riparian buffer area.</p> | see above - no additional conditions necessary   |

### I. SUMMARY OF APPELLANT'S CONTENTIONS (See Exhibit 3 for the full text)

The appellant contends that the subject project is inconsistent with LCP regulations regarding bluff top development because the fire turn around area encroaches into an area subject to erosion, and will therefore require the installation of a bluff protection structure. LCP policies allow for such structures only when necessary to protect existing development. The appellant

supplements his concerns regarding erosion and the potential need for an erosion control structure by stating that the erosion rates submitted by the applicant are too low.

In addition to the issue of erosion, the applicant contends that the project is not consistent with the LCP designation of the site as a "visitor-serving" zone because the project is "just a house, not a Bed and Breakfast".

Finally, the appellant supports his appeal by referencing previous comments submitted by Coastal Commission staff during local review.

## **II. LOCAL GOVERNMENT ACTION**

The subject project was approved by the San Mateo County Zoning Hearing Officer on October 20, 1994. This approval was appealed to the County Planning Commission; after conducting supplemental geotechnical investigations, the appeal was denied and the project approved by the Planning Commission on April 26, 1995. The Planning Commission's action was subsequently appealed to the County Board of Supervisors, where the appeal was again denied, and the project approved on March 8, 1996. The final conditions of the County's approval are attached to this report as Exhibit 2, and a chronology of the local government actions, as contained in the County staff report to the Board of Supervisors is attached as Exhibit 8.

## **III. APPEAL PROCEDURES**

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea. Furthermore, developments approved by counties may be appealed if they are not the designated "principal permitted use" under the certified LCP. Finally developments which constitute major public works or major energy facilities may be appealed, whether approved or denied by a city or county (Coastal Act Section 30603(a)).

For projects not located between the sea and the first public road paralleling the sea, the grounds for an appeal shall be limited to an allegation that the development does not conform to the certified LCP (Coastal Act Section 30603(b)(1)). Because this project is appealed on the basis of its location between the sea and the first public road paralleling the sea, the grounds for an appeal to the Coastal Commission include not only the allegation that the development does not conform to the standards set forth in the certified local coastal program but also the allegation that the development does not conform to the public access policies of the Coastal Act

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the staff recommends "substantial issue," and no Commissioner objects, the substantial issue question will be considered moot, and the Commission will proceed directly to a de novo public hearing on the merits of the project.

If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per

side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Section 30604(c) of the Coastal Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission on the substantial issue question are the applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo stage of an appeal.

#### **IV. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

The staff recommends that the Commission determine that substantial issue exists with respect to the grounds on which the appeal has been filed pursuant to PRC Section 30603.

**MOTION.** I move that the Commission determine that Appeal No. A-3-SMC-96-025 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

Staff recommends a NO vote on the motion. A majority of the Commissioners present is required to pass the motion.

#### **V. SUBSTANTIAL ISSUE FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares that substantial issue exists with respect to the grounds on which the appeal has been filed, pursuant to Coastal Act Section 30603, for the following reason.

The appellant has identified standards of the San Mateo County certified Local Coastal Program (LCP) regarding bluff top development and visitor serving facilities which have not been adequately addressed in the local record of approval. These include the stability of the fire truck turn around area, which is located within the 50 year erosion zone under existing conditions; and, whether or not the project will truly function as a visitor-serving facility. Without specific findings and conditions demonstrating project consistency with applicable LCP standards for bluff top development and visitor serving facilities, the project can not be found to be consistent with the San Mateo County LCP. Therefore, the appeal raises a substantial issue.

These outstanding issues are analyzed in the following pages of this staff report. The results of this analysis indicate the need to supplement the local conditions of approval in order to ensure project consistency with the San Mateo County certified LCP.

## VI. STAFF RECOMMENDATION ON COASTAL PERMIT

The staff recommends that the Commission adopt the following resolution:

### Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development conforms with the certified San Mateo County Local Coastal Program, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act.

## VII. STANDARD CONDITIONS

(See Exhibit 1)

## VIII. SPECIAL CONDITIONS

1. Compliance with Local Conditions of Approval. All 28 conditions of San Mateo County Coastal Development Permit No. 90-45 become conditions of this permit, with the exception of County Condition # 2, which is revised below. (See Exhibit 2 of this report for a copy of the local conditions of approval). **PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall provide evidence to the Executive Director that those conditions requiring action prior to the commencement of work have been signed-off by the appropriate County official. Evidence of subsequent condition compliance must also be submitted to the Executive Director at the required stage. In the event that County officials do not exercise such authority, permittee shall submit condition compliance materials to the Executive Director for review and approval.

2. Visitor Serving Use Only. **PRIOR TO THE TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit, for Executive Director review and approval, a deed restriction which indicates that this coastal permit authorizes the development of a 3 guest unit, 1 manager unit Bed and Breakfast Inn, a visitor-serving use exclusively available to the general public. This deed restriction shall also specify that visitor length of stays are limited to no more than 29 consecutive days, and no more than 84 days per year. Furthermore, the deed restriction shall indicate that the conversion of any portion of the approved development to a private or member only use, or the implementation of any program to allow extended or exclusive use or occupancy of the facility by an individual or limited group or segment of the public is specifically not authorized by this permit and would require an amendment to this permit; such an amendment may result in the need to obtain public works allocations (i.e., water and sewer) that are not reserved for priority land uses such as visitor serving facilities. Upon approval by the Executive Director, the deed restriction shall be recorded within 15 days and a confirmed copy submitted for the record. **ON A BI-ANNUAL BASIS COMMENCING AT THE CONCLUSION OF THE FIRST YEAR OF PROJECT**

OPERATION, the permittee shall submit to the Executive Director copies of the project's Transient Occupancy Tax records in order to ensure compliance with this condition.

3. Evidence of Site Stability. PRIOR TO THE TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for Executive Director review and approval, evidence that the planned improvements to Mirada Road and the Mirada Road bridge will be implemented, and will effectively reduce erosion of the subject parcel to the extent that the fire truck turn around area is outside of the 50 year erosion zone. The materials submitted in compliance with this condition shall include:

a. A coastal development permit, approved by San Mateo County and/or the City of Half Moon Bay, for the planned improvements to Mirada Road and the Mirada Road Bridge. In the case that the permit(s) are appealed to the California Coastal Commission, transmittal of the coastal development permit for the subject project shall be dependent upon a determination that such appeal(s) do not raise a substantial issue, or approval of the coastal development permit(s) for the road and bridge improvements by the California Coastal Commission.

b. A geotechnical report analyzing the affect of the planned road and bridge improvements on erosion rates at the subject site, which demonstrates that all elements of project construction (especially the fire truck turn around area) will not be threatened by erosion over the next 50 years.

4. Removal of Development from Erosion Setback Area. As an alternative to Special Condition 3 above, PRIOR TO THE TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, the permittee may submit, for Executive Director review and approval, an alternative site design that eliminates development within the existing 50 year erosion setback area (i.e., fire truck turn around area), accompanied by evidence that the revised plans comply with the fire safety standards of the Half Moon Bay Fire Department.

## IX. RECOMMENDED FINDINGS AND DECLARATIONS

### A. Project Description:

The subject development includes construction of the "Galway Bay Inn" - a two story, 2,544 square foot Bed and Breakfast Inn of 3 guest units and one manager's unit. 3 parking spaces, consisting of a one car garage and two off-street parking spaces will be provided, and approximately 2,080 square feet of "turf-rings" (plastic rings imbedded in the ground which support the weight of vehicles and allow for the growth of vegetation and the percolation of water) will be installed on the site in order to accommodate the fire truck turn around area required to meet the standards of the Half Moon Bay Fire Department. Plans and elevations of the project are attached to this staff report as Exhibit 7.

### B. Project Location:

The project site is located at 445 Mirada Road in Miramar, a mid-coast community within San Mateo County, adjacent to the northern boundary of the City of Half Moon Bay (location map attached as Exhibit 4). It is a highly constrained parcel in that it is exposed to erosion on both its western and southern boundaries. The portion of Mirada Road between the project and the ocean bluff has been temporarily closed to public use, as this is the only section of Mirada Road

that has not been armored with rip-rap. The southern portion of the project site is bordered by Arroyo de en Medio creek, an intermittent creek with 18 - 20 foot high bluffs, and has also been subject to erosion. The building area, which is relatively flat and currently covered by exotic grasses and ice plant, is further constrained by LCP policy 7.11, which requires a 30 foot buffer area between most development and the limit of riparian vegetation.

At the south west corner of the subject parcel, which forms the southern terminus of Mirada road, a pedestrian/bicycle bridge over Arroyo de en Medio Creek connects Mirada Road and a coastal recreation trail which continues approximately 3 miles south along Half Moon Bay State Beach. Current plans call for the extension of this recreation trail along Mirada Road to Pillar Point harbor, which lies approximately 1 1/2 miles north of the subject parcel. The planned extension of the coastal recreational trail will require repairs to the bridge across Arroyo de en Medio Creek at the southwest corner of the subject parcel and preventing further erosion from occurring along the section of Mirada Road west of the project.

#### C. Project History:

An application for a 6 guest room inn was originally filed by the San Mateo County Planning Division on May 7, 1990. This proposal included the placement of rip-rap along the coastal bluff and steep creek bank on the west and south boundaries of the property. In response to concerns regarding the proposed project's consistency with LCP policies which prohibit new development that requires coastal bluff protection, the project was reduced in order to reduce the immediate need for creek bank and ocean bluff protection, and redesigned in order to eliminate parking spaces in the riparian setback area. This redesigned proposal was submitted on January 5, 1994, and approved by the Zoning Hearing Officer on October 28, 1994. The San Mateo County Planning Commission's subsequent denial of an appeal of this decision on April 26, 1995, was appealed to the Board of Supervisor's, who approved the project on February 27, 1996.

The San Mateo County Board of Supervisor's approval of this project was then appealed to the Coastal Commission. The Commission opened and continued the public hearing on this appeal on May 9, 1996. Since that time the applicant has provided the Commission staff with additional information regarding anticipated erosion rates at the site and the potential need for the installation of erosion control structures along Arroyo de en Medio Creek and Mirada Road.

#### D. Hazards:

##### 1. Local Coastal Program Policies:

LCP Policy 9.8, "Regulation of development on Coastal Bluff Tops" states in part:

"a. Permit bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected economic life span of the development (at least 50 years) ..."

Part b. of this policy requires "the submittal of a site stability evaluation report .. prepared by a soils engineer or certified engineering geologist, ... based on an on-site evaluation ...".

LCP Policy 9.12a. limits the construction of shoreline structures only to those necessary to serve coastal dependent uses protect existing development, or protect public beaches in



danger of erosion. Part B of this policy specifically allows appropriately designed shoreline structures when needed to "protect existing roadway facilities which provide public access to beaches and recreational facilities when alternative routes are not feasible".

## 2. Project Analysis:

Since the project was originally submitted to the County in 1990, it has been reduced in size in order to eliminate the need for erosion protection structures, and minimize development within the erosion setback area. With the exception of a portion of the driveway and fire truck turn around area, the final project design approved by the County eliminates development within the 50 year erosion setback area, as measured under current conditions. Approximately 1/4 of the fire truck turn around area, and a small portion of the driveway, where it intersects with Mirada Road, are within this setback area. The appellant contends that these components of the project are inconsistent with policy 9.8a. In addition, the appellant asserts that the erosion rates contained in the project's geotechnical reports do not accurately reflect actual erosion rates at the site.

A supplemental geotechnical investigation submitted by the applicant (attached as Exhibit 10), analyzes the potential effect of erosion on the fire truck turn around area and the front of the driveway. This report anticipates the eventual protection of the Mirada Road bridge and a Mirada as a component of coastal trail development, maintenance of the Mirada Road right-of-way, and protection of adjacent development. Under this scenario, the erosion setback line for ocean erosion would be eliminated, and creek banks would be protected for approximately 40 feet upstream of the bridge abutments. The report concludes that "it is probable that the true erosion rates of creek bank erosion combined with the bridge work would make any mitigative work [e.g., bank stabilization] unnecessary even within the 50 year design life of the proposed improvements". Supporting the assumption that improvements to the Mirada Road Bridge will be implemented is a resolution passed by the San Mateo County Board of Supervisors which authorizes the City of Half Moon Bay to apply for federal funding for improvements to the recreational coastal trail; these improvements include improvements to the Mirada Road Bridge, and constructing a bicycle and pedestrian path along Mirada Road. The County staff report prepared in regard to this resolution is attached to this report as Exhibit 9.

However, the submitted geotechnical report also identifies that if no measures are taken to protect Mirada Road and the Mirada Road bridge, "then the erosional process could possibly start to affect the turn around area within the next decade or so". In such a situation, mitigative work, such as "a protective row of piers between the 'pavement' and the cliff face; grade beams under a concrete decking pavement to transmit loads away from the cliff edge; or other possible alternatives" could be implemented to maintain the turn around area.

## 3. Conclusion:

Because, under existing circumstances, the fire turn around area is within the 50 year erosion area, and, due to the fact that the geotechnical analysis indicates the potential need to install, within the next ten years, a structure to protect the turn around area from erosion, the subject project, as approved by the County, cannot be found to be consistent with LCP Policy 9.8a. While it is reasonable to assume that the County of San Mateo and the City of Half Moon Bay will undertake improvements to the Mirada Road bridge and maintain Mirada Road in the near future, there is no evidence, or specific commitment from these jurisdictions, that these projects

will be implemented. Without such assurances, the potential impacts of erosion on site stability remains an issue to be resolved.

Therefore, Special Condition 3 requires the permittee to submit, prior to the transmittal of the coastal development permit, evidence that a separate coastal development permit has been obtained for improvements to Mirada Road and/or the Mirada Road bridge. Special Condition 3 also requires that this information be accompanied by a geotechnical update identifying that the permitted improvements will eliminate the need to install a structure in order to protect the new development from erosion during its 50 year economic life.

As an alternative to Special Condition 3, the permittee has the option to submit revised plans which eliminate development (i.e., the fire truck turn around) from the current 50 year erosion setback area, as provided by Special Condition 4. As a matter of public health and safety, these revised plans must be accompanied with evidence that fire protection standards of the Half Moon Bay Fire Department have been adequately complied with.

Only with the conditions identified above can the project can be found to be consistent with the Hazards Component of the San Mateo County certified LCP.

## B. VISITOR-SERVING FACILITIES

### 1. Local Coastal Program Policies:

The subject parcel is within the Coastside Commercial Recreation zoning district, which was established with the purpose of meeting the service and recreational needs of coastside visitors, boat users and coastside residents seeking recreation. LCP Policy 11.5 gives priority to visitor serving and commercial recreation facilities in this area, and LCP Policy 2.8 reserves extremely limited public works capacities (i.e., water and sewer) to LCP priority land uses, which include commercial recreation developments.

### 2. Project Analysis:

In order to maintain consistency with LCP policies reserving public works capacities for priority land uses, and designating this site commercial recreation, it is critical to establish specific guidelines for project operation which will ensure that the project will truly function as a visitor serving facility. This is especially important due to the fact that there is currently no water or sewer allocations available for residential development; the only public service capacities available are those reserved for priority land uses. The appellant asserts that the development constitutes a residence, not a Bed and Breakfast Inn.

The San Mateo County Board of Supervisors conditioned its approval of this project in a manner which requires that the 3 guest rooms be available for rent no less than 180 days out of the year, as well as the submission of proof of advertising by the applicant.

As defined by the San Mateo County LCP, commercial recreation land uses include "country inns, commercial stables, riding academies, campgrounds, rod and gun clubs, private beaches, food/gasoline/telephone services, hostels, and other similar uses determined to be appropriate by the Planning Director". "Country inns", which is the most applicable category for the subject development are defined as "a visitor serving facility in a rural area, not exceeding two stories in height".

The County condition establishing a 180 day minimum rental period for each room is not adequate to maintain consistency with the LCP's definition of a commercial recreation development, and establish the project as being eligible for public service capacities reserved for priority land uses. This is due to the fact that a 6 month rental period is more representative of a residential use rather than a visitor serving use.

In cases where the Coastal Commission has addressed the issue of what constitutes a visitor-serving development, the Commission has required deed restrictions identifying that permit approval is limited to a visitor-serving facility which is available to the public at large. The Commission has also restricted visitor length of stays to 29 consecutive days and a maximum of 84 days per year. It has also required the submission of Transient Occupancy Tax records as a means of assuring that projects truly provides a visitor-serving function. In comparison, the County's condition of approval, which requires that guest rooms be available only 180 days out of the year, does not adequately assure that the project will function as a visitor-serving facility.

### 3. Conclusion:

As approved by the County of San Mateo, adequate guidelines regarding project operation have not been established in order to ensure that the project will truly function as a visitor serving accommodation. Absent such assurances, the project could serve a residential function, inconsistent with LCP policies reserving public service capacities for priority land uses, and the LCP's designation of the site as Coastside Commercial Recreation.

Therefore, Special Condition 2 requires that the permittee record and submit a deed restriction acknowledging that this coastal development permit is for a visitor-serving use only, and that any modification to this type of use will require a separate coastal development permit or amendment to this permit, which may involve the need to secure a water and sewer allocations for a non priority land use. Additionally, this condition limits allowable lengths of stays to 29 consecutive days and a yearly maximum of 84 days per year, consistent with past Commission actions of visitor serving developments. Finally, Special Condition 3 also requires the submission of Transient Occupancy Tax records as a means to monitor compliance with this condition.

Only as conditioned can the project be found to be consistent with LCP policies which prioritize visitor-serving land uses in this area, and reserve limited public works capacities for these priority land uses.

### C. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of San Mateo prepared a Negative Declaration for the subject project on April 20, 1993. Following the publication of this document, reductions in the size of the project resulted in a subsequent determination by the County that the subject project was exempt from environmental review, under a Class 3 exemption provided by CEQA for New Construction of Small Structures.

As approved by the Coastal Commission, the project will not have any significant adverse impacts on the environment within the meaning of the California Quality Act.

COASTAL DEVELOPMENT PERMIT

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

|                                   |
|-----------------------------------|
| EXHIBIT NO. 1                     |
| APPLICATION NO.<br>A-3-SMC-96-025 |
| Jacobsen                          |
| Standard Conditions               |

4. ~~Found that the project conforms to the specific findings regarding development on coastal bluffs and adjacent to riparian corridors as required by policies of the San Mateo County Local Coastal Program~~

Regarding the Design Review

5. ~~Found that the project, as conditioned, conforms with the appropriate guideline standards for design review applicable to the location of the project.~~

|                                   |
|-----------------------------------|
| EXHIBIT NO. 2                     |
| APPLICATION NO.<br>A-3-SMC-96-025 |
| Jacobsen                          |
| Local Conditions                  |

CONDITIONS OF APPROVAL

Planning Division

1. This permit approval applies only to the Galway Bay Inn, as described in the staff report and supporting materials. The use permit is for a five year term from date of approval. Minor adjustments to the project may be approved by the Planning Director if they are consistent with the intent of and in substantial conformance with this approval. Additional improvements or intensification beyond the terms of this approval shall require an amendment to USE 90-9.
2. The applicant and any future owner of the property shall make rooms at the inn available for rent no fewer than 180 days each calendar year. The owner shall certify each year by letter to the Planning Director, that this condition has been met. The certification shall include evidence of advertising for the rooms.
3. Prior to issuance of the building permit, the applicant shall erect a construction fence along the perimeter of the riparian zone to ensure that construction equipment does not encroach within the riparian zone.
4. The applicant shall construct the structure to the required flood elevation or submit an engineer's report to the Federal Emergency Management Agency (FEMA) for a letter of map revision.
5. The applicant shall utilize the alternative off-street parking configuration that moves the two off-street spaces out of the riparian buffer zone.
6. This use permit shall be subject to administrative review no later than one year after completion of the building permit. Future site access shall be reviewed every five years with each use permit renewal. As part of these reviews, Planning staff may require the submittal of an up-to-date geotechnical report that addresses the progress of the coastal bluff erosion and a projection of continued erosion for the life of the use permit.
7. The applicant and subsequent owners shall be aware that the risk of property loss due to erosion shall be assumed by the owner and that approval of this project in no way guarantees approval of any future proposals to construct bluff protection devices at this site. A deed

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Exhibit 2, p.1

restriction to this effect shall be recorded against the property prior to the issuance of any building permit for development at this site.

8. Prior to the issuance of the building permit, the applicant shall submit a landscaping and outdoor lighting plan to this office for review and approval by the Planning Director. All exterior and interior lighting shall be designed and located so as to confine direct rays to the premises. The landscape plan shall be in accordance with the "Landscape Plan Guidelines - Minimum Standards" for review and approval by the Planning Division. The goal of the landscape plan is to provide a landscaped buffer along the residential property line to the northeast sides of the property and additional landscaping in conformance with the approved site plan. The plan shall include an irrigation plan. Plans for landscape areas equal to or greater than 5,000 sq. ft. must be in compliance with the "Landscape Documentation Guidelines." Upon submittal of the Landscape Plan, the applicant shall pay a review fee based on the fee schedule in effect at that time. The applicant shall also be required to post any installation and maintenance sureties as required.
9. The applicant shall submit exterior color samples (no larger than approximately four square inch samples, for walls, trim and roof) to the Planning Counter for review and approval by the Planning Director prior to issuance of the building permit. The applicant shall include the file/case number with all color samples. Color verification by a Building Inspector shall occur in the field after the applicant has painted the structure an approved color but before the applicant schedules a final inspection.
10. The parking area shall be developed with turf block. Each parking space shall be provided with a wood wheel stop to protect the riparian buffer zone from vehicle encroachment. Such protection devices shall be noted on the building plans.
11. Any signage plans shall be submitted to the Planning Division for review and approval to the satisfaction of the Coastside Design Review Officer.

#### Building Inspection Section

12. The applicant shall obtain a building permit for all proposed improvements, and construction shall occur as per approved plans.
13. The applicant shall apply for and obtain water and sanitary sewer connections from Coastside Water and the Granada Sanitary Districts prior to issuance of the building permit.

#### Department of Public Works

14. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
15. The applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcels (garage and parking slabs) (both on

A-3-SMC-96-025  
Exhibit 2, p.2

Mirada Road and on First Street) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. The driveway plans shall also include and show specific provisions and details for handling both the existing and the proposed drainage.

16. No proposed construction work within the County right-of-way, both on Mirada Road and on First Street, shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.

Environmental Health Division

17. Obtain and maintain an annual health permit from Environmental Health to operate the proposed B&B operation.
18. Prior to the approval of the building permit, the applicant shall submit a complete set of kitchen plans to Environmental Health for review. Contact Mr. Brumm at 415/363-4707.

Half Moon Bay Fire Protection District

19. As per County Ordinance, the applicant shall install a sprinkler system within this facility. This system shall be monitored by an approved monitoring company. The applicant shall submit plans for this system to San Mateo County Planning and Building Division. Upon submission of said plans, the County will forward a complete set to the Half Moon Bay Fire Protection District for review. The fee schedule for Automatic Sprinkler Systems shall be in accordance with Half Moon Bay Ordinance No. 13.
20. The applicant shall install at least one manual pull station at a location approved by this department. All initiating and indicating devices shall be electronically supervised.
21. As per the Uniform Building Code, the applicant shall be required to install State Fire Marshal approved and listed smoke detectors which are hard wired and have a battery backup. The applicant shall place detectors in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area.
22. If a stove is to be installed, the applicant shall submit a complete set of plans for the hood and flue system to be reviewed and approved by the Half Moon Bay Fire Department. Installation of said system shall meet NFPA 96 standards. The fee schedule for this system shall be in accordance with Half Moon Bay Ordinance No. 13.
23. The applicant shall conspicuously post building address identification that is visible from the street. The letters or numerals shall be of adequate size and of a color which is contrasting with the background. Such letters or numerals shall be internally illuminated and be facing in the direction of access.

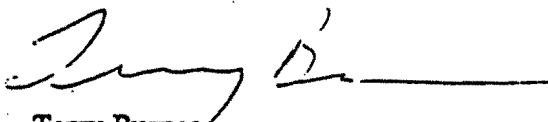
A-3-SMC-96-25  
Exhibit 2, p.3



24. The applicant shall utilize roof covering materials that have a minimum fire rating of Class "B" or higher for all roof covering of every new building or structure on-site.
25. The existing fire hydrant located on the corner of Medio and Mirada will be sufficient to supply water for this structure. However, the applicant will be required to install a Post Indicating Valve (PIV) with a tamper switch and a Fire Department Connection (FDC) at the entrance of this facility. The underground pipe line shall meet Coastside County Water District material requirements and shall be approved by this department. The applicant shall contact Coastside Water District for specific requirements.
26. The applicant shall be required to install fire extinguishers within this facility. The applicant shall contact the Half Moon Bay Fire Protection District for type, size and placement of these extinguishers.
27. Turf blocks shall be placed in front of the structure as discussed with the applicant on March 3, 1994, to enable the Half Moon Bay Fire Protection District to turn around their fire protection apparatus on the property. The applicant shall be required to make such improvements as are necessary to establish the required turnaround, and shall fund such improvements. The County shall have no obligation to fund any improvements necessary to establish the turnaround. Construction of the turnaround shall be considered separate and distinct from any future projects to improve Mirada Road for public access purposes.
28. The applicant shall post a "No Parking" sign on the west side of Mirada road and a "Fire Lane" sign near the entrance of the facility. The location and design of this signage shall be reviewed and approved by the Planning Director prior to posting.

Any interested party aggrieved by the determination of the Board of Supervisors has the right to appeal to the California Coastal Commission within ten (10) days from the Coastal Commission's receipt of this Notice of Final Local Decision. A project is considered approved when the appeal period has expired and no appeal has been filed.

Very truly yours,



Terry Burnes  
Planning Administrator

JJ:cdn - JEJG0302.6CN

cc: Michael Murphy, Owner  
Richard Lohman, Appellant  
Lennie Roberts  
Daniel Dyckman  
Fred Anderson  
Linda Hollister

Coastal Commission  
Chief Deputy Valuation - Assessor's Office  
Richard Silver, Clerk of the Board of Supervisors  
Half Moon Bay Fire Protection District  
Neil Cullen, Director of Public Works

A-3-SML-96-025  
Exhibit 2, p.4

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

① Approval Requires a Fire-Truck Turn Around Area

This proposed Area Requires Rebuilding and supporting. The Ocean bluff. Bluffs cannot be rebuilt or Rip-Rapped to protect a proposed structure.

② Applicant has proposed erosion rates that are too low.

③ The structure is in a "visitor-serving" zone and is not designed to be visitor serving. It's just a house not a Bed and Breakfast.

④ Coastal Commission staff has already said this is a bad idea.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signature of Appellant(s) or Authorized Agent

Date 3/22/96

NOTE: If signed by agent, appellant(s) must also sign below.

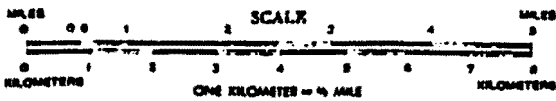
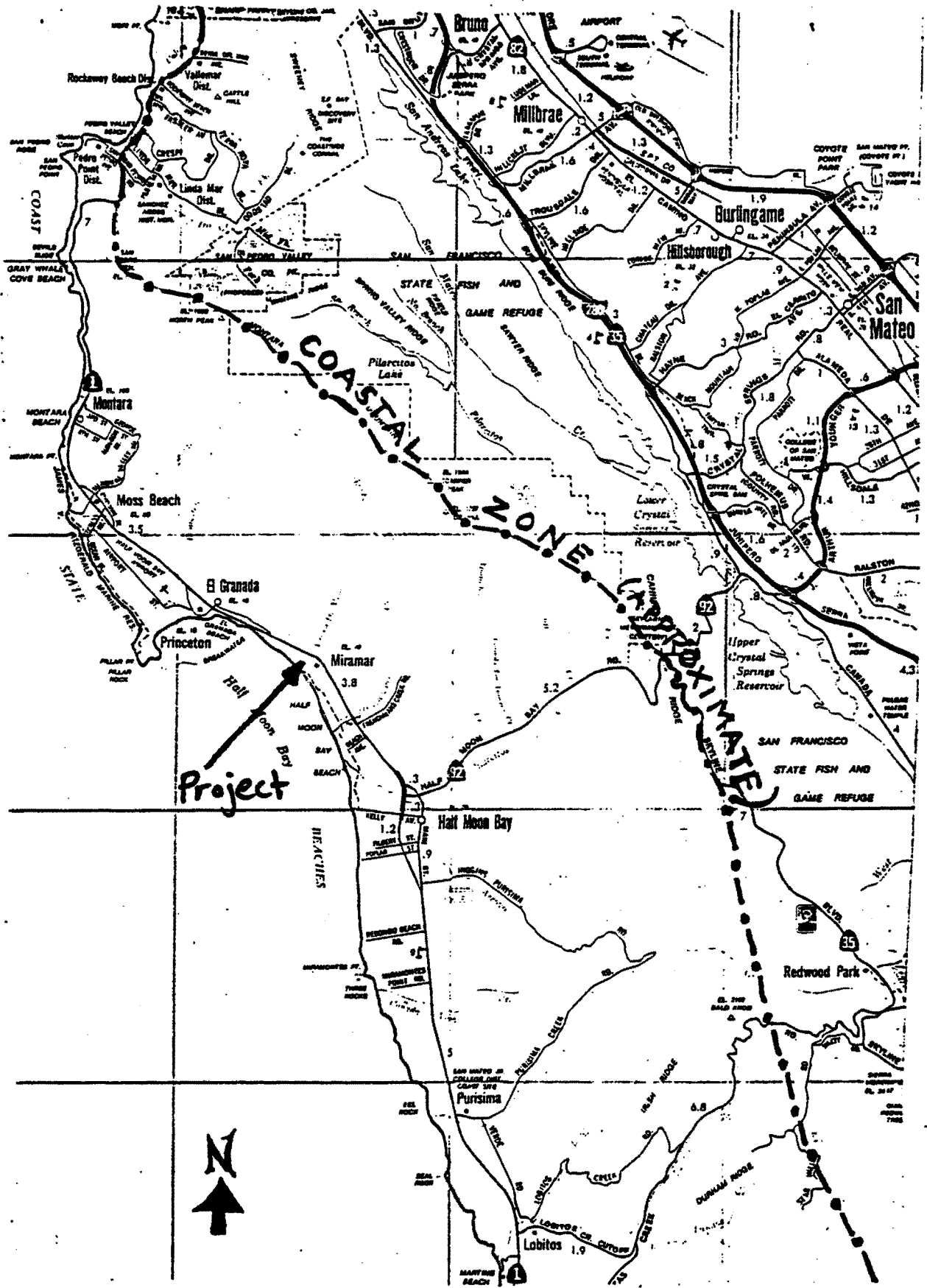
Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

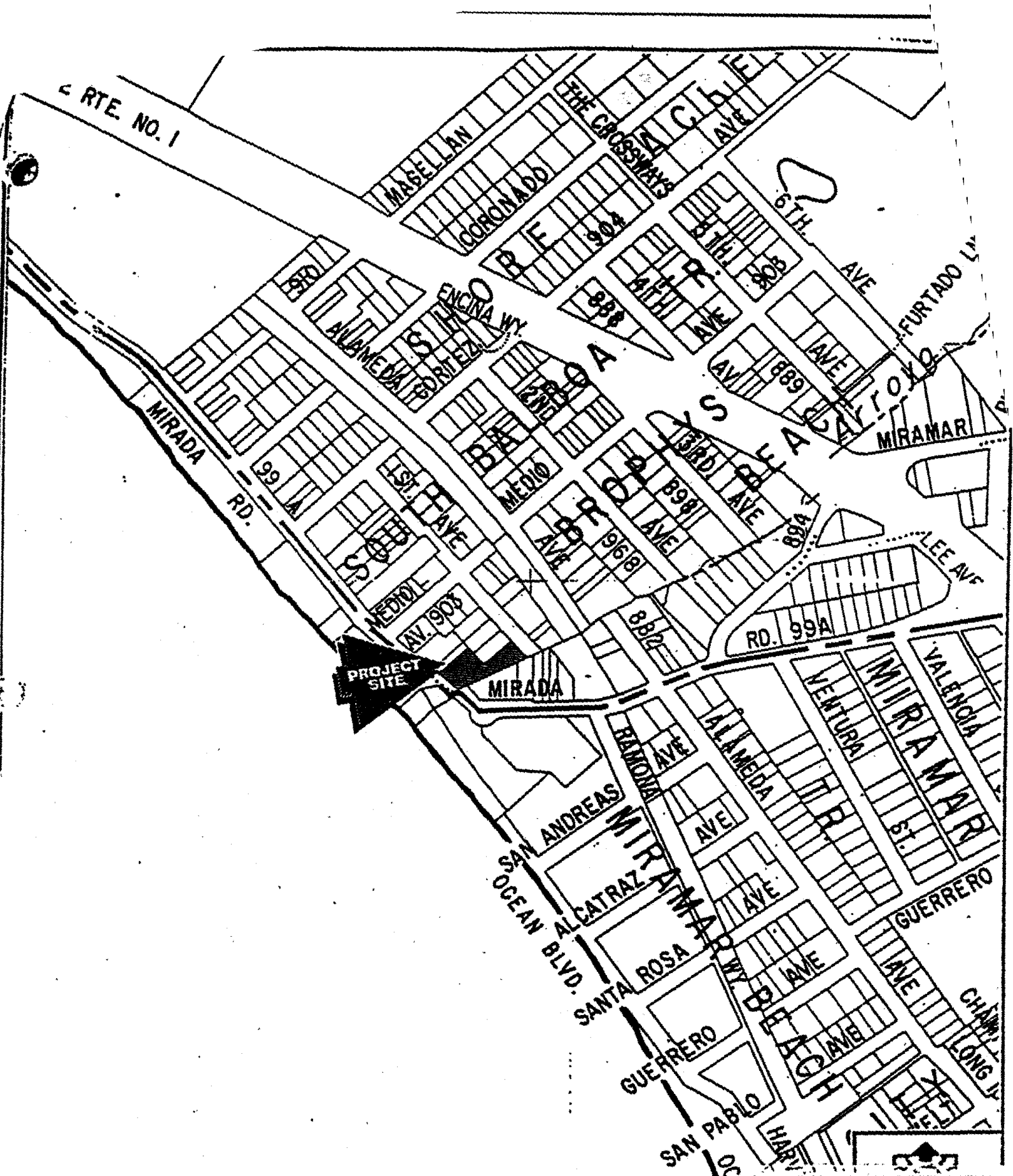
Date \_\_\_\_\_

|                                |
|--------------------------------|
| EXHIBIT NO. 3                  |
| APPLICATION NO. A-3-SMC-96-025 |
| Jacobsen                       |
| Appellant's Contentions        |



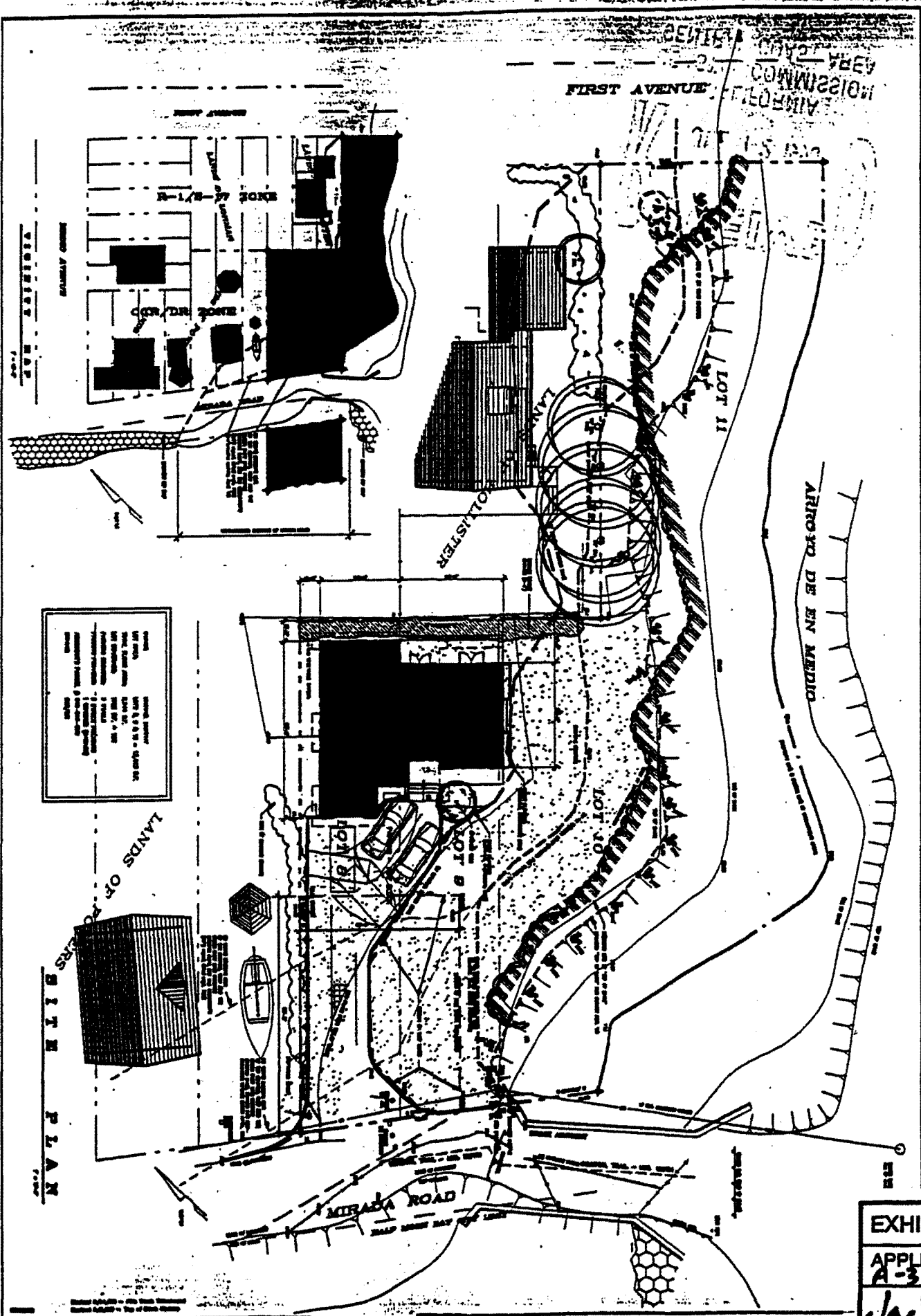
SAN MATEO CO-NORTH

EXHIBIT NO. 4  
 APPLICATION NO.  
 A-3-SMC-96-025  
 Jacobsen  
 Location Map



San Mateo County Zoning Hearing Officer Meeting  
 Applicant: Murphy / Jacobsen Associates  
 Numbers: USE 90-9 CDP 90-45 & DSR 90-26

EXHIBIT NO. 5  
 APPLICATION NO. A-3-SMC-96-D25  
 Jacobson



|                         |                    |
|-------------------------|--------------------|
| Symbol                  | Description        |
| [Solid black rectangle] | Building Footprint |
| [Hatched rectangle]     | Pool Deck          |
| [Dotted area]           | Grass              |
| [Cross-hatched area]    | Asphalt            |
| [Diagonal lines]        | Concrete           |
| [Wavy lines]            | Water              |
| [Circle with cross]     | Well               |
| [Circle with dot]       | Manhole            |
| [Circle with 'X']       | Valve              |
| [Circle with 'V']       | Valve              |
| [Circle with 'A']       | Valve              |
| [Circle with 'B']       | Valve              |
| [Circle with 'C']       | Valve              |
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EXHIBIT NO. 6  
 APPLICATION NO.  
 A-3-SMC-96-025  
 Jacobsen  
 Site Plan

**NA** Jacobsen & Associates  
 Architects  
 1000 S. GARDEN AVENUE  
 ANAHEIM, CALIFORNIA 92805  
 TEL: 714/771-1111  
 FAX: 714/771-1112

**GALWAY BAY INN**  
 FOUR UNIT INN & BREAKFAST  
 BEACHES, HALF MOON BAY, CALIFORNIA

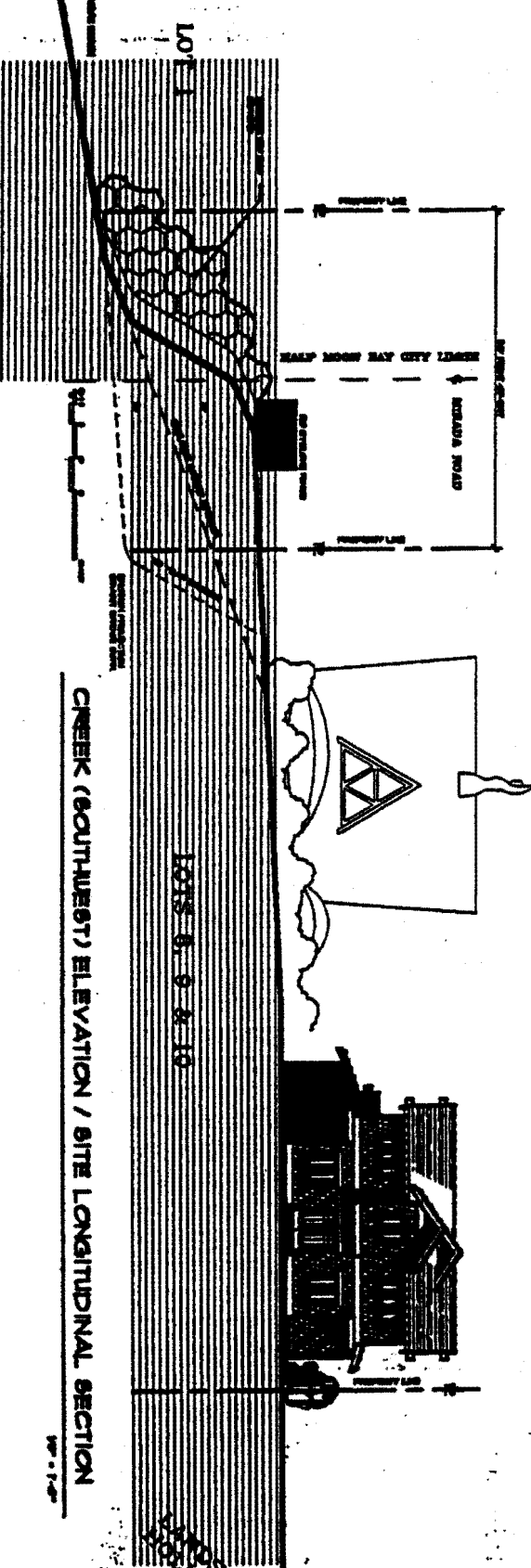
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 COUNTY OF  
 SAN DIEGO  
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 OFFICE  
 1996 JUN 15 10:00 AM

# Galway Bay Inn

FOUR UNIT BED & BREAKFAST  
 MIRAMAR HALF HOON BAY, CALIFORNIA



MIRAMARA ROAD (NORTHWEST) ELEVATION / SITE CROSS SECTION



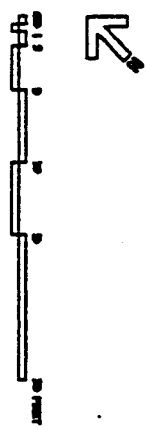
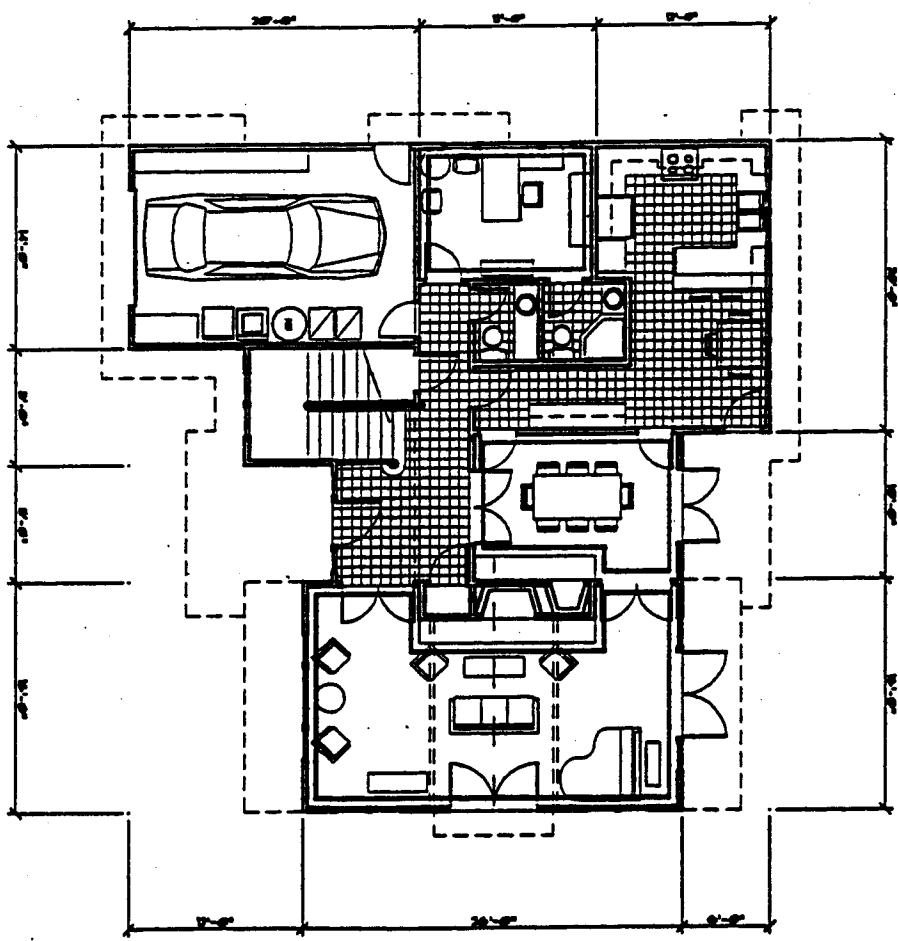
CREEK (SOUTHWEST) ELEVATION / SITE LONGITUDINAL SECTION

EXHIBIT NO. 7  
 APPLICATION NO.  
 A-3-SMC-96-025  
 Jacobsen  
 Elevation + floor plans

1 A  
 Jacobsen & Associates  
 REGISTERED ARCHITECT

FOUR UNIT BED & BREAKFAST  
 GALWAY BAY INN  
 MIRAMAR, HALF HOON BAY, CALIFORNIA

COUNTY OF SAN DIEGO  
 CLERK OF SUPERIOR COURT  
 1997 JUN 15 10:30 AM



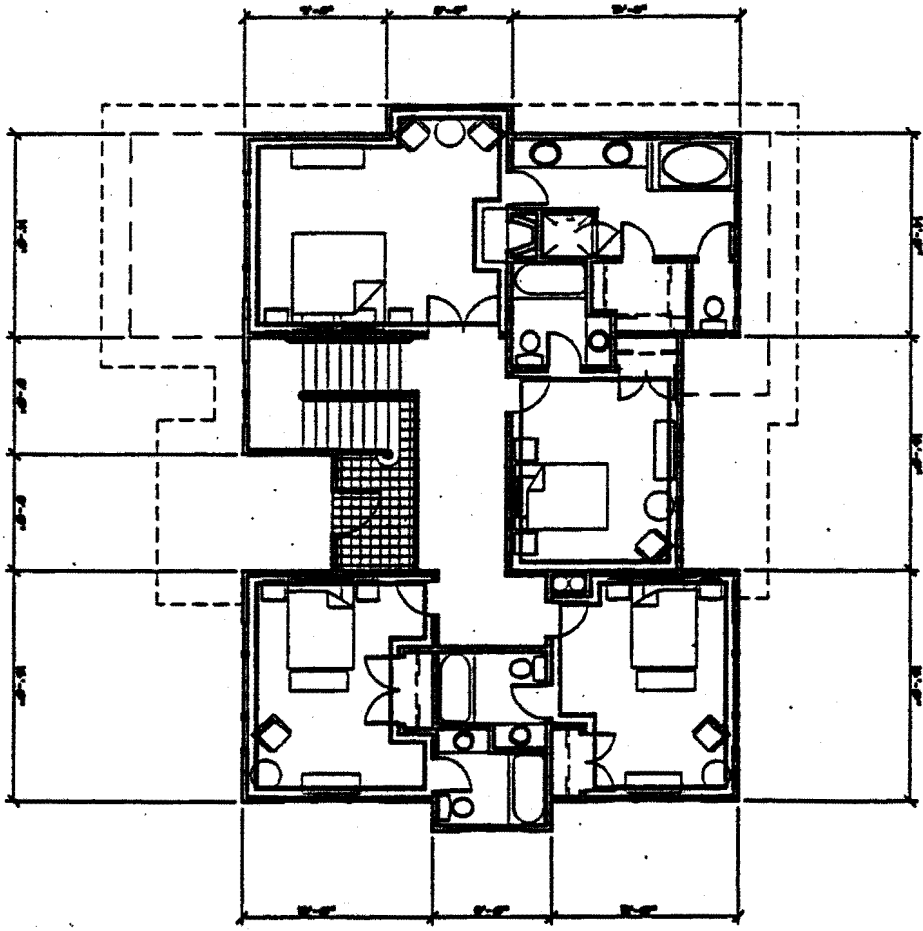
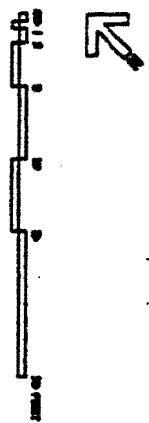
FIRST FLOOR PLAN

**3 A**  
 Jacobson & Associates  
 ARCHITECTS  
 10000 SAN DIEGO AVENUE  
 SAN DIEGO, CALIFORNIA 92131

NEW FIRST FLOOR & BREAKFAST  
**GALWAY BAY INN**  
 PALMSPRING, HALF MOON BAY, CALIFORNIA

A-3-SML-96-2  
 Exhibit 7,  
 p. 2

APPROVED FOR CONSTRUCTION  
DATE: 10/20/96  
BY: [Signature]



SECOND FLOOR PLAN  
10/20/96

A-3-SMC-96-25  
Exhibit 7,  
p. 3



## Chronology:

- | <u>Date</u>        | - <u>Action</u>  |
|--------------------|--|
| May 7, 1990        | - Application for Use Permit and Coastal Development Permit filed, including proposal for 6-guest room inn and riprap along creek and ocean bluff.   |
| June 4, 1990       | - Development Review Committee meeting: the applicant asked to submit geotechnical and biological impact reports.  |
| March 4, 1992      | - Geotechnical report by JCP Engineers & Geologist, Inc. recommending use of reinforcement structures on creek bank.   |
| June 17, 1992      | - Coastal Commission Comments on Draft Negative Declaration and determines that bluff top reinforcement on a new project is not acceptable.  |
| September 22, 1992 | - Supplemental Geotechnical Report by JCP Engineers and Geologist. Aerial photos were examined and average rate of erosion of creek bank determined to be 0.46 feet per year.  |
| January 8, 1993    | - Application for Off-Street Parking Exception submitted and plans size of inn and amount of off-street parking reduced due to elimination of creek bank and ocean bluff protection.   |
| April 20, 1993     | - Negative Declaration published.<br>- Comments and concerns from the Coastal Commission and Half Moon Bay Fire regarding environmental impacts, potential parking on Mirada Road, and overall intensity of development caused the applicant to consider revising their plans. Proposal placed on hold pending revision. |
| January 5, 1994    | - Applicant submits revised plan for 3-unit B&B with manager's unit. Future parking spaces and pedestrian walkway shown on First Avenue property. These uses are not permitted on residential property or within the riparian zone.  |
| September 8, 1994  | - Plan revised to eliminate parking on First Avenue property and pedestrian walkway development. Reduced project determined to be exempt from environmental review.  |
| October 20, 1994   | - Zoning Hearing Officer approves project.   |
| October 28, 1994   | - Richard Lohman files appeal.   |

|                                   |
|-----------------------------------|
| EXHIBIT NO. 8                     |
| APPLICATION NO.<br>A-3-SMC-96-025 |
| Jacobsen                          |
| Chronology                        |

- November, 1994 - Appellant's Civil Engineer, Melvin Hill, issued a letter contending that the structure would be endangered due to tidal erosion within the next 20 or 30 years--no new calculations included to support opinion.
- April 20, 1995 - Letter from GeoForensics Inc. to applicant updating 1992 JCP report and endorsing applicant's determination that no significant erosion occurred along creek bank.
- April 23, 1995 - Appellant submits Lot Line and Top of Creek Bank Survey conducted in 1993 by Joseph Bennie submitted to show a 13.2 ft. wide section of bluff which measures 6.5 ft. width on 1995 Top of Creek Bank surveys. This 1993 survey does not clearly depict measurements on the map because the drawn line representing a 13.2 ft. width does not deviate from the mark immediately above it which identifies a 6.3 ft. width.
- April 26, 1995 - Planning Commission approves project.
- May 10, 1995 - Appeal by Richard Lohman filed.
- August, 1995 - Applicant submits survey conducted by R.C. Hutton. Survey shows top of bluff consistent with JCP's 1992 analysis and Jacobson's 1995 written analysis.
- August 31, 1995 - Appellant submits survey conducted by Joseph Bennie, dated June, 1995. Survey withdrawn by appellant on November 8, 1995.
- November 21, 1995 - Board of Supervisors adopts resolution authorizing the City of Half Moon Bay to file an application for Federal Enhancement Activities to commit local matching funds for a coastside trail link from Half Moon Bay to Pillar Point Harbor; project includes upgrading bridge on Mirada over Arroyo de en Medio Creek.

TLB:JEJ/kcd - JEJG0113.AKU

COUNTY OF SAN MATEO  
PLANNING AND BUILDING DIVISION

Date: November 21, 1995

To: Honorable Board of Supervisors  
From: Terry Burnes, Planning Administrator; Pony PLN 122, Ext. 1859  
via Paul M. Koenig, Director of Environmental Services  
Subject: Resolution Authorizing the City of Half Moon Bay to File an  
Application for Federal Enhancement Activities Program Funding and  
the County to Commit Local Matching Funds for the California Coast  
Trail Link to Pillar Point Harbor Project.

PROPOSAL

The City of Half Moon Bay has prepared an application for federal ISTEAs funds for a Transportation Enhancements Activities (TEA) project to extend the California Coast Trail, a pedestrian/bicycle trail, from the Mirada Street bridge to Pillar Point Harbor. The County can facilitate this project by adopting a resolution authorizing the City of Half Moon Bay (City) to file the application and the County to commit \$51,358 in local matching funds to build the portion of the trail within the unincorporated County, provided the ISTEAs funds are awarded.

RECOMMENDATION

Approve the resolution (Attachment A) authorizing the City to submit the application for federal TEA funds and the County to commit local matching funds for the California Coast Trail Link to Pillar Point Harbor Project.

BACKGROUND

The project would complete an unfinished segment of the California Coast Trail and establish a continuous pedestrian/bicycle facility between Pillar Point Harbor and downtown Half Moon Bay. The project within the County includes construction of a pedestrian/bicycle path over private land adjacent to a washed out portion of Mirada Road, a bicycle route along Magellan-Mirada Road, and improvements to the existing Mirada Road bridge.

The City of Half Moon Bay will submit the application on December 5, 1995, and would oversee the project as the administering agency if the TEA funds are awarded. The County would provide its share of local matching funds.

FISCAL IMPACT

Attachment B shows the estimated cost of the project within the County \$256,790 and the County's 20 percent local matching fund is \$51,358, required by federal ISTEAs. The Department of Public Works has indicated

|                                  |
|----------------------------------|
| EXHIBIT NO. 9                    |
| APPLICATION NO.<br>A-3-SMC-96-25 |
| Jacobsen                         |
| Grant Info.                      |

the most appropriate source of local matching funds would be the San Mateo County One-Half Cent Transportation Fund. This would divert \$51,358 from the \$1.59 million appropriation in 1995-96 One-Half Cent Transportation Fund from future transportation projects that have not as yet been identified. There is no impact on the General Fund.

**REVIEWING AGENCIES**

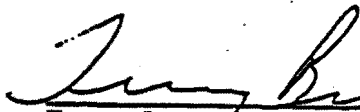
1. City of Half Moon Bay
2. Department of Public Works
3. County Counsel

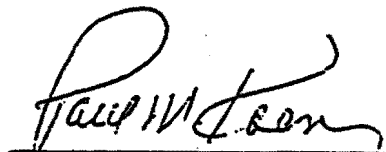
The resolution in Attachment A has been reviewed and approved by County Counsel.

**ATTACHMENTS**

- A. Resolution Authorizing Application for Federal Funds and Commitment of Local Matching Funds
- B. California Coast Trail Link to Pillar Point Harbor Project Requested Federal TEA Funds and Local Matching Funds

Respectfully submitted,

  
\_\_\_\_\_  
Terry Burnes, Planning Administrator

  
\_\_\_\_\_  
REVIEWED FOR AGENDA

TB:AG:fc - ARGF1834.AFU

# GEOFORENSICS INC.

Consulting Soil Engineering

555 Pilgrim Dr., Suite A, Foster City, California 94404

Phone: (415) 349-3369 Fax: (415) 571-1878

File: 95183  
June 4, 1996

Jacobsen & Associates  
225 South Cabrillo Highway  
Suite 200B Shoreline Station  
Half Moon Bay, California 94019

Attention: E. Jacobsen

Subject: Proposed Bed and Breakfast Structure  
445 Mirada Road  
Half Moon Bay, California  
FIRE TRUCK TURN AROUND

Dear Mr. Jacobsen:

This letter has been prepared to supplement the information provided in our previous reports regarding the potential effects of erosion on the currently proposed fire-truck turn-around and driveway at the front of the site. This letter has been prepared at your request to document the opinions we expressed to you over the telephone earlier this week.

We understand that the current plans call for the placement of a hardened surface (ie. turf grass) at the front of the property to permit a fire truck to be able to turn around in the event that it travels down Mirada Road to service the subject property. This has been required as part of the approval process for the project by the County.

As stated in our previous reports, we anticipate that the Mirada Road bridge will be protected by the City of Half Moon Bay, or the County within the next few years as part of its protection of the northerly extension of the Coastside Trail, and/or maintenance of the existing right-of-way or as protection for the adjacent developed parcel.

After the bridge is protected, the set-back line for ocean erosion will be eliminated, leaving the site only subject to erosion by the meanders of the adjacent creek lining the southern property line. Protection of the bridge would include erosional protection along both sides of the abutments. Hence proximate to the bridge, erosion from the creek would be arrested. This would have a reductional effect on erosion rates upstream of the repairs/stabilization work for the bridge. Based upon our review of the previous JCP work, we would consider it reasonable to anticipate that the zone of-influence of this protection work on the bridge would extend upstream to a point where JCP indicated that the ocean erosion process and creek erosion process overlapped (approximately 40 feet upstream from the bridge). Further upstream the effects of the bridge protection would not be noticed by the creek. Downstream, we would project a linear decrease in erosion rates from the full rate (0.45 feet per year) down to 0 at the end of the protective zone (conservatively anticipate 15 feet of upstream erosion protection at the bridge).

RECEIVED  
JUL 12 1996

CALIFORNIA  
COASTAL COMMISSION  
DEN

|  |
|--|
| EXHIBIT NO. 10                           |
| APPLICATION NO.<br>A-3-SMC-96-025        |
| Jacobsen                                 |
| Supplemental Geotechnical<br>Information |

A-3-SMC-96-025  
Exhibit 10, p. 1

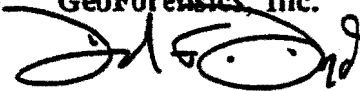
File: 95183  
June 4, 1996

If, in the future, the erosion of the creek bank approaches too close to the proposed turn around, then mitigative measures would need to be performed on the turn-around surface. Such measures could include: a protective row of piers between the "pavement" and cliff face; grade beams under a concrete decking pavement to transmit loads away from the cliff edge; or other possible alternatives.

We note that in the event that the bridge is left to collapse into the sea, then the erosional processes could possibly start to affect the turn around within the next decade or so. In that case, the same mitigative work could be used on the western side of the pavement. While this would require the work to be performed at a substantially earlier date than if only creek erosion is occurring, we would still recommend that the mitigative work be delayed until the eroded cliff banks require the work. This delay is appropriate, as true erosion rates are expected to be slower than the worst-case scenario proposed by the JCP identified rates. It is probable that the true rates of creek bank erosion combined with the bridge work would make any mitigative work unnecessary even within the 50 year design life of the proposed improvements.

Should you have any further questions or comments, please contact the undersigned.

Respectfully Submitted:  
GeoForensics, Inc.



Daniel F. Dyckman, PE, GE  
Senior Geotechnical Engineer, GE 2145



cc: 5 to Eric Jacobsen, AIA