

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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Filed: Aug. 21, 2000
49th Day: Oct. 9, 2000
Staff: JAS-SF
Staff Report: Sept. 26, 2000
Hearing Date: Oct. 12, 2000
Commission Action:

STAFF REPORT: APPEAL**SUBSTANTIAL ISSUE DETERMINATION****AND DE NOVO HEARING**

APPEAL NO.: A-2-SMC-00-028

APPLICANT: Steve Blank

AGENT: John Wade

LOCAL GOVERNMENT: San Mateo County

LOCAL DECISION: Approval with Conditions

PROJECT LOCATION: 4100 Cabrillo Highway, Pescadero, San Mateo County,
APN 089-221-090

PROJECT DESCRIPTION: Construction of a three-story, 15,000-square-foot single-family residence (6,000-square-foot underground) with outlying bedrooms and underground tunnels, a swimming pool, a 2,500-square foot equipment barn, a 2,700-square-foot horse stable, and a replacement of a farm labor housing unit with a 1,250-square foot farm labor housing unit on a legal 261-acre parcel.

APPELLANTS: Commissioners Sara Wan and Dave Potter, California Coastal Commission

SUBSTANTIVE FILE DOCUMENTS: San Mateo County PLN 1999-00960 (Blank); San Mateo County Local Coastal Program

STAFF RECOMMENDATION: Substantial Issue, Approval with Conditions

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LIST OF EXHIBITS

Exhibit

- 1 San Mateo County's Conditions of Approval
- 2 Commission Notification of Appeal
- 3 Site Plans, Floor Plans, and Elevations
- 4 Letter from Steve Blank stating that no helicopters or other aircraft would be used on the property for the life of the coastal development permit
- 5 Constraints Analysis and Visual Assessment
- 6 Regional Geology and Hazard Zones

LIST OF CORRESPONDENCE

September 9, 2000 Letter from Kevin and Cheryl Williams to California Coastal Commission
September 11, 2000 Letter from Edward Berkowitz to Commissioners

SUMMARY OF STAFF RECOMMENDATION

SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that a substantial issue exists with respect to the grounds on which the appeal has been filed, and that the Commission hold a de novo hearing, because the appellants have raised a substantial issue with the local government's action and its consistency with the certified LCP.

San Mateo County (the County) approved with conditions a coastal permit for construction of a three-story, 15,000-square-foot single-family residence (6,000-square-foot underground) with outlying bedrooms and underground tunnels, a swimming pool, a 2,500-square foot equipment barn, a 2,700-square-foot horse stable, and a 1,250-square-foot farm labor housing on a legal 261-acre parcel. The county-approved project also includes the planting of three acres of raspberries and peas, pasturing horses, and habitat restoration. The appellants contend that the project is not consistent with the visual resources policies of the County's LCP.

Commission staff analysis indicates that the appeal raises significant questions regarding whether the residence, as approved by the County, would be sited and designed to protect coastal views in the manner required by the policies of the certified LCP. As approved by the County, the residential dwelling would be visible from State Highway 1 (Cabrillo Highway) and Año Nuevo State Reserve in an area that is now largely undeveloped. Commission staff recommends that the Commission find that the project, as approved by the County, raises a substantial issue with regard to conformance with the visual resources policies of the County's LCP.

The Motion to adopt the Staff Recommendation of Substantial Issue is found in Section 3.0.

COASTAL PERMIT APPLICATION: APPROVAL

The staff recommends that the Commission approve the coastal development permit for the proposed project with conditions. The recommended conditions would result in the redesign of the County-approved project in such way as to make the proposed dwelling not visible from Highway 1, Año Nuevo State Reserve, and other public places, and would allow the project to comply with the visual resources policies of the LCP.

The Motion to adopt the Staff Recommendation of Approval is found in Section 1.0.

STAFF NOTES

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 Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three 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. Unless it is determined that there is no substantial issue, the Commission will continue with a full public hearing on the merits of the project. If the Commission were to conduct a de novo hearing on the appeal, the applicable test for the Commission to consider would be whether the development is in conformity with the certified LCP and public access and public recreation policies of the Coastal Act.

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.

PART 1 - SUBSTANTIAL ISSUE

1.0 STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

Pursuant to Section 30603(b) of the Coastal Act and as discussed in the findings below, the staff recommends that the Commission determine that substantial issue exists with respect to the grounds on which the appeals have been filed. The proper motion is:

Motion

I move that the Commission determine that Appeal No. A-2-SMC-00-028 raises NO substantial issue as to conformity with the certified Local Coastal Program with respect to the grounds on which an appeal has been filed pursuant to Section 30603 of the Coastal Act.

Staff recommends a NO vote. A No vote would result in the de novo consideration by the Commission of the appeal and in the adoption of the following resolution and findings. Approval of the motion would mean that the County permit is final. To pass the motion, a majority vote of Commissioners present is required.

2.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

2.1 Local Government Action

On July 26, 2000, the San Mateo County Planning Commission approved with conditions Coastal Development Permit (CDP) PLN 1999-00960 (Blank/Wade) for construction of a three-story, 15,000-square-foot single-family residence and associated development as further described in Section 2.5 below. The approval includes 57 special conditions, as listed in Exhibit 1 (San Mateo County 2000b). Conditions 18, 20, 21, and 22 address visual resources. Condition 18 requires that the applicant submit a screening plan for approval by the Planning Director and that all screening be installed prior to completion of construction. The purpose of the screening plan is to screen the view of the proposed development from Highway 1 and Año Nuevo State

Reserve. The plan would include viewpoint elevations showing an earth berm with additional planting screening 50 to 75 percent of the proposed residence from Cabrillo Highway and Año Nuevo State Reserve at the end of construction and 100 percent screening at tree maturity. Condition 20 requires the applicant to submit color and material samples for approval by the Planning Director, and that the colors and materials blend in with the surrounding soil and vegetative color of the site. Condition 21 requires that the applicant submit a lighting plan, which minimizes visibility of lighting, for approval by the Planning Director. Condition 22 requires that the applicant record a deed restriction on the property regarding maintenance of screening vegetation, color of exterior materials, and minimization of lighting. The local appeal period ended on August 9, 2000 and there were no local appeals.

2.2 Appellants' Contentions

Commissioners Sara Wan and Dave Potter appealed the County of San Mateo's decision to approve the project. The appellants contend that the project is not consistent with the visual resources policies of the County's LCP. The appellants' contentions are summarized below, and the full text of the contentions is also included as Exhibit 2.

The appellants assert that the subject development, which is sited near the top of a hill within the scenic corridor of State Highway 1 and is visible from a State Scenic Road (State Highway 1) and Año Nuevo State Reserve, is inconsistent with San Mateo County Land Use Plan (LUP) visual resources policies 8.5, 8.18a, 18b, and 8.20. These policies include requirements that new development:

- be located where it is least visible from State and County Scenic Roads, is least likely to significantly impact views from public viewpoints, and is consistent with all other LCP requirements, but preserve the visual and open space qualities overall;
- blend with and be subordinate to the environment and character of the area and be as unobtrusive as possible through siting, design, layout, size, height, shape, materials, colors, access, and landscaping;
- be located where screening minimizes the visibility of development from public roads; and
- be related in size and scale to adjacent buildings and landforms.

2.3 Appeal Process

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 (Coastal Act Section 30603.)

Section 30603 states that an action taken by a local government on a coastal development permit application may be appealed to the Commission for certain kinds of developments, including developments located within certain geographic appeal areas, such as those located between the sea and the first public road paralleling the sea or within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff, or those located in a sensitive coastal resource area. Furthermore, developments approved by counties may be appealed if they are not designated the "principal permitted use" under the certified LCP.

Finally, developments that constitute major public works or major energy facilities may be appealed, whether approved or denied by the city or county. The grounds for an appeal of a County approval that is not located between the sea and the first public road paralleling the sea are limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program.

The project is appealable to the California Coastal Commission because it is not a principally permitted use. A single-family house is not a principally permitted use within the Planned Agricultural District (PAD), in which the project is sited, of San Mateo County's LCP.

2.4 Filing of Appeal

The Commission received the Notice of Final Action for the County's approval of the subject development on August 11, 2000. In accordance with the Commission's regulations, the 10-working-day appeal period ran from August 14 through August 25 (14 CCR Section 13110). The appellants (Commissioners Sara Wan and Dave Potter) submitted their appeal to the Commission office on August 21, 2000 (see Exhibit 2). On September 13, 2000, the Commission opened a hearing on the appeal. The Commission continued the hearing, suspending final action on the appeal pending discussions between the applicant and staff.

2.5 Project Location and Site Description

The project approved by the County is located inland of State Highway Route 1 (Cabrillo Highway), about six miles south of Pescadero, in the unincorporated portion of San Mateo County, California (Figure 1). State Park lands surround the property on the east, north, and west, and State Coastal Conservancy lands are on the south side. The proposed building site of the residence is approximately three miles from Año Nuevo Point and 2,400 feet from the closest portion of Highway 1 (Figure 2). The southern portion of the property is within the Highway 1 State Scenic Corridor, as designated in the San Mateo General Plan, with the building site of the residence just outside the boundary and all other structures well outside the boundary. The 261-acre property, known as K & S Ranch, is an irregular diamond shape, roughly one mile long by a half mile wide. Existing uses on the property include a caretaker's cottage, farm buildings, dirt/gravel roads, agricultural fields, and undeveloped land (Biotic Resources Group 2000). None of the buildings are visible from Highway 1 or Año Nuevo State Reserve.

The property is part of the Cascade Valley Ranch. A Natural Resource and Agricultural Conservation Easement, held by the Coastal Conservancy, applies to the Cascade Valley Ranch, and therefore the K & S Ranch (Coastal Conservancy 1999). The purpose of the easement is to "protect the property's natural habitat, natural resources, and scenic values, and to conserve the property's open space character for agricultural use." It mentions "limited residential use" as well as habitat preservation, agriculture, and ranching among the uses and practices allowed under the easement. It appears that the approved project is generally consistent with the terms of the easement, in that the project includes a single-family dwelling and agricultural uses. However, the Coastal Conservancy, as the easement-holder, rather than the Coastal Commission, is responsible for determining consistency of land uses with the easement.

The property is designated in the County's LUP as Agriculture and is zoned Planned Agricultural District/Coastal Development District (PAD/CD). The proposed single-family dwelling complies with the PAD zoning of the lands within the coastal zone, which allows one density credit or one residential unit on the property. For residences, the PAD zone allows a maximum building height of 36 feet, which is slightly higher than the 35-foot, one-inch proposed roofline height of the county-approved dwelling. Setbacks for county-approved residence, farm labor housing, equipment barn, and stable are well-within zoning standards for the PAD. A single-family residence is not allowable as a principally permitted structure within the PAD, but may be allowed with the issuance of a Planned Agricultural Permit. The County determined that the project conforms with the substantive criteria for issuance of a PAD permit and the county's stable regulations (Section 6358.0 and 6359.0 PAD/CD of San Mateo County's Zoning Regulations and Section 7700 of the Stable Ordinance). The substantive criteria address protection of agricultural uses on land in the PAD. The criteria includes minimizing encroachment on land suitable for agricultural use, clustering development, availability of water supply, preventing or minimizing division or conversion of agricultural land, and retention of agricultural land within public recreation facilities. The stable regulations address building code requirements, maintenance of stables, and drainage plans.

The property has two flat to gently sloping elevated marine terraces cut by local streams. The broad lower terrace, with an elevation of 40 to 120 feet extends one mile west from the property to the ocean. This terrace includes Highway 1, farmland and parkland. The eastern edge of the lower terrace forms the western edge of the K and S Ranch. The upper terrace, with an elevation of 255 to 320 feet is deeply cut by local streams coming out of the Santa Cruz Mountains. The upper terrace is about 1/4 mile wide and ends in the steep slopes of the Santa Cruz Mountains, rising up to over 1,500 feet immediately behind the ranch.

The elevation of the parcel ranges from approximately 110 feet above mean sea level (msl) along the southernmost portion of the property near Highway 1 and 380 feet above msl in the northern and western portions of the site. The proposed residential building site is on a flat terrace at approximately 300 feet above msl. The slopes below the county-approved residence range from 23 to 40 percent (Zinn Geology 1999).

The parcel is within the central region of the Coast Ranges Geomorphic Province, and is underlain by marine and continental sedimentary rock units that have been deposited, folded, faulted, and uplifted to form the Santa Cruz Mountains (Romig Consulting Engineers 1999). Figure 5 presents the regional quaternary geology of the site. The property is within a state Earthquake Fault Zone (California Division of Mines and Geology 1982, as cited in Zinn Geology 1999). The active San Gregorio Fault lies along the break between the upper terrace and the mountains, approximately 300 to 500 feet northeast of the proposed residential development (Zinn Geology 1999). The parcel is within an active seismic area and may be subject to strong ground shaking. Landslide scars are found along the northern and eastern property boundaries. Although none of the proposed development is on a landslide deposit, surficial creep instabilities may affect the site, including shallow debris flows and slope creep, particularly near the auxiliary bedrooms (attached by tunnels) (Zinn Geology 1999 and 2000a).

Blank

Soils at the site are primarily Lobitos loam in the northern portion of the property, Tierra loam in the southern portion, Santa Lucia loam in the southeastern portion, Lockwood loam soils along the drainages, and Colma loam in the steep portions of the southern-central portion of the property. The Lobitos loams range from slight erosion hazard to very high. The Santa Lucia soils pose moderate to very high erosion potential. The erosion hazard of the Lockwood soils is slight. The Colma loams have a high to very high erosion potential (US Department of Agriculture 1961). The Lockwood soils and a small adjacent area of Botella loam are Class II or Class III (capable of growing artichokes or brussel sprouts) soils, which are considered prime agricultural soils.

The parcel includes diverse habitat types (Figure 3). The steep 100 to 160-foot high slopes between the lower and upper terrace are covered with approximately 25 acres of mixed evergreen forest on the north facing slopes, approximately 42 acres of coastal scrub, and three acres of oak woodland on the south facing slopes. The mixed evergreen forest is dominated by Douglas fir. Deluca Valley runs east through the center of the ranch and has about 26 acres of fallow agricultural fields. Along the unnamed creek is approximately eight acres of riparian woodland dominated by willow (*Salix* sp.) and alder (*Alnus rubra*). At the east end of the valley is the 8.6-acre foot "Potato Patch" reservoir, which was apparently used for stock watering. There are two areas of wet meadow, one at each end of the valley, totaling approximately seven acres. The flatter areas of the upper terrace are dominated by 168 acres of non-native grasses, particularly flax left over from farming during the 1930's and 40's. Eight acres of native grasses are found, mostly on the terrace northeast of the valley (Wade 2000a).

These habitats support many plant and wildlife species, including some special status species. No special status plant species were observed at the site. Special status wildlife species that occur in nearby habitat include California red-legged frog, a federally-listed threatened species; western pond turtle, a federal species of concern; and San Francisco garter snake, a federally- and state listed species. Loggerhead shrike may nest at the site (Biotic Resources Group and Dana Bland & Associates 2000). One California red-legged frog was observed in the man-made pond (Potato Patch Reservoir) on the eastern portion of the property (Wade 2000b).

Records at the California Historical Resources Information Center at Sonoma State University indicate that the entire parcel was previously studied and no prehistoric cultural materials, such as midden, shells, hearths, fire-affected rock, artifacts, or other features were located on the site (chavez 1982 [S-4937] and ACRS 1979 [S-3104]. No further archaeological surveys were recommended (San Mateo County 2000a).

2.6 Project Description

The project approved by the County consists of construction of a three-story, 15,000-square-foot single-family residence (6,000 square feet underground) with outlying bedrooms and underground tunnels, a 2,500-square-foot equipment barn, a 2,700-square-foot horse stable¹, and a 1,250 square-foot farm labor housing unit on a legal 261-acre parcel (Exhibit 3). The existing farm labor housing would be replaced with similar housing of approximately 1,250 square feet in the same location. The more precise area of the living areas and basement is shown in Table 1, amounting to 15,780 square feet of residential development². The following areas are additional developed areas that are not included in the description above: swimming pool (1,100 square feet), terraces (7,546 square feet), driveway and parking, including the existing gravel driveway at the base of the hill to the garage door (8,064 square feet), and walkways (956 square feet) (Sagan-Pichota Architecture 2000a). Therefore, the gross square footage of developed area is 39,895, not including three acres to be planted in raspberries and peas, areas where horses are pastured, and habitat restoration areas.

The tallest structure proposed is the residence. At its highest elevation from natural grade, the roofline of the county approved residence would be approximately 35-foot, one inch³ in height (Exhibit 3). A water line and septic system are proposed on-site, and an existing domestic well in the southeast corner of the property would be used. The new septic system would be located to the south of the proposed residence on non-prime soils. None of the proposed development, except the farm labor housing would be on prime soils. The existing farm labor housing is on prime soils and it would be replaced in the same location. Access to the site is provided by an existing private access road from Highway 1 that serves the farm labor housing. The road would be extended 400 feet to access the county-approved residential development. An existing dirt fire road extends all the way to the approved residential site. The county-approved project included installation of turf block and grass seed on the fire road to reduce visibility from Highway 1 and Año Nuevo State Reserve while still providing an emergency access route for fire vehicles. The approved residence and other structures would use earth tones, such as dark gray walls and a dark brown roof. All of the structures, including the residence, are designed to resemble barns.

2.7 Substantial Issue Analysis

Section 30603(b)(1) of the Coastal Act states:

The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.

¹ At County's request the stable was moved to a hillside, necessitating an increase from 2700 square feet to 3,200 square feet.

² The 15,780 square feet reflects a refinement of the estimate in the County's reports, but not a change, to the project description.

³ The height has been more precisely estimated at 35-foot one inch. This is also a refinement, not a change to the project description.

Table 1
K & S Ranch
Summary of Areas

	Room Number	Room Name	Square Feet	Square Feet
Sleeping Barn and Bedrooms	B11	bedroom 1	329.61	
	B12	bathroom	63.25	
	B21	bedroom 2	432.44	
	B22	bathroom	88	
	B31	bedroom 3	291.85	
	B32	bath	95.12	
	B41	bedroom 4	291.48	
	B42	bath	96.18	
	B50	bedroom 5	115.83	
	B51	sitting area	339.74	
	B52	bath	59.73	
	S202	hallway	246.75	
	S203	family room	265.23	
	S204	bathrm	57.21	
	S205	laundry	66.91	
	S206	master bedroom	496.3	
	S207	master bath	176.14	
	S208	closet	87.67	
	S303	bedroom	219.92	
	S304	bathroom	176.77	
	S305	bedroom	219.73	
Subtotal				4215.86
Living Barn	109	t.v. room	454.12	
	110	bathrm	61.83	
	203	living room	1,039.50	
	204	dining room	483	
	205	corridor	267.97	
	207	closet	47.7	
	208	wc	67.17	
	209	kitchen	311.97	
	210	breakfast nook	190.94	
	211	pantry	49.94	
	301	office	100.04	
	302	connector	79.28	
	304	loft	629.21	
	305	sleeping porch	192.3	
	306	bathrm	58.73	
Subtotal				4,033.70

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Library	L201	stairs	66.65	
	L202	library	392.56	
	L203	office	222.44	
	L204	vest.	54	
	L205	bathrm	49.98	
Subtotal				785.63

Pool House	P202	bath	75.01	
	P203	changing	46.03	
	P204	laundry	74.58	
Subtotal				195.62

Sum of Living Areas **9,230.81**

Basements required by Seismic Structure and Unconditioned Circulation Space	104	elec.	84.67	
	105	trash	83.34	
	106	stairs	87.18	
	107	corridor	126.97	
	108	garage	1,355.04	
	L102	structural space	704.93	
	P101	equipment room	737.85	
	S102	stairs	136.27	
	S103	struct. space	357.15	
	B101	tunnel	932.69	
	B103	tunnel	1,310.78	
	212	atrium	632.65	
Subtotal				6549.52

Total All Areas **15,780.33**

Source: Sagan-Pichota Architecture 2000c.

Blank

The two contentions raised in the appeal present potentially valid grounds for appeal in that they allege the projects' inconsistency with policies of the certified LCP.

Public Resources Code section 30625(b) states that the Commission shall hear an appeal unless it determines:

With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.

The term substantial issue is not defined in the Coastal Act. The Commission's regulations simply indicate that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Cal. Code Regs., tit. 14, section 13115(b).) In previous decisions on appeals, the Commission has been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretation of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even where the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development as approved by the County presents a substantial issue.

2.7.1 Allegations that Raise Substantial Issue

The Commission finds that the appeal raises a substantial issue with respect to conformance of the approved project with the visual and scenic resource policies of the San Mateo County certified LCP.

The appellants assert that the subject development, which would be sited near the scenic corridor of State Highway 1 and would be visible from a State Scenic Road (State Highway 1) and Año

Nuevo State Reserve, is inconsistent with San Mateo County LUP visual resources policies 8.5, 8.18a, 8.18b, and 8.20. These policies are presented below.

The development site approved by the County is on the top of a southwest-facing coastal terrace hillside east of Highway 1, in an unincorporated area of south San Mateo County. This portion of the coast is very sparsely developed, with grazing and row crops occurring on the coastal shelf surrounded by forested lands. The coastal mountains provide a dramatic backdrop to the coastline, rising to elevations of about 1,450 feet. The mountains have dense stands of conifers and shrubs in the drainages and on the upper slopes, but are otherwise covered with grasses that are green in the winter and spring and a golden color in the summer. It is one of the most spectacular, scenic coastal areas in San Mateo County. The California Department of Parks and Recreation's brochure for Año Nuevo State Reserve describes the reserve and vicinity as follows:

Fifty-five miles south of San Francisco and the Golden Gate, a low, rocky, windswept point juts out into the Pacific Ocean. The Spanish maritime explorer Sebastian Vizcaino named it for the day on which he sighted it in 1603 - Punta de Año Nuevo - New Year's Point.

Today, the point remains much as Vizcaino saw it from his passing ship - lonely, undeveloped, wild. Elephant seals, sea lions, and other marine mammals come ashore to rest, mate, and give birth in the sand dunes or on the beaches and offshore islands. It is a unique and unforgettable natural spectacle that hundreds of thousands of people come to witness each year.[Emphasis added]

There are very few structures visible from Highway 1 and the State Reserve within several miles of the site. Developments to the north, starting just north of Gazos Creek, are the Vlastic Mushroom Farm, a gas station and restaurant, and the Coastanoa resort. To the south are the Cascade Ranch farm buildings, a ranch house, and a flower operation on the west side. Further south is a berry farm and the Boling house. Most of these developments are either on the lower coastal terrace, screened from view, and/or directly associated with agriculture. Therefore, the K & S Ranch residence would be the first very large residence not associated with commercial agriculture in the immediate area that would be visible from the highway, and would be visible from distant views at Año Nuevo State Reserve.

The elevation of the parcel ranges from approximately 110 feet above mean sea level (msl) along the southernmost portion of the property near Highway 1 and 380 feet above msl in the northern and western portions of the site. The proposed residential building site is on a flat terrace at approximately 300 feet above msl. Much of the property is located within the Highway 1 and Año Nuevo State Reserve viewshed, with the proposed residential development visible from several locations.

In its County-approved location on top of the hill, and given its large size and three-story height, the approved development would be visible to vehicles traveling south and north on Highway 1. The main residence, including sleeping barn, living barn, and pool house, extends approximately 184 feet across (does not include mostly below ground portion between the living barn and pool

house) facing southeast towards Highway 1 and Año Nuevo State Reserve. From end to end the length of the five outer bedrooms facing southwest towards Highway 1 and Año Nuevo State Reserve is approximately 213 feet, including open space in between the bedroom buildings. Because these bedrooms are actually separate structures rather than part of the main development, the large, sprawling design maximizes the visual impact.

The approved house site would also be visible from trails in Año Nuevo State Reserve. State Reserves are the highest level of protection classification of the California State Park System. The Public Resources Code describes State Reserves as "consisting of areas of embracing outstanding natural and scenic characteristics of statewide significance" (California Department of Parks and Recreation 2000). In addition, Año Nuevo Point is designated as a National Natural Scenic Landmark. Año Nuevo State Reserve currently is visited by over 200,000 people from around the world annually with more expected in the future (California Department of Parks and Recreation 2000, Enge 1999). Visitors to the Reserve come to see the thousands of elephant seals that breed there as well as to enjoy pristine coastal views looking inland that are not possible from many locations along the coast (Enge 1999). The proposed site is visible from dunes near the main public trail in the Reserve. It is also visible from the Cascade Creek trail and the Cascade-Whitehouse Creek trail to the east. The project is visible for a short distance along Chalks Road to the south, just east of the Cascade Ranch buildings. Although this road is not currently a public road, it may be acquired at some time in the future and used for a trail. According to California Department of Parks and Recreation, from the Reserve "visitors view pristine coastal mountains with no current intrusive visual impacts" (California Department of Parks and Recreation 2000).

As discussed further below, the Commission finds that the project as approved by the County raises a substantial issue with regard to consistency with a number of LCP policies regarding protection of visual and scenic resources.

LUP Policy 8.5: Development Where Visible from a Scenic Road and Public Viewpoint When Alternatives Exist

A substantial issue exists concerning the conformity of the proposed development with LUP Policy 8.5, which states:

Require that new development be located on a portion of a parcel where the development (1) is least visible from State and County Scenic Roads, (2) is least likely to significantly impact views from public viewpoints, and (3) is consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5.

Public viewpoints include, but are not limited to, coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

The county-approved residence would be sited on one of the higher plateaus on the property. As sited at this location on the property, the proposed development would be visible from Highway 1, which is a state scenic road, and from Año Nuevo State Reserve. The property, which

comprises 261 acres, includes ridge lines and existing, mature trees and other vegetation that block views of some portions of the property from the highway and the reserve. Consequently, it appears that the property contains potential alternative building sites that are less visible from the highway and reserve. Based on a constraints analysis and visibility survey conducted by the applicant, the County concluded that the residence is proposed for the least visible location, but provided no explanation of how they reached that conclusion. The residential development would be sited at the top of a terrace and would be visible from Highway 1 and Año Nuevo State Reserve. Therefore, there may be a less visible site. Because the approved development would be visible and the County's determination that the approved development would be located on the portion of the property that is least visible is not convincing, the Commission finds that the appeal raises a substantial issue in terms of the approved project's conformance with LCP Policy 8.5.

LUP Policy 8.18: Project Not Designed to be Subordinate to the Environment or to Minimize the Visibility of Development from Scenic Roads and Other Public Viewpoints

LUP Policy 8.18a states:

- a. *Require that development (1) blend with and be subordinate to the environment and the character of the area where located, and (2) be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area, including but not limited to siting, design, layout, size, height, shape, materials, colors, access and landscaping. The colors of exterior materials shall harmonize with the predominant earth and vegetative colors of the site. Materials and colors shall absorb light and minimize reflection. Exterior lighting shall be limited to the minimum necessary for safety. All lighting, exterior and interior, must be placed, designed and shielded so as to confine direct rays to the parcel where the lighting is located.*

Except for the requirement to minimize reflection, agricultural development shall be exempt from this provision. Greenhouse development shall be designed to minimize visual obtrusiveness and avoid detracting from the natural characteristics of the site.

LUP Policy 8.18b states:

Require screening to minimize the visibility of development from scenic roads and other public viewpoints. Screening shall be by vegetation or other materials which are native to the area or blend with the natural environment and character of the site.

The county-approved residence is a 15,000 square foot, three-story residential development that is approximately 35 feet high. A smaller house or one with a lower profile would be less obtrusive. Existing vegetation and landforms would not screen the development as approved by the County. The County's conditions require that landscaping be designed to screen 50 to 75 percent of the structures from Highway 1 and trails in Año Nuevo State Reserve upon completion of construction, and 100 percent of the residence at tree maturity (approximately three to five years). Four-foot berms, which were included in the county-approved project, would only partially hide the residential structures. Therefore, this screening relies on trees to fully screen the residence. Trees may develop diseases that kill or weaken them, revealing structures placed behind them. The Commission finds that a substantial issue exists concerning the conformity of the County-approved development with LUP Policy 8.18b because in its location at the top of a fronted by a field in a virtually undeveloped scenic area, additional screening

could be added to minimize the visibility of the development from Highway 1 and Año Nuevo State Reserve.

LUP Policy 8.20: Structure Does Not Relate in Size and Scale to Adjacent Buildings or Landforms

LUP Policy 8.20 states:

Relate structures in size and scale to adjacent buildings and landforms.

Policy 8.20 requires development to be related in size and scale to adjacent buildings and landforms. There are very few structures visible from Highway 1 and the State Reserve within several miles of the site. There are very few structures visible from Highway 1 and the State Reserve within several miles of the site. Developments to the north, starting just north of Gazos Creek, are the Vlasic Mushroom Farm, a gas station and restaurant, and the Coastanoa resort. To the south is the Cascade Ranch farm buildings, a ranch house, and a flower operation on the west side. Further south is a berry farm and the Boling house. Most of these developments are either on the lower coastal terrace, screened from view, and/or directly associated with agriculture. The Coastanoa campsite is partially hidden behind a berm, but the white canvas roofs and main buildings make it fairly visible. The 6,000 square-foot Boling residence is inland (to the southeast) of K & S Ranch at APN 057-061-17 on 14 acres. The Boling house is within the view corridor of the highway, and its visibility is tempered somewhat by its greater inland distance (approximately 0.6 mile from Highway 1) and relatively narrower view corridor between the house and the highway as compared to the approved residence at the K & S Ranch. In fact, despite its distance from the highway, the Boling house helps to provide a benchmark for understanding the potential for adverse impact from such large residential development within this critical viewshed area. The most prominent structure visible from within the Park is the Año Nuevo visitors center itself. The visitor's center approximates a large agricultural barn and is compatible with the overall Park ethic. Given the size and scale of the proposed structures and the fact that there are few existing buildings in the area, the Commission finds that the project as approved by the County raises a substantial issue with respect to conformance of the approved project with the LUP Policy 8.20.

2.7.2 Conclusion

The Commission finds that, as discussed above, the appeal raises a substantial issue with respect to conformance of the approved project with the visual and scenic resource policies of the San Mateo County certified LCP.

PART 2 - DE NOVO ACTION ON APPEAL

PROCEDURE

If the Commission finds that a locally approved coastal development permit raises a Substantial Issue with respect to the policies of the certified LCP, the local government's approval no longer governs, and the Commission must consider the merits of the project with the LCP de novo. The Commission may approve, approve with conditions (including conditions different than those imposed by the County), or deny the application.

3.0 STAFF RECOMMENDATION

The staff recommends conditional approval of Coastal Development Permit Application Number A-2-SMC-00-028.

Motion

I move that the Commission approve Coastal Development Permit Application No. A-2-SMC-00-028 pursuant to the staff recommendation.

Staff Recommendation of Approval

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Grant the Permit

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of the certified San Mateo County LCP. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

3.1 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. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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.

3.2 Special Conditions

1. Future Development

Deed Restriction

Prior to issuance of the coastal development permit, the applicant shall execute and record a deed restriction, subject to the review and approval of the Executive Director, stating that the permit is only for the development herein described in the coastal development permit and that on APN 089-221-090 any future additions or other development, as defined in San Mateo County Zoning Code Section 6328.3(h), including construction of fences, gates, additions, or outbuildings, that might otherwise be exempt under Zoning Code Section 6328.5, will require an amendment to this permit or will require an additional coastal development permit from San Mateo County.

The deed restriction shall include a legal description of the applicant's entire parcel. This document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Visual Resources

A. Submittal of Revised Plans

Prior to issuance of the coastal development permit, the applicant shall submit, for the Executive Director's review and approval, revised plans that incorporate the following specifications.

- (1) Building Plans. The roofline of the main residence shall be a maximum of 30 feet, five inches high as measured from the finished grade, and as shown on plans for the Revised Living Barn and Pool House, North and South Exterior Elevations, dated September 8, 2000 (Figure 4). No other portion of the residence, except the chimney at 32 feet, six inches, shall be higher than the roofline at 30 feet, five inches high. Plans shall be accompanied by a written explanation of how the height was lowered from the county-approved project.
- (2) Berming Plans. The plan shall include construction of two seven to 12-foot high berms in the locations shown on Figure 5. The berms shall be the minimum height necessary to

screen the house from views from the Highway 1 and the Cascade Trail and dunes at Año Nuevo, and shall be designed to appear part of the existing topography. The first berm (Berm 1) will include a 20-foot by 60-foot earth-covered storage area to reduce the amount of fill necessary. To reduce the fill in the second berm (Berm 4), three 20,000 gallon water tanks will be placed inside it.

- (3) Landscaping. The landscaping plan shall be prepared by a qualified professional with expertise in the field of landscaping with native plants, such as a landscape architect. The plan shall provide the following:
- (a) Native, evergreen, drought-tolerant scrub vegetation, such as coyote brush, shall be planted on the top of the berms, to ensure 100 percent screening of the residence from Highway 1, the Casacade Trail, and Año Nuevo, within five years of approval of this permit. In addition, native, evergreen, drought-tolerant trees, such as Douglas fir, shall be used to provide 100 percent screening during construction, but not relied on to hide any portion of the residence in the long-term. Trees used as screening shall be compatible with the surrounding vegetation and suitable to the climate, soil, and ecological characteristics of the area. Trees shall be no less than five feet high when planted, must be spaced no farther than 20 feet from each other, must be of a type that maintains their lower branch structure through maturity, and must reach a mature height of at least 20 feet. The plan shall specify plant species and mature heights of all trees and shrubs.
 - (b) Further, the plan shall include a shrub/tree maintenance program (e.g., pruning, fertilizing, watering, etc.) for newly planted shrubs and trees and a shrub/tree replacement program on a one-to-one or greater ratio for the life of the project. The plan shall provide that any pruning or tree trimming will maintain the lower branch structure of the trees. The new trees and shrubs shall be planted within 60 days of completion of the project. The applicant shall notify the Executive Director in writing when the trees and shrubs have been planted, and Commission staff shall verify the planting via a site visit or by examining photographs submitted by the applicant. Any shrubs or trees that die or become too thin to provide screening, shall be promptly replaced.
 - (c) The plan shall also indicate the location of all existing trees and shrubs on the property that will serve as landscape screening for the proposed structures and that shall remain undisturbed. Except as provided for in the approved landscaping plan, and any vegetation that must be removed for fire safety as required by the California Department of Forestry and Fire Protection no existing vegetation on the site outside the building envelope or driveway shall be removed. Any existing trees or vegetation providing screening that do not survive must be replaced on a one-to-one or higher ratio for the life of the project. Any future removal of trees shall require a new coastal permit or an amendment to Coastal Permit No. A-2-SMC-00-028.
 - (d) The site shall be monitored for the first five years following planting, and a monitoring report shall be submitted by November 1 of each year for the review and approval of the Executive Director of the Coastal Commission. The monitoring report will document the health of the planted and existing trees and recommend any needed corrective actions to achieve compliance with the requirements of this condition.

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Photographs shall be included in the monitoring report and shall be taken each year from the same four view corridor locations as shown on Figure 6, and listed below:

- View corridor 1: Cascade Ranch Drive at Highway 1, 3,200 feet from site.
 - View corridor 2: Cascade Ranch Trail, 0.9 miles from site.
 - View corridor 3: Cascade Trail at Coast, 1.25 miles from site.
 - View corridor 4: Año Nuevo dunes, 2.2 miles from site.
- (e) The monitoring report shall indicate how the photographs were taken from the same exact location, using markers that will last throughout the monitoring period or some other method. The photographs should be taken using an 85 mm lens and a 460 mm lens.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

Deed Restriction

Prior to issuance of the coastal development permit, the applicant shall execute and record a deed restriction, subject to the review and approval of the Executive Director, stating that all landscaping shall be designed to screen 100 percent of structures from the view of Cabrillo Highway and Año Nuevo State Reserve. Any trees or vegetation providing screening, which do not survive, shall be replaced on a one-to-one or higher ratio for the life of the project. All exterior siding of the proposed structures shall be composed of natural or natural appearing materials, and all siding and roofing of the proposed structures shall be composed of materials of dark earthtone colors only. The applicant shall submit color and material samples for approval by the Executive Director prior to the issuance of the coastal development permit. All exterior materials, including roofs and windows, shall be non-reflective to minimize glare. Exterior lighting shall be unobtrusive, and limited to the minimum necessary for safety, shall be low wattage, non-reflective, shielded, and have a directional cast downward. All lighting, exterior and interior, must be placed, designed and shielded so that only the intended area is illuminated and off-site glare is fully controlled. Screening, fixture selection, and placement shall be such that no fixed direct light sources will be noticed by motorists on Highway 1. Any light sources not in compliance with this performance standard shall be immediately removed. All utility service lines shall be placed underground.

The deed restriction shall include a legal description of the applicant's entire parcel. This document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Special Status Species

- A. Grading shall be conducted between August 1 and November 1 to avoid impacts to San Francisco garter snakes and sensitive bird species that nest at the site. If this construction schedule is not practical due to other construction activities, grading may be done between May 1 and August 1 if the following recommended bird surveys are implemented:
 - (1) A qualified biologist shall survey the coastal scrub habitat within 0.25 miles of each work area to determine if loggerhead shrike are nesting in the scrub habitat. The surveys shall be conducted within 30 days prior to construction and shall be submitted for the review and approval of the Executive Director. If active nests are found, postpone grading work until all young have fledged.
 - (2) A qualified biologist shall survey the mixed evergreen forest and oak woodland habitats within 0.25 miles of each work area to determine if raptors (e.g. red-tailed hawk, Coopers hawk, sharp-shinned hawk) are nesting. The surveys shall be conducted within 30 days prior to construction and shall be submitted for review and approval of the Executive Director. If active nests are found, grading work shall be postponed until all young have fledged.
- B. A qualified biologist shall conduct pre-construction surveys for the California red-legged frogs and San Francisco garter snakes at least two days prior to the beginning of site grading work. Said survey shall be submitted to the Executive Director for review and approval prior to any grading work. If frogs or snakes are present in the work areas, construction work shall be postponed until they leave the area.
- C. Prior to construction at all sites, place a barrier fence (e.g. silt fence) around grassland and fallow agricultural fields in the construction areas to prevent pond turtles from entering the construction work areas to nest. The fence should be in place prior to the month of June, the beginning of pond turtle nesting season. The bottom six inches of the fence should be buried in a shallow trench to prevent pond turtles from going under the fence.

4. **Erosion and Polluted Runoff Control Plan**

- A. ***Prior to issuance of the coastal development permit***, the applicant shall submit, for review and approval of the Executive Director, plans for erosion and runoff control that show how the transport and discharge of pollutants from the project site will be minimized. The goal is to prevent sediment and other pollutants from entering local drainage systems and water bodies, and protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Guidelines," and brochures for Earth Moving Activities, Roadwork and Paving, Heavy Equipment Operation, Landscaping, Gardening and Pool Maintenance, and Fresh Concrete and Mortar Application, including, but not limited to:
 - (1) A narrative report describing all temporary runoff and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
 - (2) A site plan showing the location of all temporary erosion control measures.

- (3) A schedule for installation and removal of the temporary erosion control measures.
- B. The erosion control plan shall demonstrate that during construction, erosion on the site shall be controlled to avoid entering the unnamed drainage in Deluca Valley. The following temporary erosion control measures and best management practices (BMPs) shall be used during construction:
 - (1) Time the clearing and grading activities to avoid the rainy season wherever appropriate.
 - (2) Clear only areas essential for construction.
 - (3) Provide runoff conveyance systems for transport of runoff during the construction phase to appropriately sited sediment-capturing devices, such as silt fences. Sediment-capturing devices such as sediment traps must be cleaned out when 50% full (by volume).
 - (4) Remove spoils promptly, and avoid stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - (5) Store, handle, and dispose of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
 - (6) Avoid cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff. This area should not be within 50 feet of any riparian area, such as the unnamed drainage in Deluca Valley, or any wetland area.
 - (7) Construction vehicles shall use the fire road to access the residential building site to avoid creek crossings and reduce the amount of time they spend on the other access road that runs along the unnamed drainage in Deluca Valley.
- C. The runoff control plan shall demonstrate that runoff from the project shall be prevented from entering the unnamed drainage in Deluca Valley or any other riparian or wetland area. The plan shall detail specific measures to reduce runoff such as vegetative buffers, grassy swales, and pop-up drainage emitters. For the life of the project, runoff from all roofs, decks, and other impervious surfaces and slopes on the site shall be collected and discharged to avoid ponding or erosion either on or off the site. Splashguards shall be installed at the base of all downspouts. All post-construction structural BMP (or suites of BMPs) should be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs. The plan shall include a site plan showing finished grades and drainage improvements.
- D. The applicant shall submit a drainage and manure management plan for the proposed stable, detailing specific measures to prevent runoff from the horse stall, outdoor arena, and manure storage areas for review and approval by the Executive Director. The drainage plan shall demonstrate that the surface area of all corrals and paddocks are well drained to prevent the accumulation of storm or casual waters. Waste liquids, including

manure, wash water, and surface runoff from manured areas, must be diverted to retention facilities and effectively contained for later removal. Storage/retention facilities for waste liquids must be sized to provide a minimum of two feet freeboard beyond containing facility wastewater and runoff generated by the 25-year, 24-hour frequency storm. The manure management plan shall indicate daily cleaning and periodic spraying of stable and corral areas, thorough cleaning of corrals no less than once a week, storage of manure in a fly tight, metal or reinforced concrete manure bin, and the proper disposal of collected manure.

- E. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. Grading

- A. *Prior to issuance of the coastal development permit*, the applicant shall submit a final proposed grading plan for review and approval by the Executive Director. Said plan shall conform to the requirements of the San Mateo County Grading Ordinance, and shall incorporate the recommendations to protect special status species under special condition 3, above.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. Helicopter or Other Aircraft

Deed Restriction

Prior to issuance of the coastal development permit, the applicant shall execute and record a deed restriction, subject to the review and approval of the Executive Director, and consistent with the applicant's amended project description (Exhibit 4), that states that there will be no use of helicopters or other aircraft on the property for the life of the development approved by the coastal development permit.

The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal commission-approved amendment to the coastal development permit unless the Executive Director determines that no amendment is legally required.

3.3 Findings and Declarations

The Commission hereby incorporates by reference the Substantial Issue Findings above as if set forth in full. The Commission hereby finds and declares as follows:

3.4 Project Location and Revised Description

As noted in the Project Location and Site Description section of the Substantial Issue portion of this report (which is hereby incorporated by reference), the project site is located inland of Highway 1, in an unincorporated area of San Mateo County near the top of a southwest-facing hill overlooking Año Nuevo State Reserve.

Since the project was initially approved by San Mateo County and appealed to the Commission, the applicant has made changes to the project. The proposed project consists of construction of a three-story, single-family residence, equipment barn, horse stable, farm labor housing, and other improvements. The applicant was advised through the appeal notice and during meetings with Coastal Commission staff that one of the primary objectives in making the project consistent with the LCP would be to site it in the least visible location on the 261-acre parcel. In response to this and other scenic resources policies the applicant revised his proposed project and provided additional information on the constraints analysis. The applicant proposes to lower the height of the residence by four feet eight inches as compared to the project approved by San Mateo County (Figure 4). In addition, the applicant proposes berms to screen the house with minimal reliance on vegetation for screening. Initially, the applicant proposed four berms ranging in height from 15 feet to 25 feet, to fully screen the house, without relying on vegetation for screening. Because of the amount of grading and landform alteration berms of this size would require, the applicant proposed a revised berming plan. The revised plan combined the four berms so that there would be two berms ranging from seven feet to twelve feet (Figure 5). The first berm (Berm 1) will include a 20-foot by 60-foot earth-covered storage area to reduce the amount of fill necessary. To reduce the fill in the second berm (Berm 4), three 20,000 gallon water tanks will be placed inside it. The latter berming plan is the proposed plan considered in this de novo review. In addition to the changes related to visual impacts, the applicant also amended his project description to indicate that there will be no use of helicopters or other aircraft on the property for the life of the development approved by the coastal development permit (Blank 2000).

3.5 Visual Resources

Based on the updated constraints analysis and visual assessment, the Commission finds that the proposed development conforms to the LCP policies concerning the protection of the scenic qualities of the hills visible from a scenic highway and public viewpoints.

3.5.1 Issue Summary

There are three primary reasons why the Commission finds that the proposed development, which would be visible from Highway 1 and Año Nuevo State Reserve, has been designed and conditioned so that it is consistent with LCP visual resources policies 8.5, 8.18, and 8.20:

- The development is sited in the least visible location, based on a detailed constraints analysis and visual assessment of the entire parcel;
- The development is sited and conditioned to be as unobtrusive as possible; and
- The development relates in size and shape to adjacent buildings or landforms.

3.5.2 Standard of Review

The proposed project is within the California coastal zone of San Mateo County, and the County has a certified Local Coastal Program (LCP). Section 30604(b) of the Coastal Act states that after certification of an LCP, a coastal development permit shall be issued if the issuing agency or the Commission on appeal finds that the proposed development is in conformity with the certified LCP. Accordingly, the standard of review for the proposed project is the San Mateo County LCP.

As redesigned, the proposed development is consistent with LUP Policies 8.5, 8.18, and 8.20. Policy 8.5 states that new development should be located where it is least visible from State and County Scenic Roads, is least likely to significantly impact views from public viewpoints, and is consistent with all other LCP requirements, but preserves the visual and open space qualities overall. Policy 8.18 requires that development be as unobtrusive as possible and the visibility from scenic roads and other viewpoints shall be minimized. Policy 8.20 requires development to be related in size and scale to adjacent buildings and landforms. The applicable full text of these LCP policies is contained in Section 2.7.1 of this report.

3.5.3 Discussion

Constraints Analysis and Visual Assessment

To develop a site plan for the residence and other structures, the applicant conducted a constraints analysis and visual assessment of the entire property. This analysis was refined during the LCP application process and considered by the County. It was further updated for the Commission. The analysis and assessment address LUP Policy 8.5, which requires that the development be sited in the least visible location. This constraints analysis and visual assessment is described in Exhibit 5 (Wade 2000) and is summarized herein.

The constraints analysis and visual assessment included four phases:

- Phase 1: Constraints Analysis and Mapping.
- Phase 2: Site Selection
- Phase 3: Visual Analysis
- Phase 4: Visual Protection

In Phase 1, the applicant analyzed constraints related to scenic corridors, prime soils, sensitive habitats, geologic stability, and slopes. These constraints are presented on maps. Map 1 of Exhibit 5 shows the areas visible from public roads and trails (Highway 1, Cascade Creek Trail, Cascade Creek-Whitehouse Trail, and Año Nuevo trails). Initially they looked at land that would be visible at ground level. Then, in response to discussions with Commission staff, they

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considered areas where a 12-foot high object would be seen, simulating a structure that might be built on the property. The resulting map demonstrates that much of the property would be seen from public roads and trails.

The prime soils map (Map 2 of Exhibit 5) shows the Lockwood soils and Botella loam, which are Class II and III (capable of growing artichokes or brussel sprouts) (US Department of Agriculture 1961). Only buildings necessary for agriculture are allowed in prime soils. On the property, sensitive habitats, as defined in LCP Policy 7.1, include those that contain or support rare or endangered species, perennial and intermittent streams and their tributaries, and lakes and ponds and adjacent shore habitat. Map 3 of Exhibit 5 shows the location of creeks and ponds and riparian habitat, which are considered sensitive habitats because of the functions and values they provide, including providing habitat for sensitive species found in the area, such as San Francisco garter snake, red-legged frogs, and pond turtles. The Geologic Stability map (Map 4 of Exhibit 5) shows geologic hazard zones, ranging from low to high, based primarily on the location of faults and landslides. Exhibit 6 explains the rationale in greater detail (Zinn 2000b). The slopes map (Map 5 of Exhibit 5) shows that approximately 28 percent of the property, or 74.25 acres, has slopes over 30 percent. Overlaying all the constraints maps together, only six areas remained that would provide building sites (Map 6 of Exhibit 5).

The six remaining building sites were examined in greater detail in Phase 2. The potential sites were eliminated, except for Site D for the horse barn and Site E for the house, because they were too small, too steep, higher geologic risk, or inaccessible (see Exhibit 5). To minimize visual impacts, the house was placed in the farthest northeast corner of the building site where it would be screened to the maximum extent by the broad coastal terrace in front and the forest behind. The house would be placed near the edge of the slope on the northeast side of the coastal terrace, as close to the edge as was recommended by the geologic consultants (Zinn Geology). Further east would have put the house too close to the San Gregorio fault, in the opinion of the applicant's geologist (Zinn 2000b).

Once the house site was chosen, the applicant conducted a visual analysis (Phase 3) with the aid of a 34-foot story pole. This analysis revealed four public locations from which the house could be seen, as shown on Figure 6 and described below:

- View corridor 1: Cascade Ranch Drive at Highway 1, 3,200 feet from site;
- View corridor 2: Cascade Ranch Trail, 0.9 miles from site;
- View corridor 3: Cascade Trail at Coast, 1.25 miles from site; and
- View corridor 4: Año Nuevo dunes, 2.2 miles from site.

In Phase 4, the applicant developed methods to screen the portion of the house that would be visible from the view corridors identified in Phase 3. For the county-approved project, the applicant proposed to plant 67 trees that were 10 to 16 feet tall (24 to 36-inch boxes), and to install an irrigation system. In addition, he proposed four-foot high berms behind the planted trees and 33 additional trees to be planted on top of the berms. However, four-foot berms, which were included in the county-approved project, would only partially hide the residential structures.

The revised plan presented to the Commission includes revisions to the berms, the design of the house, and the landscaping. First, the revised plans combine the four berms so that there would be two berms ranging from seven feet to twelve feet. The first berm (Berm 1) would include a 20-foot by 60-foot earth-covered storage area to reduce the amount of fill necessary. To reduce the fill in the second berm (Berm 4), three 20,000-gallon water tanks will be placed inside it. Secondly, the roofline would be four feet, eight inches lower than on the county-approved house. Figures 7 through 14 show that approximately five feet of the roof would be visible with the berms alone. To completely screen the house, shrubs that reach at least four feet at maturity would be planted on top of the berm to completely screen the house. Trees would also be planted to further screen the house.

In conclusion, the applicant has demonstrated that he did a thorough analysis of the entire 261-acre parcel to determine the least visible location for siting the house. Other sites are constrained by greater visibility, prime soils, sensitive habitats, geologic hazards, steep slopes, and access difficulties.

Consistency with LCP Policies Regarding Visual Resources

As discussed in Section 2.7.1, the proposed development would be visible from Highway 1 and trails in Año Nuevo State Reserve. Based on the constraints analysis, site selection, and visual assessment described above, the project would be consistent with LCP policy 8.5, which mandates that development shall be located on the portion of the property that is least visible. The residence is designed to emulate barns and other small structures typical of the rural farming structures that typify the character of the area. The house would be placed as far back on the coastal terrace as feasible to so that even if it were visible from public places it would be as unobtrusive as possible. Other structures would be located where they would not be seen from public viewpoints. Colors of the residence would be earth tones, dark gray walls and a dark brown roof. Therefore, the proposed development would be consistent with Policy 8.18. Because the development is designed to look similar to other rural developments in the area, and would be mostly hidden by the proposed berms, with minimal screening by scrub vegetation, it would be consistent with Policy 8.18 and 8.20.

Special condition 2 addresses potential impacts to visual resources. To ensure that no portion of the house will be higher than was proposed and to make clear how the height reduction of four feet five inches is to be achieved, condition 2A requires submittal of building plans. Berming plans are also required in condition 2B. Condition 2C specifies requirements for the types of vegetation to be used in landscaping plans for screening purposes, including existing vegetation. Monitoring required in condition 2C(d) will ensure that the residence is fully screened at the end of five years. A deed restriction is placed on the house to be sure that special conditions

associated with reducing visual impacts are recorded on the deed for the present and future owners to comply with. Special conditions 2C(c) and 2C(d), which address existing vegetation and monitoring of screening vegetation, and the deed restriction, are additional condition not proposed by the applicant, that are necessary to ensure the project is in conformance with the LCP and remains in conformance.

The sum effect of these conditions will be to ensure that the proposed structures are reduced in height and screened by berms and vegetation, and that such screening will be maintained for the life of the project.

3.5.4 Conclusion

In conclusion, the Commission finds that, as conditioned, the proposed development is consistent with the visual and scenic resource policies of the LCP as the project has been sited and designed to minimize visual impacts, will be subordinate to the character of its setting, and will provide for the protection of coastal views.

3.6 Sensitive Species

<p>The Commission approves the permit application because the proposed project, as conditioned, protects sensitive species.</p>
--

3.6.1 Issue Summary

To prevent any impacts to these species, including San Francisco garter snake, California red-legged frog, western pond turtle, and loggerhead shrike, conditions include avoidance measures, biological surveys, and barrier fencing.

3.6.2 Standard of Review

LCP policies discussed in this section are cited below:

7.34 Permit Conditions

In addition to the conditions set forth in Policy 7.5, require, prior to permit issuance, that a qualified biologist prepare a report which defines the requirements of rare and endangered organisms. At minimum, require the report to discuss: (1) animal food, water, nesting or denning sites and reproduction, predation and migration requirements, (2) plants life histories and soils, climate and geographic requirements, (3) a map depicting the locations of plants or animals and/or their habitats, (4) any development must not impact the functional capacity of the habitat, and (5) recommend mitigation if development is permitted within or adjacent to identified habitats.

7.36 San Francisco Garter Snake

- a. Prevent any development where there is known to be a riparian or wetland location for the San Francisco garter snake with the following exceptions: (1) existing manmade impoundments smaller than one-half acre in surface, and (2) existing manmade impoundments greater than one-half acre in surface providing mitigation measures are taken to prevent disruption of no more than one half of the snake's*

known habitat in that location in accordance with recommendations from the State Department of Fish and Game.

- b. Require developers to make sufficiently detailed analyses of any construction which could impair the potential or existing migration routes of the San Francisco garter snake. Such analyses will determine appropriate mitigation measures to be taken to provide for appropriate migration corridors.*

LCP policies 7.34 and 7.36 require that a qualified biologist prepare a report that discusses the natural and physical requirements of all endangered species on the property. LCP policy 7.36 specifically addresses San Francisco garter snake.

LCP policies 7.7 through 7.13 address riparian corridors and their buffer zones and LCP policies 7.14 through 7.19 discuss wetlands and their buffer zones. The existing (and proposed) farm labor housing is approximately 100 feet from the riparian area. The proposed stable is approximately 400 feet north of the riparian area. The proposed residence is on a hill approximately 325 feet above the riparian area. Because no work is proposed in these habitats, the policies are not discussed further. Any future work in these areas would require a separate coastal development permit.

3.6.3 Discussion

The biological report for the project identified the following direct impact impacts to the special status wildlife species: 1) injury to California red-legged frogs and San Francisco garter snakes by construction equipment, if they are present during grading; and 2) abandonment of loggerhead shrike nests due to noise and dust (Biotic Resources Group and Dana Bland & Associates 2000). Potential indirect impacts include potential disturbance to nesting raptors in the mixed evergreen from noise and dust (Biotic Resources Group and Dana Bland & Associates 2000).

Special Condition 3 is written to avoid impacts to special status species. The San Francisco garter snake is active between May 1 and November 1. Therefore, grading should be conducted during this active time to prevent harm to hibernating snakes. The nesting period for sensitive bird species is approximately February 1 through August 1, during which time no grading should be done. This means that grading shall be done between August 1 and November 1, to protect both types of species. To provide additional time for grading, if necessary, additional conditions are included that would allow grading between May 1 and August 1 provided that surveys are conducted prior to construction. Because of the endangered status of the San Francisco garter snake, the elusiveness of the species, and that the species has been observed in habitat nearby, no flexibility in the grading is allowed between November 1 and May 1. In addition, two days prior to grading, surveys shall be conducted for San Francisco garter snake as well as California red-legged frogs to ensure that they are not harmed during grading activities. To prevent pond turtles from entering construction areas and being harmed, a barrier fence shall be placed around the construction areas. These conditions are necessary to avoid impacts to special status species.

3.6.4 Conclusion

In conclusion, the Commission finds that, as conditioned, the proposed development is consistent with the sensitive species policies of the LCP. The project is sited where impacts are minimized, that is, no riparian habitat or wetlands will be directly impacted, and special status species are protected through avoidance measures, biological surveys, and barrier fencing.

3.7 Water Quality/Polluted Runoff

The Commission approves the permit application because the proposed project, as conditioned, protects sensitive habitats from water quality impacts associated with erosion and runoff and therefore maintains the biologic productivity of habitats.

3.7.1 Issue Summary

Development is proposed 100 to 400 feet from a riparian corridor. Conditions to protect water quality in the tributary and open water areas address runoff and erosion control to ensure that the sensitive habitat of the unnamed drainage in Deluca Valley is not adversely affected.

3.7.2 Standard of Review

The standard of review is LCP policy 7.3, which states:

7.3 Protection of Sensitive Habitats

- a. Prohibit any land use or development which would have significant adverse impact on sensitive habitat areas.*
- b. Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of the habitats.*

Runoff from construction areas and developed areas may contain sediment and pollutants that may adversely affect water quality in sensitive habitats.

3.7.3 Discussion

An unnamed tributary to Cascade Creek crosses the site from east to west in Deluca Valley. Two man-made ponds are connected to this tributary. The riparian habitat and open water/freshwater wetlands of the tributary and ponds provides habitat for a diversity of plant and wildlife species, including special status species, as discussed in Section 3.6 above. The existing access road runs along the north side of the tributary. The existing (and proposed) farm labor housing is approximately 100 feet from the tributary. The proposed stable is approximately 400 feet north of the tributary. The proposed residence is on a hill approximately 325 feet above the tributary.

Due to the proximity of the development to the riparian corridor, water quality may be adversely affected. For instance, during grading and construction, bare soils could erode and sediment could be transported into the riparian area. The residence, other structures, and paved areas may increase local runoff due to the creation of impervious areas. This runoff could carry with it pollutants such as suspended solids, oil and grease, nutrients, and synthetic organic chemicals. An increase in the volume and/or velocity of water in the riparian area or an increase in sediment entering the area may decrease the riparian vegetation bordering the tributary. This decrease in riparian vegetation could result in changes, such as an increase in water temperature, which would adversely affect aquatic organisms in the creek. Pollutants would also adversely affect aquatic organisms. Animal wastes, such as from the proposed stables, could lead to an increase in nutrients in the riparian system and eutrophication. All of these impacts may adversely affect the biological productivity of the riparian area.

The conditions are designed to ensure that the proposed project complies with LCP Policy 7.3 by reducing erosion and associated sediment loads, and reducing the amount of pollutants that enter sensitive habitats, such as riparian corridors and wetlands on the property. These conditions would therefore allow the proposed uses to be compatible with the maintenance of biologic productivity of the habitats. Condition 4A requires the applicant to submit plans for erosion control and runoff that show how the transport and discharge of pollutants from the site will be minimized, thereby reducing potential effects to biologic productivity. BMPs required by special condition 4B reduce the potential for pollutants, such as oil and grease from construction vehicles, to enter the unnamed drainage in Deluca Valley. The volume of runoff entering the drainage is minimized through condition 4C. The manure management plan reduces the potential for degradation of water quality from animal wastes.

3.7.4 Conclusion

The Commission finds that, as conditioned, the proposed development is consistent with the sensitive habitat policy of the LCP through which water quality is protected. As conditioned, impacts associated with erosion and runoff have been minimized.

3.8 California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effects that the activity may have on the environment.

The Commission incorporates its preceding findings on consistency of the proposed project with the San Mateo County LCP policies at this point as if set forth in full. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impacts that the development may have on the environment. Therefore, the Commission finds that the proposed project has been conditioned to mitigate the identified impacts and can be found consistent with Coastal Act requirements to conform to CEQA.

Appendix A

Substantive File Documents

References

- Blank, Steve. 2000. Letter to Jane Steven, California Coastal Commission, stating that no helicopters or other aircraft would be used on the property for the life of the coastal development permit. September 22, 2000.
- California Department of Parks and Recreation, Rusty Areias. 2000. Letter to Peter Douglas, Executive Director, California Coastal Commission, regarding comments on appeal no. A-2-SMC-99-066. January 12, 2000.
- Coastal Conservancy. 1999. Natural Resource and Agricultural Conservation Easement. Excepted and Reserved to the State of California. Cascade Valley Ranch, San Mateo County. May 14, 1999.
- Enge, Marilee. 1999. "Houses planned near seal reserve drawing protest." San Jose Mercury News. December 20, 1999.
- Romig Consulting Engineers. 1999. Geotechnical Investigation, Lee Residence, Año Nuevo, California. June 1999. Prepared for Stan Field Associates.
- Sagan-Pichota Architecture, Tom Allen. 2000a. E-mail to Jane Steven regarding areas (square feet) of development at K & S Ranch, California Coastal Commission. September 22, 2000.
- Sagan-Pichota Architecture, Tom Allen. 2000b. Letter to Chris Kern and Jane Steven, California Coastal Commission, regarding the berm plan. September 8, 2000.
- Sagan-Pichota Architecture, Tom Allen. 2000c. Table of Summary of Areas.
- San Mateo County. 1994. Zoning Regulations.
- San Mateo County. 1998. Local Coastal Program Policies.
- San Mateo County. 2000a. CDP #PLN 1999-00960 (Blank/Wade). July 26, 2000.
- San Mateo County, Kan Dee Rud. 2000b. Letter to John Wade regarding findings and adopted conditions. July 28, 2000.
- San Mateo County. 2000. "Re-circulation of a Negative Declaration for a Single-Family Residence, Barn, and Farm Labor Housing Unit; San Mateo County Planning Division File No. PLN 1999-00960; State Clearinghouse File No. 2000062005." June 14, 2000.
- US Department of Agriculture. 1961. Soil Survey, San Mateo Area, California. Soil Conservation Service, Series 1954, No. 13, Issued May 1961.
- Wade, John. 2000a. E-mail to Jane Steven, Coastal Commission regarding habitats at the K & S Ranch. September 21, 2000.

A-2-SMC-00-028
Blank

Wade, John. 2000b. Letter to Jane Steven, Coastal Commission regarding K& S Ranch Site Selection and Evaluation Process. September 17, 2000.

Zinn Geology. 1999. Geologic Report, Lands of Blank. December 7, 1999.

Zinn Geology. 2000a. Addendum Geologic Report, Lands of Blank.

Zinn Geology, Eric Zinn. 2000b. Letter to Mr. Steve Blank regarding regional geology and hazard zones.

FIGURES

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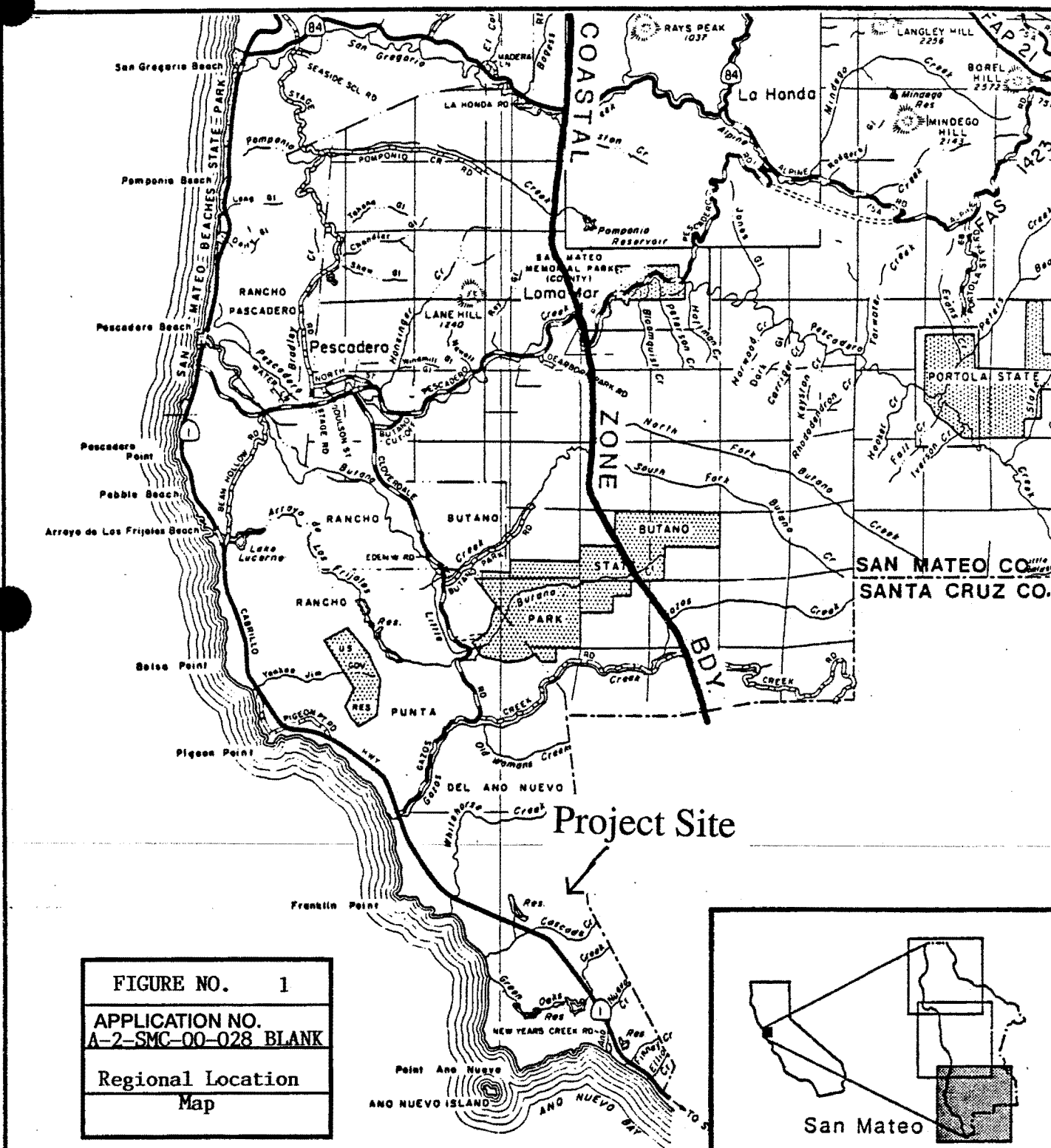
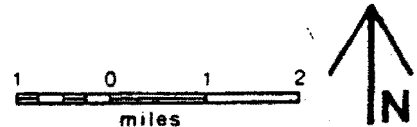
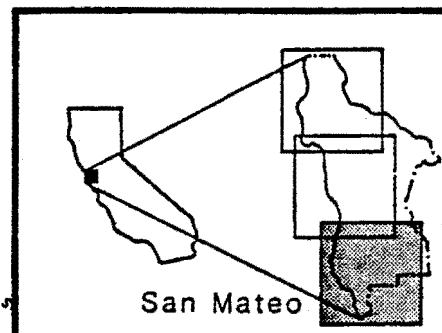


FIGURE NO. 1
APPLICATION NO. A-2-SMC-00-028 BLANK
Regional Location Map



ACCESSOR'S PARCEL NUMBER: 089-221-080

ZONING DISTRICT: PAD - PLANNED AGRICULTURAL DISTRICT

ACREAGE: 261

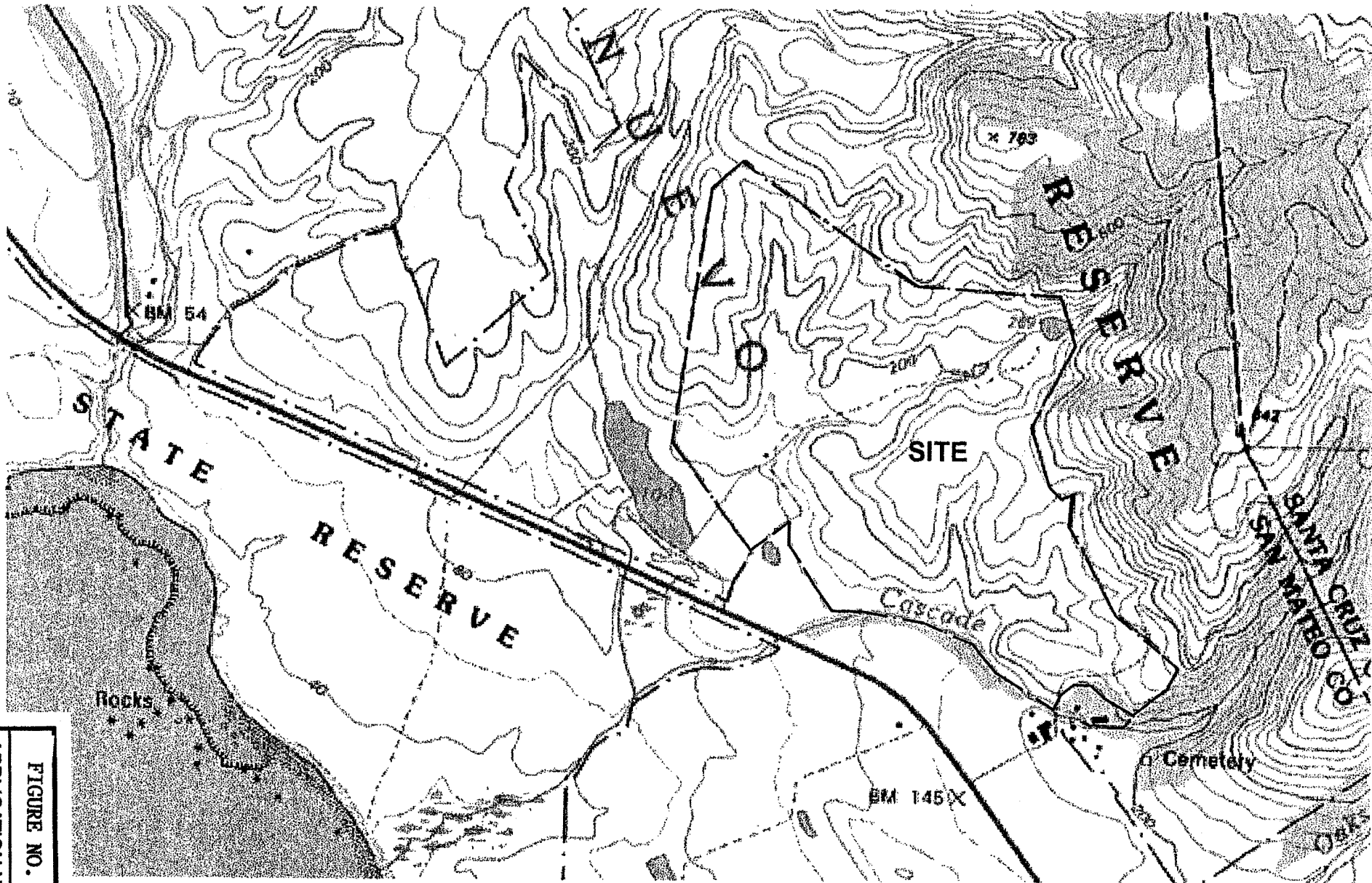
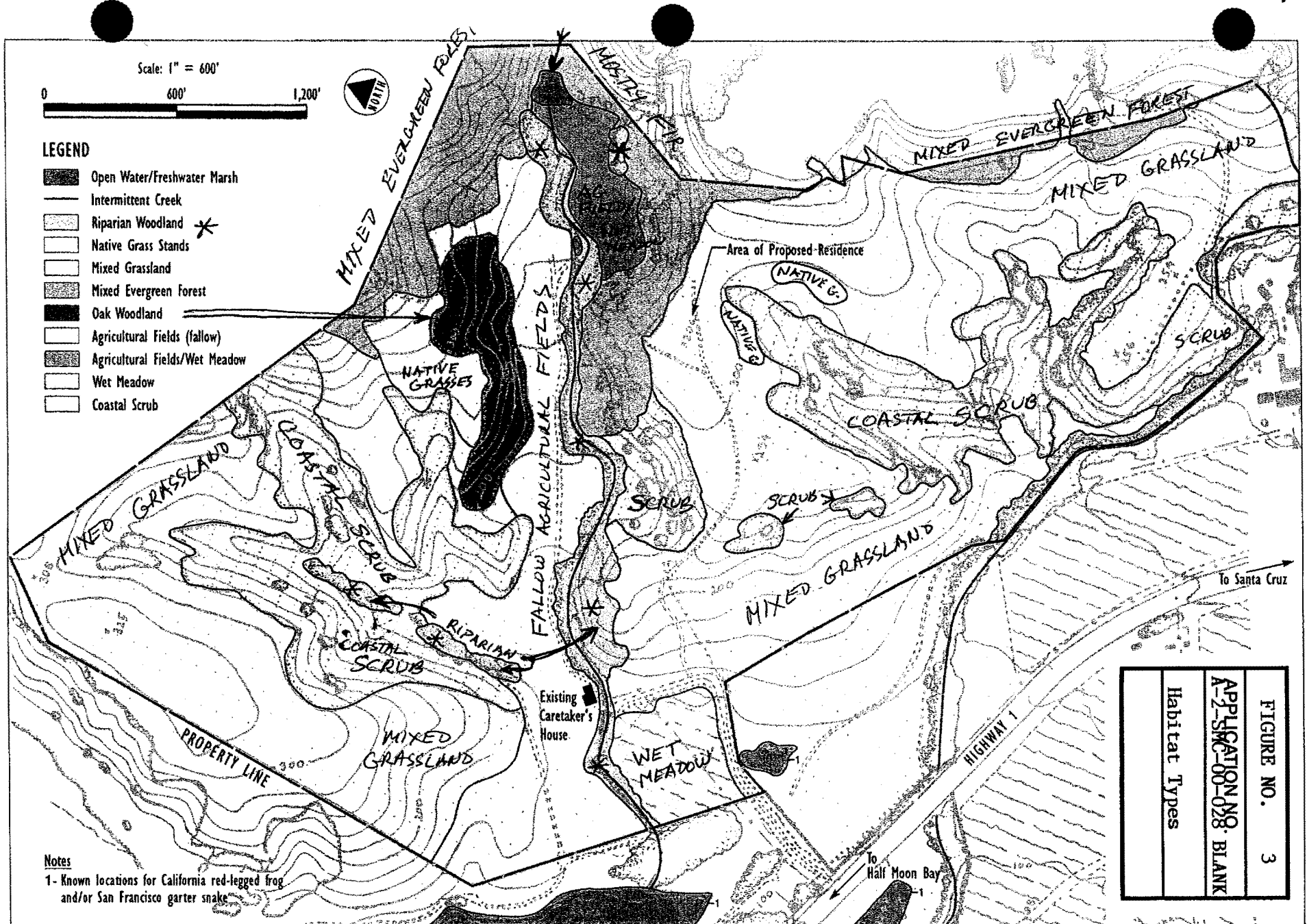


FIGURE NO. 2

APPLICATION NO. BLANK
A-2-SMC-00-028

Project Site Location

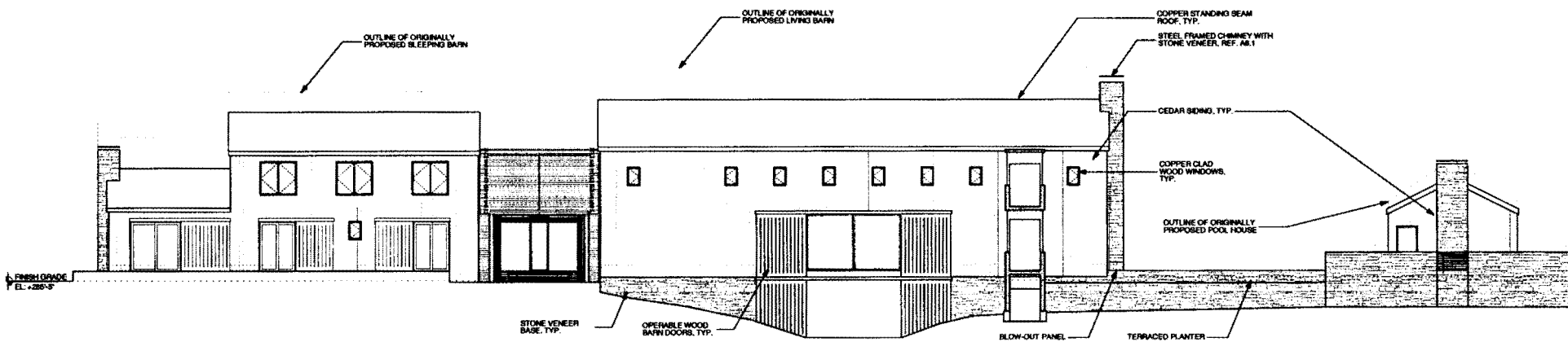


Biotic Resources Group

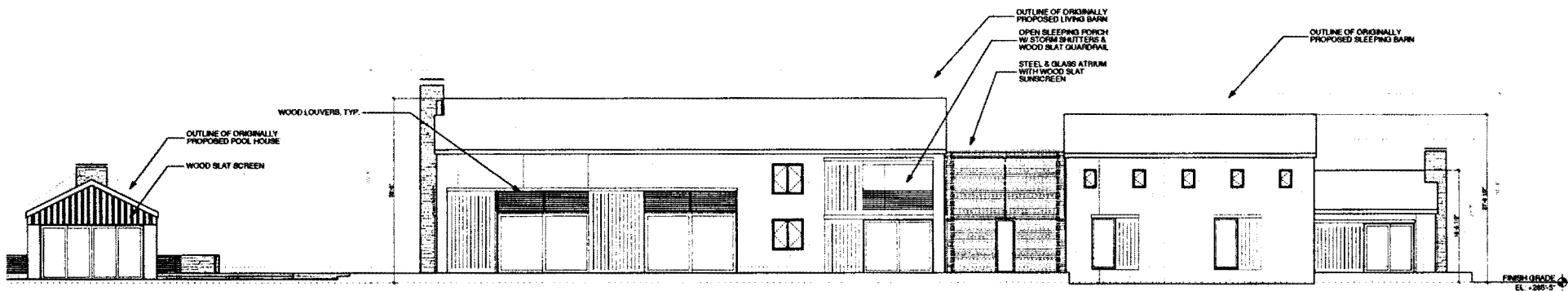
Post Office Box 14 ♦ Santa Cruz, California 95063
(831) 476-4803 ♦ Fax (831) 476-8038

K and S Ranch, San Mateo County
Existing Biological Resources

Figure 2
3/00
230-01

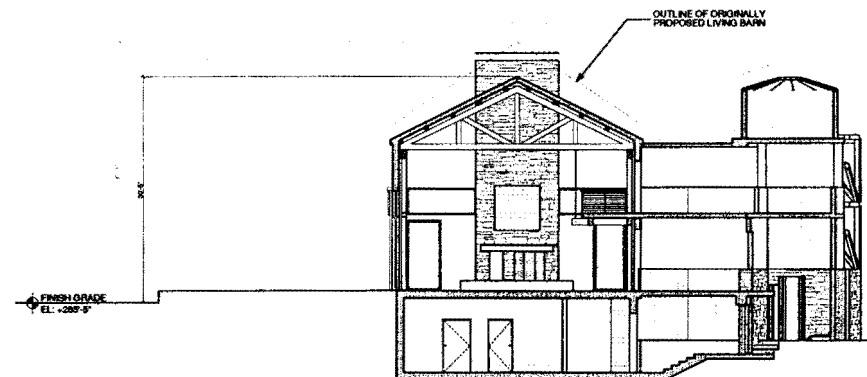


1 REVISED LIVING BARN, SLEEPING BARN, & POOL HOUSE NORTH ELEVATION
1/8" = 1'-0"



2 REVISED LIVING BARN, SLEEPING BARN, & POOL HOUSE SOUTH ELEVATION
1/8" = 1'-0"

FIGURE NO.	4
APPLICATION NO.	A-2-SMC-00-028
BLANK	
Revised Living Barn and Pool House Elevations	



3 REVISED LIVING BARN BUILDING SECTION
1/8" = 1'-0"

Sagan + Pischke
Architecture

2008 3rd Street, Suite #020
San Francisco, California 94103
Telephone: (415) 508-1000
Fax: (415) 508-1291

RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT

K & S RANCH
4100 CABRILLO HIGHWAY
PESCADERO, CALIFORNIA
94060

DATE: SEPTEMBER 8, 2000

REVISIONS:

PLANNING
SUBMITTAL

JTB NO. 0002

DESIGNED BY

CHECKED BY

REVISED
LIVING BARN &
POOL HOUSE

NORTH & SOUTH
EXTERIOR
ELEVATIONS

A4.0

Sagan - Pischota
Architecture

2000 3rd Street, Suite 100
San Francisco, California 94107
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RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT
K & S RANCH
4100 CABRILLO HIGHWAY
PESCADERO, CALIFORNIA
94060

DATE: SEPTEMBER 8, 2000

REVISIONS:

PLANNING
SUBMITTAL

JOB NO.: 0002
DRAWN BY:
CHECKED BY:

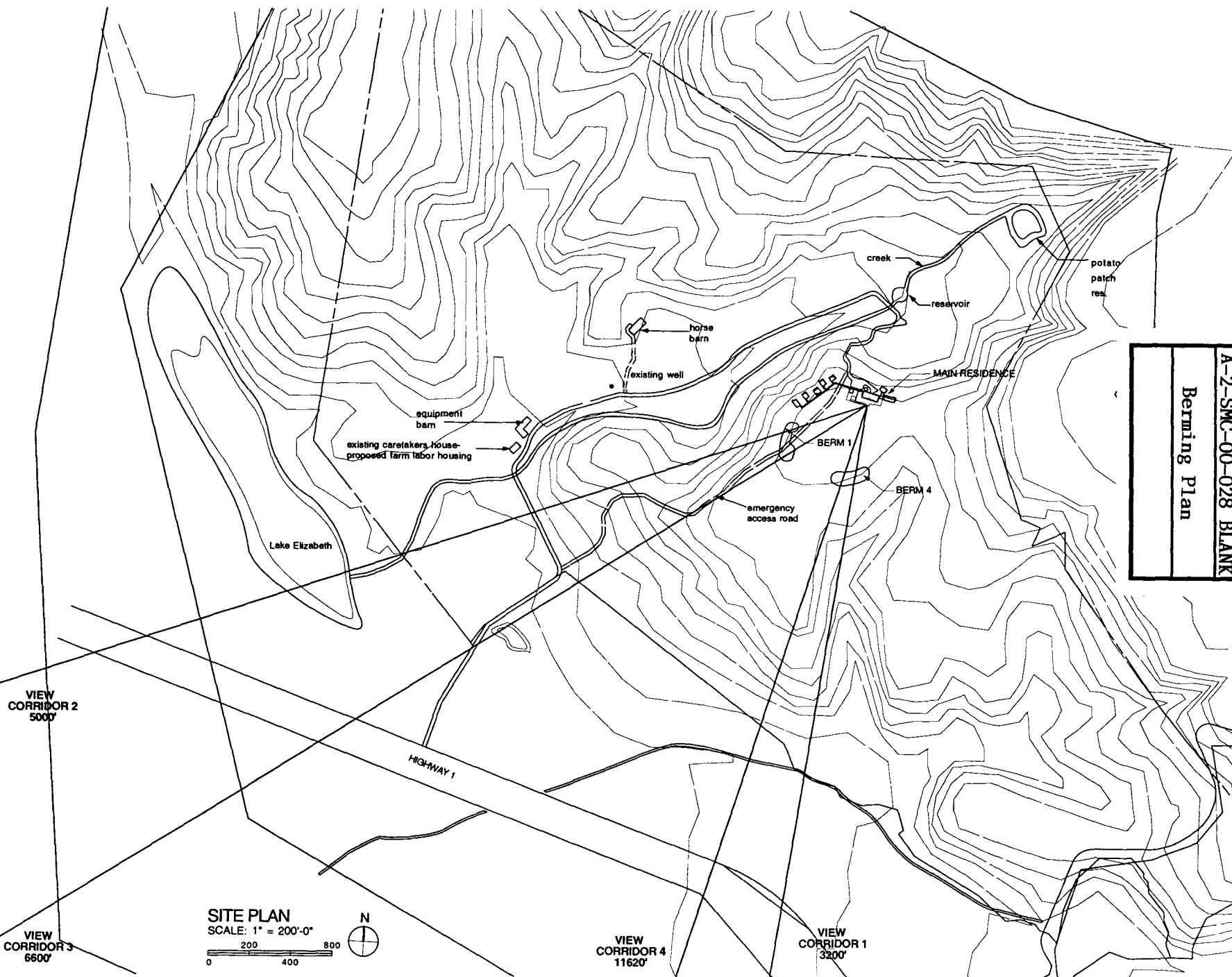
SITE PLAN
WITH BERM
LOCATIONS

T1.3

FIGURE NO. 5

APPLICATION NO.
A-2-SMC-00-028, BLANK

Berming Plan



SITE PLAN

SCALE: 1" = 200'-0"

0 200 400



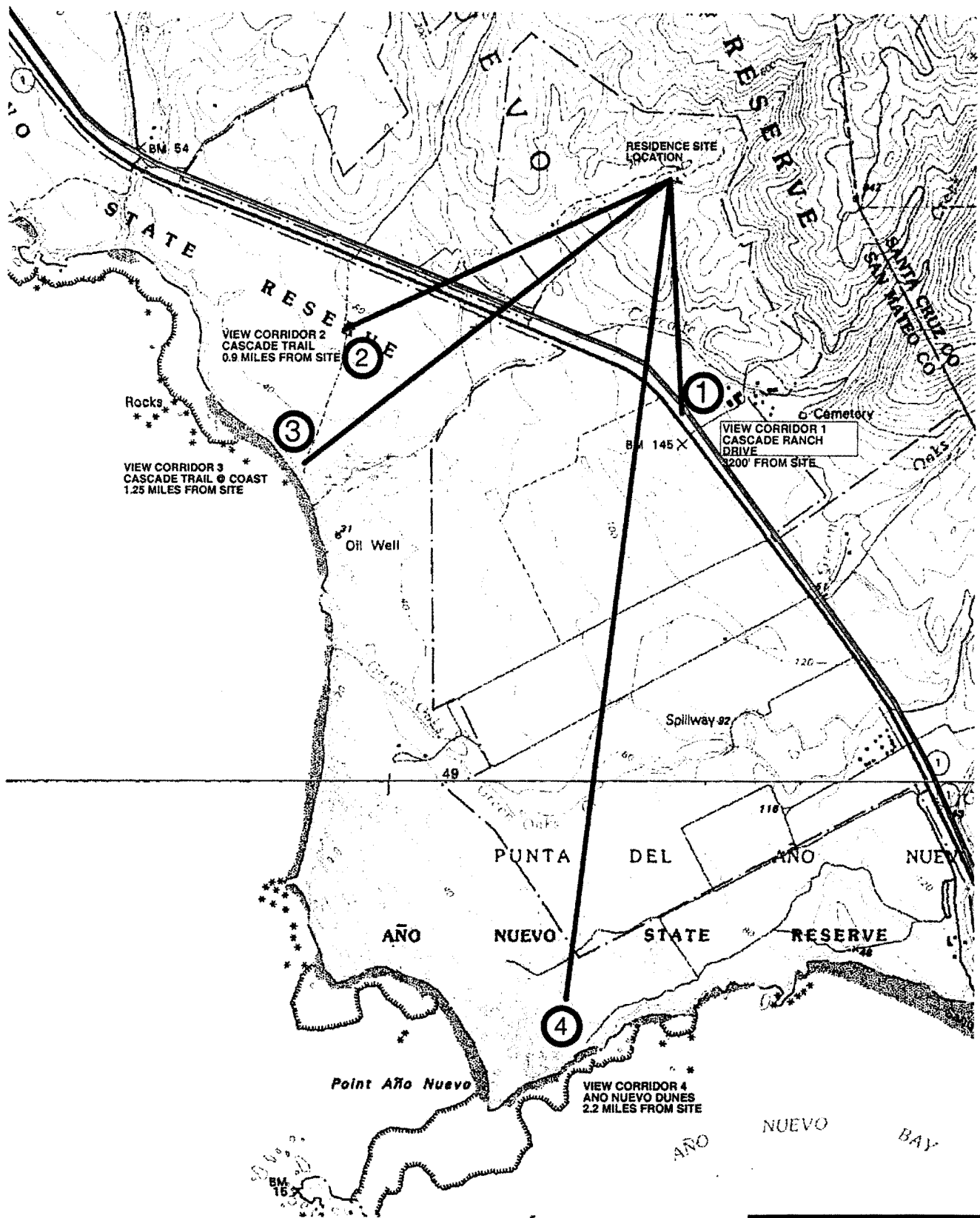
VIEW
CORRIDOR 4
11620'

VIEW
CORRIDOR 1
3200'

VIEW
CORRIDOR 2
5000'

VIEW
CORRIDOR 3
6600'

HIGHWAY 1



SITE AREA MAP DESIGNATING VIEW CORRIDORS

SCALE

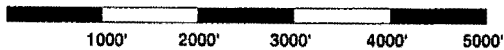


FIGURE NO. 6

APPLICATION NO.
A-2-SMC-00-028 BLANK
Site Area Map
Designating View
Corridors

ROOF OF RESIDENCE
& TOP OF BERM LINE

85 MM

VIEW CORRIDOR 1

FROM CASCADE RANCH DRIVE

FIGURE NO. 7

APPLICATION NO.
A-2-SMC-00-028 BLANK

View Corridor 1
(85 mm)

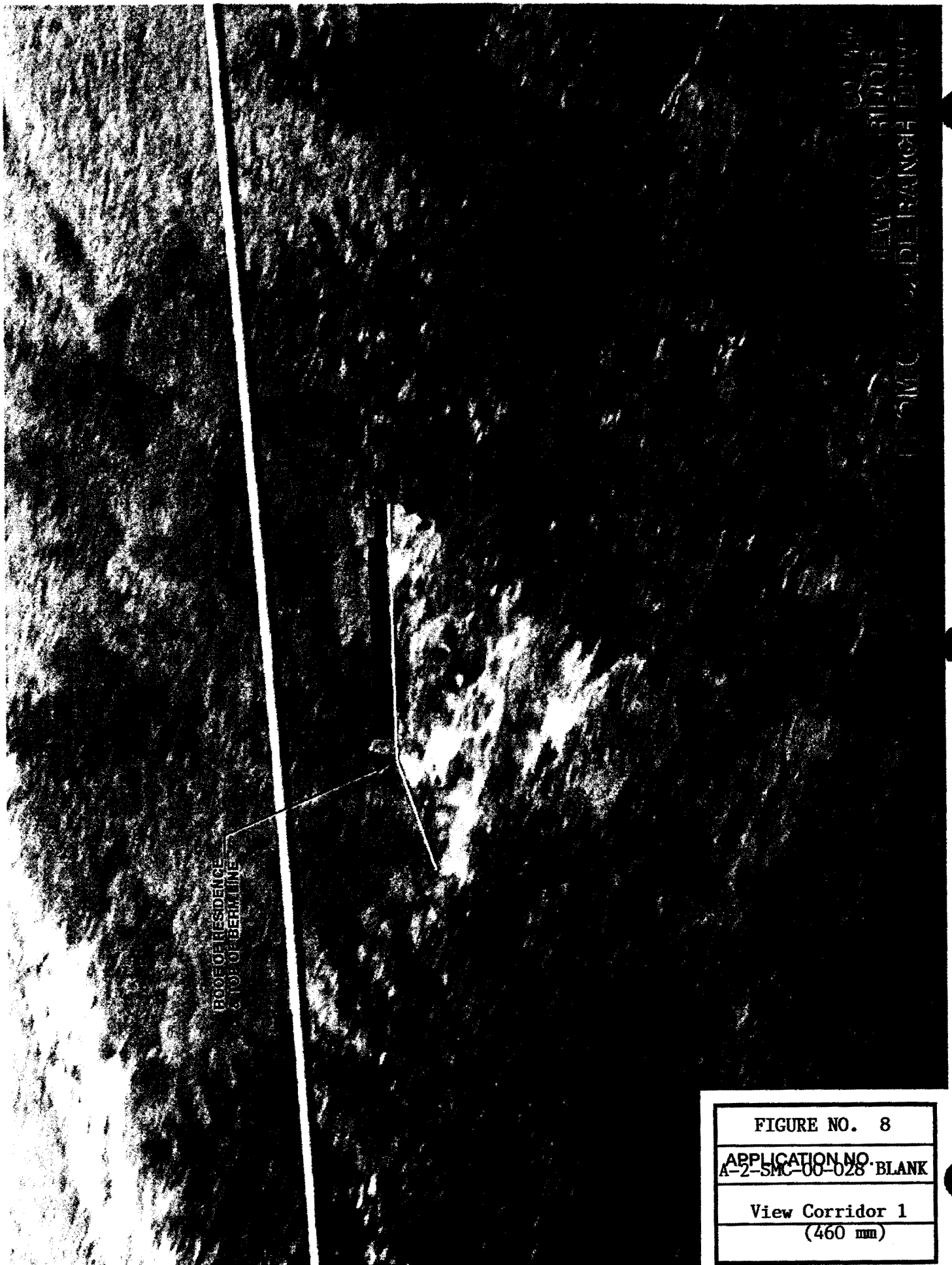


FIGURE NO. 8

APPLICATION NO.
A-2-SMC-00-028 BLANK

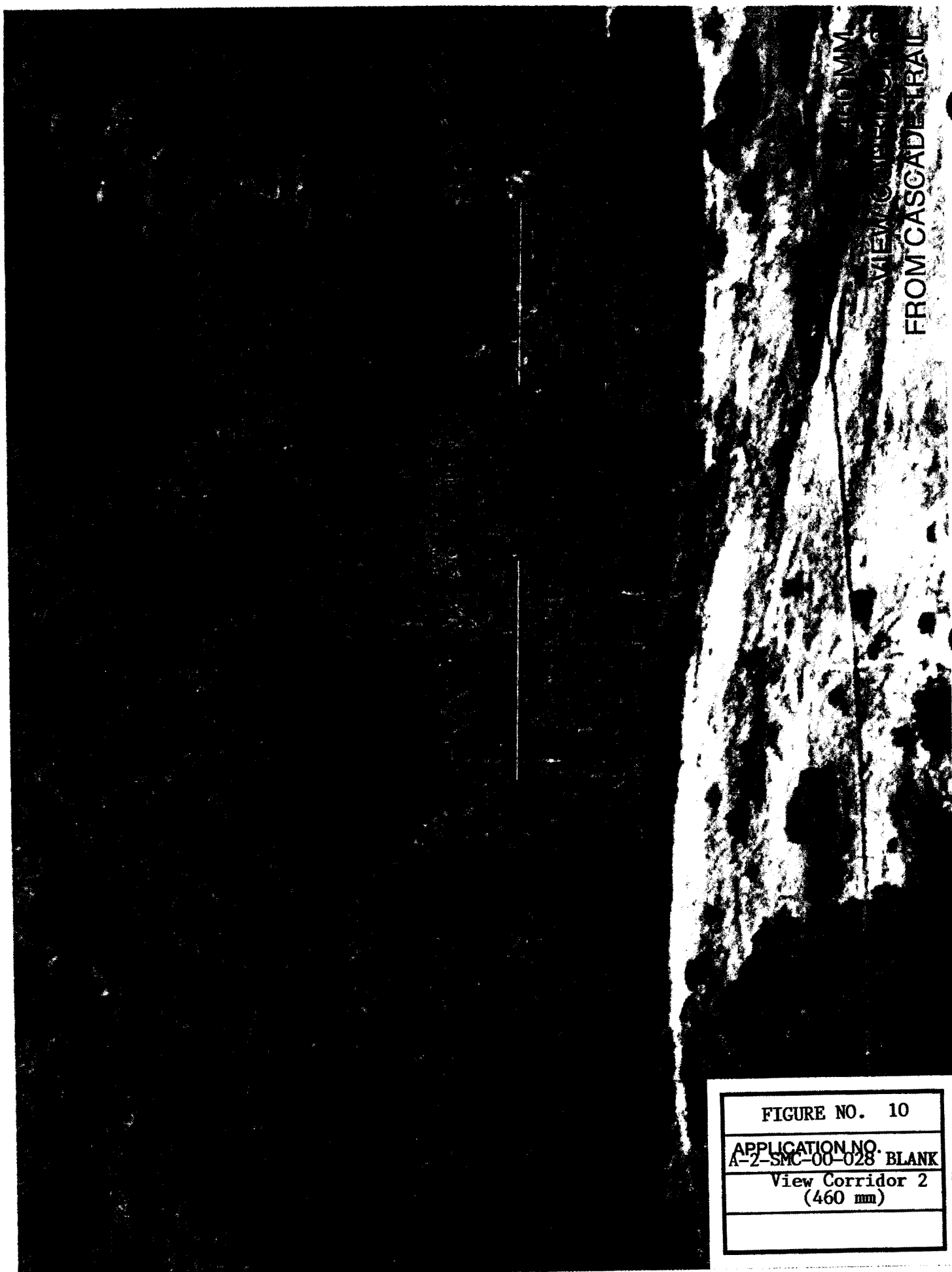
View Corridor 1
(460 mm)



FIGURE NO. 9

APPLICATION NO.
A-2-SMC-00-028 BLANK

View Corridor 2
(85 mm)



VIEW CORRIDOR 2
FROM CASCADE MOUNTAIN

FIGURE NO. 10
APPLICATION NO. A-2-SMC-00-028 BLANK
View Corridor 2 (460 mm)



FIGURE NO. 11

APPLICATION NO.
A-2-SMC-00-028 BLANK

View Corridor 3
(85 mm)



VIEW CORRIDOR
CASCADIA TR

FIGURE NO. 12
APPLICATION NO. A-2-SMC-00-028 BLANK
View Corridor 3 (460 mm)



85MM
VIEW CORRIDOR 4
FROM ANO (BY) O-SIAFE BLSER-VE

FIGURE NO. 13
APPLICATION NO. A-2-SMC-00-028 BLANK
View Corridor 4 (85 mm)

ROOF OF RESIDENCE
& TOP OF BERM LINE

460 MM
VIEW CORRIDOR 4
FROM ANO NUEVO SIA BIRTSERVE

FIGURE NO. 14

APPLICATION NO.
A-2-SMC-00-028 BLANK

View Corridor 4
(460 mm)

EXHIBITS

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Planning and Building Division

County of San Mateo

Mail Drop PLN122 • 455 County Center • 2nd Floor • Redwood City
California 94063 • Telephone 650/363-4161 • Fax 650/363-4849

Please reply to:

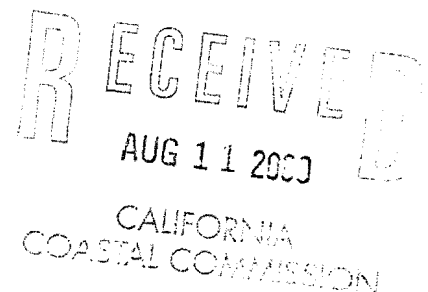
Damon DiDonato
(650) 363-1852

July 28, 2000

PROJECT FILE

John Wade
711 West California Way
Redwood City, CA 94062

Subject: File Number PLN 1999-00960
Location: 4100 Cabrillo Highway, Pescadero
APN: 089-221-090



On July 26, 2000, the San Mateo County Planning Commission considered your request of a Coastal Development Permit, a Planned Agricultural District Permit, a Stable Permit and Architectural Review, pursuant to Zoning Regulations 6328, 6350, 7700 and the State Streets and Highways Code, respectively to construct a new single family residence, an equipment barn, a horse stable, and a farm labor housing unit on a legal 261 acre parcel located in the unincorporated Pescadero area of the County.

Based on the information provided by staff and evidence presented at this hearing, the Planning Commission accepted staff's recommendation, approved the project, certified the Negative Declaration, made the findings and adopted conditions of approval as follows:

FINDINGS:

Regarding the Negative Declaration, Found:

1. That the Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.

EXHIBIT NO.	1
APPLICATION NO.	A-2-SMC-00-028 BLANK
San Mateo County's Conditions of Approval	
Page 1 of 13	

2. That, on the basis of the Initial Study and comments received hereto, there is no evidence that the project, subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment
3. That the Negative Declaration reflects the independent judgement of San Mateo County.
4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Planned Agricultural Permit, Found:

General Criteria

5. That the encroachment of all development upon land which is suitable for agriculture shall be minimized.
6. That all development permitted on site is clustered.
7. That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Zoning Regulations.
8. That the proposed project meets the substantive criteria for the issuance of a Planned Agricultural District Permit.

Water Supply Criteria

9. That the existing availability of a potable and adequate well water source for all non-agricultural uses is demonstrated.
10. That Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.

Conversion of Prime Agricultural Lands and Lands Suitable for Agriculture

11. That all agriculturally unsuitable lands on the parcel are either developed or determined to be undevelopable.

12. That continued or renewed agricultural use of soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
13. That clearly defined buffer areas are developed between agricultural and non-agricultural uses.
14. That the productivity of any adjacent agricultural lands is not diminished including the ability of the land to sustain dry farming or animal grazing.
15. That public service, facility expansions, and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
16. No alternative site exists on the parcel for the use.

Regarding the Coastal Development Permit, Found:

17. That the project as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.
18. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program.
19. That the number of building permits for construction of single-family residences other than for affordable housing issued in the calendar year does not exceed the limitations of Local Coastal Program Policy 1.23.

Regarding the Stable Permit, Found:

20. That, the subject stable, as conditioned, complies with the requirements of Section 7700 of the San Mateo County Stable Ordinance.

Regarding Architectural Review, Found:

21. That the proposed project is in compliance with the architectural design standards for the Cabrillo State Scenic Corridor.

CONDITIONS OF APPROVAL

Planning Division

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission on July 26, 2000. Minor revisions or modifications 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.
2. These permits shall be valid for one year from the date of approval. Any extension of these permits shall require submittal of a request for permit extension and payment of applicable extension fee no less than 30 days prior to expiration.
3. The applicant shall apply for and be issued a building permit prior to the start of construction, including any grading or clearing activity. The County Geologist shall review and approve all project-related construction plans and reports prior to issuance of a building permit.
4. Prior to the issuance of a building permit, the applicant shall submit to the Planning Division for review and approval, erosion control and stormwater control plans which shows how the transport and discharge of pollutants from the project site will be minimized. The goal is to prevent sediment and other pollutants from entering local drainage systems and water bodies, and protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
 - b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
 - d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

The approved erosion control and stormwater control plans shall be implemented prior to the issuance of a building permit.

5. All proposed improvements shall be designed and constructed in accordance with the latest earthquake resistance standards of the Uniform Building Code (UBC) released by the International Conference of Building Officials (ICBO). Further, all proposed improvements shall conform with the recommendations made by the consulting geotechnical engineer as detailed on pages 10 through 20 of the attached geotechnical report, pages 19 through 20 of the attached geologic report, and pages 5 through 6 of the attached addendum to the geologic report.
6. The applicant shall revise the project plans to reflect either: (1) Repair, remodel, or rehabilitation of the existing permanent farm labor housing unit, provided that the cost of any combination of these activities not amount to 50% or more of the structure's value, as determined by the most current Building Valuation Data published by the International Conference of Building Officials, or (2) demolition of the existing permanent farm labor housing unit with replacement by a temporary structure without a foundation.
7. Prior to construction at all sites, place a barrier fence (e.g. silt fence) around grassland and fallow agricultural fields in the construction areas to prevent pond turtles from entering the construction work areas to nest. The fence should be in place prior to the month of June, the beginning of pond turtle nesting season. The bottom six inches of the fence should be buried in a shallow trench to prevent pond turtles from going under the fence.
8. In order to reduce the chance that construction will impact the hibernating San Francisco garter snake, the applicant shall schedule project grading between May 1 and November 1, the snakes active season.
9. A qualified biologist shall conduct pre-construction surveys for the California red-legged frogs and San Francisco garter snakes at least 2 days prior to the beginning of site grading work. Said survey shall be submitted to the Planning Director for review and approval prior to any grading work. If frogs or snakes are present in the work area, construction work shall be postponed until they leave the area.
10. The applicant shall schedule grading and ground work to occur after August 1 and before February 1 of any given year to avoid potential disturbance of nesting sensitive bird species. If this construction schedule is not practical due to other construction activities, then implement the following recommended bird surveys:

- a. A qualified biologist shall survey the coastal scrub habitat within 0.25 miles of each work area to determine if loggerhead shrike are nesting in the scrub habitat. The surveys should be conducted within 30 days prior to construction. If active nests are found, postpone grading work until all young have fledged.
 - b. A qualified biologist shall survey the mixed evergreen forest and oak woodland habitats within 0.25 miles of each work area to determine if raptors (e.g. red-tailed hawk, Coopers hawk, sharp-shinned hawk) are nesting. The surveys should be conducted within 30 days prior to construction. If active nests are found, postpone grading work until all young have fledged.
11. Prior to the issuance of a building permit, the applicant shall record a deed restriction on the property designating a preserve area in the grasslands southwest of the Potato Patch reservoir to compensate for the loss of grassland for the snake and turtle at the construction site. A grassland area of approximately three acres shall be designated to achieve a 1:1 preservation ratio. The grassland shall be preserved and managed in a manner conducive for use by the snake with permanent dedication of the grassland as open space, with seasonal grazing or mowing to retain the site's grassland characteristics.
12. Prior to the issuance of a building permit, the applicant shall consult with the United States Fish and Wildlife Service (USFWS) for technical advice on the adequacy of the avoidance measures in the Biological Impact Report for the San Francisco garter snake and California red-legged frog. The applicant shall demonstrate consultation with USFWS by providing the Planning Director with permits and/or letters from USFWS indicating that no permits are required, and the avoidance measures are adequate.
13. Prior to the issuance of a building permit, the applicant shall consult with the California Department of Fish and Game (CDFG) for technical advice on the adequacy of the avoidance measures in the Biological Impact Report for the pond turtle. The applicant shall demonstrate consultation with (CDFG) by providing the Planning Director with permits and/or letters from (CDFG) indicating that no permits are required, and the avoidance measures are adequate.
14. Prior to the issuance of a building permit, the applicant shall submit a landscaping plan indicating the replanting of a minimum of 16 native trees that are compatible with the surrounding vegetation and are suitable to the climate, soil, and ecological characteristics of the area. The approved plan shall be installed prior to a final building permit inspection for the main residence.

15. As part of the building permit review and prior to the issuance of a building permit, the applicant shall submit a final proposed grading plan for review and approval by the Planning Director. Said plan shall conform to the requirements of the San Mateo County Grading Ordinance, and shall incorporate the recommendations included in the Biological report.
16. Noise levels produced by the proposed construction activities shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
17. Prior to the issuance of a building permit, the applicant shall submit soil percolation test data for review and approval of the San Mateo County Environmental Health Division.
18. The applicant shall submit a screening plan for the Planning Director's review and approval prior to the issuance of a building permit, and all screening shall be installed prior to completion of construction. Said plan shall include viewpoint elevations showing an earth berm with additional plantings screening 50-75% of the proposed residence from Cabrillo Highway and Ano Nuevo State Reserve at the completion of construction, and screening 100% at tree maturity (3-5 years). The subject screening shall be maintained by the property owner, and replaced as necessary. Trees used as screening shall be compatible with the surrounding vegetation and suitable to the climate, soil, and ecological characteristics of the area.
19. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground starting at the closest existing power pole.
20. The applicant shall submit color and material samples for approval by the Planning Director prior to the issuance of a building permit. The colors and materials shall blend in with the surrounding soil and vegetative color of the site. Prior to final inspection for the building permit, the Building Inspection Section shall verify that the building has been finished with the approved colors and materials.
21. The applicant shall submit a lighting plan for review and approval by the Planning Director, prior to the issuance of a building permit. The plan shall include only the lighting necessary for safety and no exterior flood lighting. All exterior lighting shall be designed and located so that direct rays and glare are confined to the premises.

22. The applicant shall record a deed restriction on the subject property that reads as follows:
"This property is located in the Cabrillo Highway State Scenic Corridor and all development has been conditioned to conform with the requirements of the General Plan and the Local Coastal Program. The owners of this property shall be required to maintain this property in conformance with Local Coastal Program Policy 8.18 (*Development Design*). All landscaping designed to screen 50 -75% of structures from the view of Cabrillo Highway and Ano Nuevo State Reserve shall be maintained and/or replaced if dead. Any additional landscaping required to screen 100% of the residence from the view of Cabrillo Highway and Ano Nuevo State Reserve shall be installed, if after five (5) years from the issuance of the certificate of occupancy the residence is not completely screened. The color of all exterior materials shall harmonize with the predominate earth and vegetative colors of the site. Exterior lighting shall be limited to the minimum necessary for safety. All lighting, exterior and interior, must be placed, designed and shielded so as to confine direct rays to the parcel where the light is located." A copy of the recorded deed restriction shall be submitted to the Planning Division prior to a final building permit inspection for the main residence.
23. If during construction or grading any evidence of archaeological traces (human remains, artifacts, concentrations of shale, bone, rock ash) are uncovered, then all construction or grading within a 20-meter (65 feet) radius shall be halted, the Planning Division shall be notified and the applicant shall hire a qualified archaeologist to assess the situation and recommend appropriate measures. Upon review of the archaeologist's report, the Planning Director, in consultation with the applicant and the archaeologist will determine the steps to be taken before construction or grading may continue.
24. Prior to the issuance of a building permit for the farm labor housing unit, the applicant provide documentation demonstrating that the current resident of the existing farm labor housing unit meets the agricultural income criteria of a farm laborer.
25. The Farm Labor Housing Permit shall be valid for a five-year period and will expire August 1, 2005. If the applicant or owner wants to renew the permit, he or she shall submit a complete permit renewal application of to the Planning and Building Division at least six months prior to the date of expiration.
26. The Farm Labor Housing Permit is subject to annual administrative reviews every August to ensure compliance with the conditions of approval. The applicant shall submit signed "certification of farm labor housing eligibility" forms, which demonstrate the occupants are farm workers and their families.

27. Planning Division staff may, upon the recommendation of the Agricultural Advisory Committee, elect to conduct additional reviews beyond the annual administrative reviews. At that time, the applicant shall submit documentation, to the satisfaction of the Planning Director, which demonstrates that the occupants are farm workers and their families. Failure to submit such documentation may result in a public hearing to consider revocation of this permit.
28. The farm labor housing unit shall only be occupied by farm workers and their families.
29. A new operator, a change in operations, or a proposed increase in the number of farm labor units requires that the applicant (or the new operator) shall apply for and receive a new Certificate of Need if the units will continue to be utilized.
30. At the time of termination of the permit for farm labor housing, all temporary homes and supporting utilities shall be removed from the temporary homesite and the applicant shall submit in writing to the Planning Director that the temporary homes have been removed.
31. Prior to the issuance of a building permit for the stable and corral, the applicant shall submit manure management and drainage plans for review and approval by the Planning Director. Said drainage plan shall demonstrate that the surface area of all corrals and paddocks are well drained to prevent the accumulation of storm or casual waters. Said manure management plan shall indicate daily cleaning and periodic spraying of stable and corral areas, thorough cleaning of corrals no less than once a week, and storage of manure in a fly tight, metal or reinforced concrete manure bin.
32. The stable permit shall be valid for one year from the date of approval. The applicant shall apply for annual renewal by administrative review and inspection by October 1st of each year. Failure to renew this permit shall result in revocation proceedings being scheduled before the Planning Commission.
33. This stable permit is to allow the private stabling of 6 horses. Any increase in the number of horses shall require an amendment to this permit, review and analysis by the Planning Division, and a public hearing.
34. The applicant /owner is required to comply with all applicable stable permit requirements identified in Section 7700 of the Zoning Ordinance.
35. Prior to the issuance of a building permit, the applicant shall demonstrate to the satisfaction of the Environmental Health Division that the subject well is in compliance with County Environmental Health Division quantity and quality standards for domestic water.

36. No water for domestic water shall be obtained from surface water on site (e.g. creek or reservoir water). Domestic water shall be obtained only from an approved domestic well in compliance with County Environmental Health quantity and quality standards for domestic water.

California Department of Forestry

37. Because of the size of the structure and connection between bedrooms, a complete fire protection plan, including water storage, hydrants, pumps, etc. must be submitted to the San Mateo County Fire Department for review and approval.
38. Plans need to be submitted showing the requested farm labor housing.
39. All buildings will need to be equipped with and approved automatic sprinkler system. Plans need to be submitted to the Building Department at the time of application for a building permit.
40. Plans for roads and turnarounds need to be submitted with building plans at the time application for a building permit.
41. All sleeping areas must be equipped with a combination battery back-up, hard wired smoke detectors wired together.
42. Road signs and address signs will be required to be clearly posted for quick efficient response of emergency vehicles to site.
43. Any gates into the proposed development using the main or emergency access will need to be equipped with an approved Knox box. Contact San Mateo County Fire Department for details.
44. All flammable vegetation will be required to be removed a minimum of 30 feet in all directions around the proposed structures.
45. Class "B" or better roofing is required on all structures.
46. Fire protection will be required for the farm labor housing when plans are received.

The above requirements are based on a preliminary review of plans submitted to the Planning Department. A much more in-depth plan review will be conducted when an application is received for a building permit.

Department of Public Works

47. 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 residence per ordinance #3277. The proposed Farm Labor Housing is exempt from this fee.
48. Prior to issuance of the building permit by the County, the applicant shall provide a copy of the CalTrans Encroachment Permit allowing construction work within the State right-of-way.
49. The applicant shall submit a driveway "Plan and Profile," to the Public Works Department, showing the driveway access to the parcel (garage slab and parking area) 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. A plan and profile is also required for the emergency access road. This plan shall also include and show specific provisions and details for handling both the existing and the proposed drainage.

Environmental Health Division

50. Prior to the building application stage, the applicant shall submit soil percolation test data meeting approval of Environmental Health.
51. Prior to the building application stage, the applicant shall submit proof of domestic water meeting quality and quantity standards.

Building Inspection Section

52. At the time of application for a building permit, the following will be required:
 - a. A survey.
 - b. A site drainage plan will be required which will demonstrate how roof drainage and surface run off will be handled.

- c. An automatic fire sprinkler system shall be installed. This permit must be issued prior to or in conjunction with the building permit.
- d. Special inspection of the foundation isolation system will be required during construction.

California Regional Water Quality Control Board

- 53. The applicant shall file a Notice of Intent with the State Water Resource Control Board, Division of Water Quality, prior to the issuance of a building permit, and obtain a State NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit). The applicant shall propose and implement adequate stormwater pollution control measures that are consistent with the General Permit, and with the recommendations and policies of the Regional Water Quality Control Board (RWQCB).
- 54. Prior to the issuance of a building permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for the proposed stable, detailing specific measures to prevent runoff from the horse stall, outdoor arena, and manure storage areas, for review and approval by the RWQCB. The SWPPP shall be consistent with the terms of the General Permit, the Manual of Standards for Erosion & Sedimentation Control Measures by the Association of Bay Area Governments (ABAG), and the staff recommendations of the RWQCB.
- 55. The applicant shall submit a runoff treatment plan for all developed areas on-site for review and approval by the Planning Director, prior to the issuance of a building permit. Said plan shall detail specific measures to reduce runoff such as vegetative buffers, grassy swales, and pop-up drainage emitters, etc.
- 56. The applicant shall submit a plan for employment of Best Management Practices (BMPs) to control sediment and erosion during the construction process and in the long term. Said plan shall include all applicable practices located in the San Mateo County Stormwater Pollution Prevention Program (STOPPP) brochures for Earth Moving Activities, Roadwork and Paving, Heavy Equipment Operation, Landscaping, Gardening and Pool Maintenance, and Fresh Concrete and Mortar Application. Said plan shall be submitted to the Planning Director for review and approval, prior to the issuance of a building permit.
- 57. The applicant shall submit an assessment addressing any potential impacts during and after construction to riparian habitats. Said assessment shall be prepared by a qualified biologist and submitted for review and approval by the Planning Director, prior to the issuance of a building permit, and prior to final building permit inspection for the main residence.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on August 9, 2000.**

This item is also appealable to the California Coastal Commission. An additional Coastal Commission ten (10) working day appeal period will begin sometime after the County appeal period ends. The County and Coastal Commission appeal periods run consecutively, not concurrently, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

Sincerely,

Kan Dee Rud
Planning Commission Secretary

cc: Public Works
Building Inspection
California Coastal Commission
Environmental Health
Assessor
CDF
PMAC
Regional Water Quality Control Board
Loring Sagan
Steve Blank
Lennie Roberts
State of California, Dept. of General Services
Gary Strachan

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260



COMMISSION NOTIFICATION OF APPEAL

DATE: August 23, 2000

TO: Damon Didonato, Project Planner
County of San Mateo, Building & Planning
590 Hamilton Street, Mail Drop 5500
Redwood City, CA 94063

FROM: Jane Steven, Environmental Specialist

RE: Commission Appeal No. A-2-SMC-00-028

EXHIBIT NO.	2
APPLICATION NO.	A-2-SMC-00-028 BLANK
Commission Notification of Appeal	Page 1 of 9

Please be advised that the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Section 30602 or 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to Public Resources Code Section 30623.

Local Permit #: PLN1999-00960

Applicant(s): Steve Blank; John Wade

Description: For a three-story, 15,000 square-foot single-family residence (6,000 sq.ft. underground) with outlying bedrooms and underground tunnels, a swimming pool, a 2,500 square foot equipment barn, a 2,700 square foot horse (stable), and a farm labor housing unit on a legal 261-acre parcel

Location: 4100 Cabrillo Highway (adjacent to Ano Nuevo State Reserve, in the unincorporated Pescadero area), San Mateo County (APN(s) 089-221-090)

Local Decision: Approved w/ Conditions

Appellant(s): Commissioner Sara Wan; Commissioner Dave Potter

Date Appeal Filed: 08/21/2000

The Commission appeal number assigned to this appeal is A-2-SMC-00-028. The Commission hearing date has been tentatively set for September 12-15, 2000 in Eureka. Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the County of San Mateo's consideration of this coastal development permit must be delivered to the North Central Coast District office of the Coastal Commission (California Administrative Code Section 13112). Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, and a list, with addresses, of all who provided verbal testimony.

A Commission staff report and notice of the hearing will be forwarded to you prior to the hearing. If you have any questions, please contact Jane Steven at the North Central Coast District office.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing
This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Commissioner Sara Wan

22350 Carbon Mesa Road

Malibu, CA 90265

Zip

(310) 456-6605

Area Code

Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port
government: San Mateo County

2. Brief description of development being
appealed: See attached

3. Development's location (street address, assessor's parcel
no., cross street, etc.): 4100 Cabrillo Highway, Pescadero,
San Mateo County, APN 089-221-090

4. Description of decision being appealed:

a. Approval; no special conditions: _____

b. Approval with special conditions: X

c. Denial: _____

Note: For jurisdictions with a total LCP, denial
decisions by a local government cannot be appealed unless
the development is a major energy or public works project.
Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-2-SMC-00-028

DATE FILED: August 21, 2000

DISTRICT: North Central Coast

H5: 4/88

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):
- a. Planning Director/Zoning Administrator c. X Planning Commission
- b. City Council/Board of Supervisors d. Other _____
6. Date of local government's decision: July 26, 2000
7. Local government's file number (if any): PLN1999-00960

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

- a. Name and mailing address of permit applicant:
Steve Blank
216 Marmona Drive
Menlo Park, CA 94025
- b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
- (1) _____

- (2) _____

- (3) _____

- (4) _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Page 3

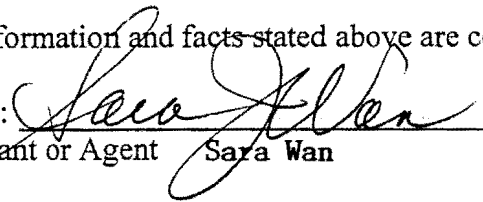
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

PLEASE SEE ATTACHED.

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.

Signed: 
Appellant or Agent Sara Wan

Date: August 21, 2000

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

A-2-SMC-00-028
Blank Appeal

Section II, No. 2

San Mateo County granted the applicant a Coastal Development Permit, a Planned Agricultural District Permit, a Stable Permit, and Architectural Review, pursuant to Zoning Regulations 6328, 7350, 7700, and the State Street and Highways Code, respectively, to construct:

- a new three-story, 15,000-square-foot single family residence (6,000 square-foot underground) with outlying bedrooms and underground tunnels;
- a swimming pool;
- a 2,500-square foot equipment barn;
- a 2,700-square-foot horse stable; and
- a farm labor housing unit.

The development is on a legal 261-acre parcel at 4100 Cabrillo Highway in the unincorporated Pescadero area of the County, adjacent to Año Nuevo State Reserve.

Section IV

The project as approved by the County of San Mateo does not conform to the standards set forth in the county's certified Local Coastal Program, as detailed below.

Local Coastal Program Policy 8.5 (Location of Development) requires that new development be location on a portion of a parcel where the development (1) is least visible from State and County Scenic Roads, (2) is least likely to significantly impact views from public viewpoints, and (3) is consistent with all other LCP requirements, best preserves the visual and open space qualities overall. The project as proposed would be visible from both a State Scenic Road (Highway 1) and public viewpoints (Año Nuevo State Reserve). There are other site treatments and there may be other building sites that would reduce the visibility of the project as required by Policy 8.5.

Policy 8.18a (Development Design) requires development to blend with and be subordinate to the environment and the character of the area and be unobtrusive as possible through, but not limited to, siting, design, layout, size, height, shape, materials, colors, access, and landscaping. The proposed development as approved by the County is not subordinate to the environment.

Policy 8.18b (Development Design) requires screening to minimize the visibility of development from scenic roads and other public viewpoints. The project as approved would screen 50 to 75 percent of the residence at completion of construction, and 100 percent of the residence at tree maturity (approximately three to five years). This screening relies on vegetation to fully screen the residence. Trees may develop diseases that kill or weaken them, revealing structures places behind them. Therefore, the development is not designed to minimize visibility.

Policy 8.20 (Scale) requires development to be related in size and scale to adjacent buildings and landforms. The residential structures in the vicinity are of much more modest scale than the 15,000-square-foot size of the approved development.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing
This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Commissioner Dave Potter

1200 Aguajito Road, Suite 001

Monterey, CA 93940

(831) 647-7755

Zip

Area Code

Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port
government: San Mateo County

2. Brief description of development being
appealed: See attached.

3. Development's location (street address, assessor's parcel
no., cross street, etc.): 4100 Cabrillo Highway, Pescadero
San Mateo County, APN 089-221-090

4. Description of decision being appealed:

a. Approval; no special conditions: _____

b. Approval with special conditions: X

c. Denial: _____

Note: For jurisdictions with a total LCP, denial
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the development is a major energy or public works project.
Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-2-SMC-00-028

DATE FILED: August, 21, 2000

DISTRICT: North Central Coast

H5: 4/88

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- a. ☐ Planning Director/Zoning Administrator c. ☒ Planning Commission
b. ☐ City Council/Board of Supervisors d. ☐ Other _____

6. Date of local government's decision: July 26, 2000

7. Local government's file number (if any): PLN1999-00960

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Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Steve Blank
216 Marmona Drive
Menlo Park, CA 94025

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) _____

(2) _____

(3) _____

(4) _____

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

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.)

PLEASE SEE ATTACHED.

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.

Dave Potter Dave Potter
Signature of Appellant(s) or
Authorized Agent

Date August 21, 2000

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 _____

A-2-SMC-00-028
Blank Appeal

Section II, No. 2

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CALIFORNIA
PLANNING COMMISSION

Sagan + Paschota
Architecture

2000 3rd Street, Suite 1100
San Francisco, California 94107
Telephone: (415) 398-1100
Fax: (415) 398-1101

RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT
K & S RANCH
4100 CABRILLO HIGHWAY
PESCADERO, CALIFORNIA
94060

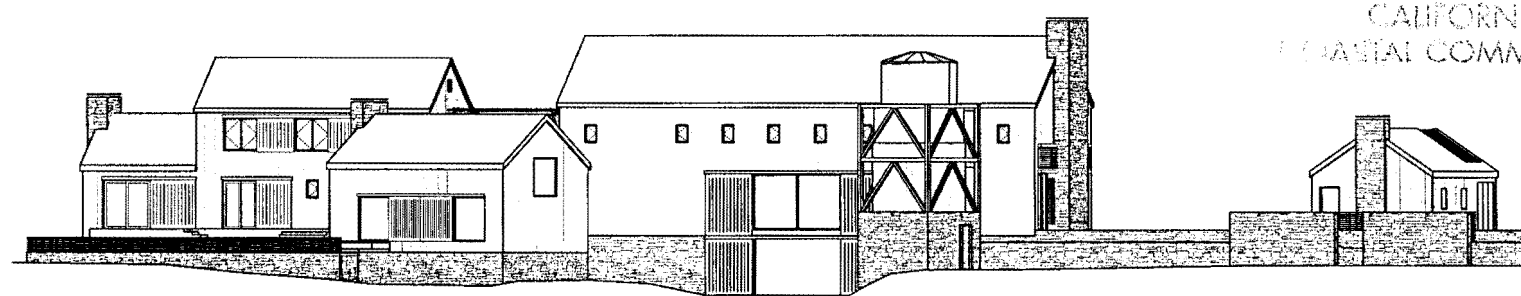
DATE: SEPTEMBER 8, 2000
REVISIONS:

PLANNING
SUBMITTAL

DATE: 09/08
DRAWN BY:
CHECKED BY:

TITLE SHEET

T1.0



K & S RANCH

RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT

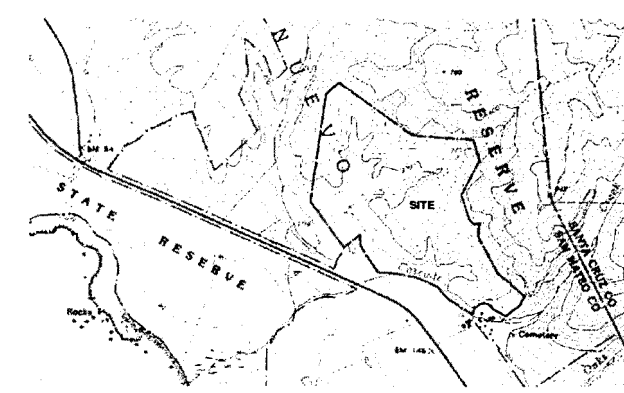
EXHIBIT NO. 3
APPLICATION NO. BLANK
A-2-SMC-00-028
Site Plans, Floor
Plans, and
Elevation
Page 1 of 11

DRAWING LIST INDEX

- T1.0 TITLE SHEET
- A1.1 SITE PLAN - AREA OF RESIDENCE
- A2.0 MAIN BARN LOWER FLOOR PLAN
A2.1 MAIN BARN UPPER FLOOR PLAN
A2.2 MAIN BARN LOFT FLOOR PLAN
A2.4 OUTER BEDROOMS FLOOR / ROOF PLANS
- A4.0 EXTERIOR ELEVATIONS - LIVING BARN NORTH / SOUTH
A4.1 EXTERIOR ELEVATIONS - LIVING BARN EAST / WEST
A4.2 EXTERIOR ELEVATIONS - LIBRARY BARN
A4.3 EXTERIOR ELEVATIONS - SLEEPING BARN
A4.4 EXTERIOR ELEVATIONS - OUTER BEDROOMS NORTH / SOUTH
A4.5 EXTERIOR ELEVATIONS - OUTER BEDROOMS WEST
- A11.0 HORSE BARN
A11.1 FARM LABOR HOUSING
A11.2 EQUIPMENT BARN

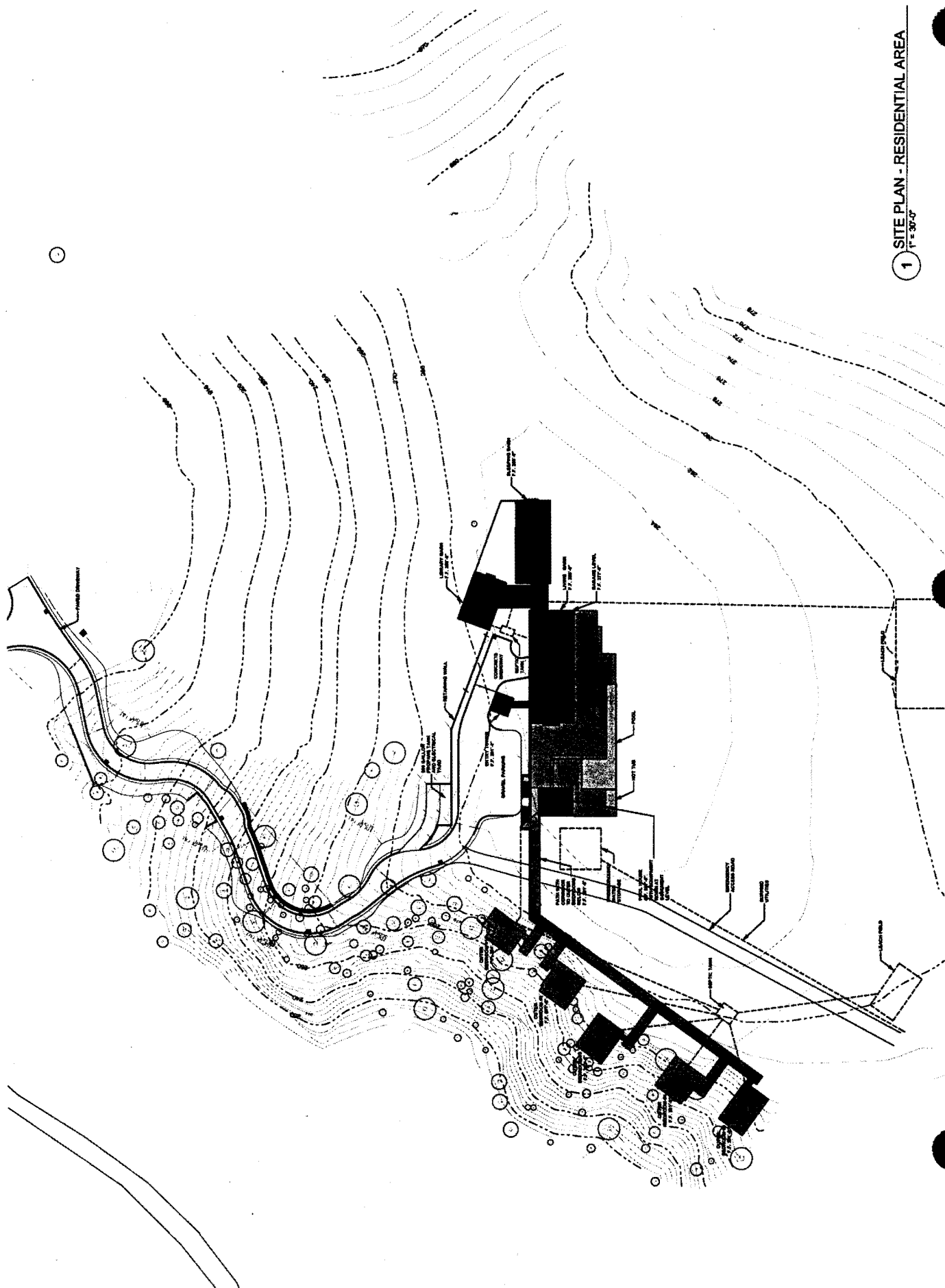
SITE LOCATION MAP

ACCESSOR'S PARCEL NUMBER: 089-221-080
ZONING DISTRICT: PAD - PLANNED AGRICULTURAL DISTRICT
ACREAGE: 281

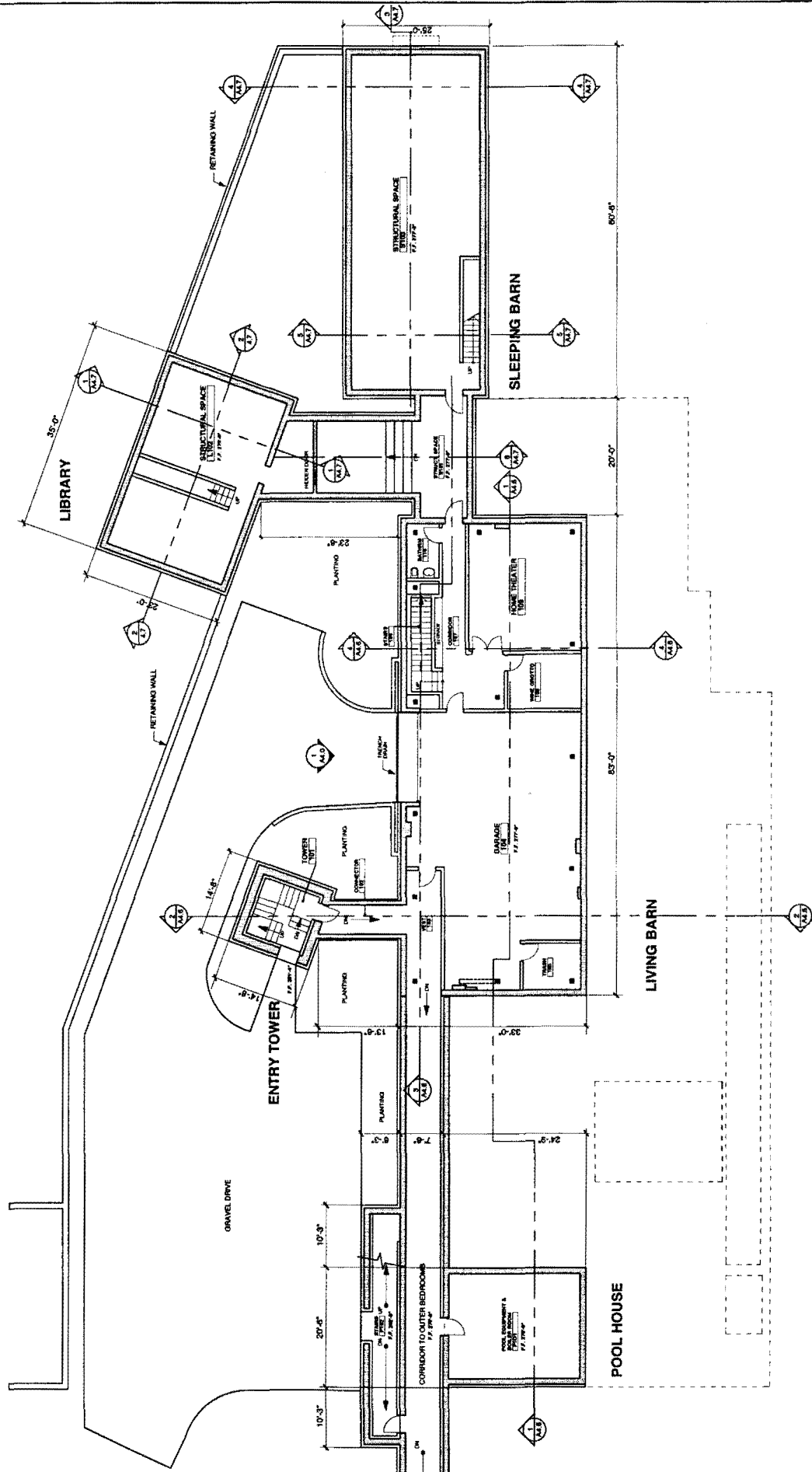


DIRECTORY

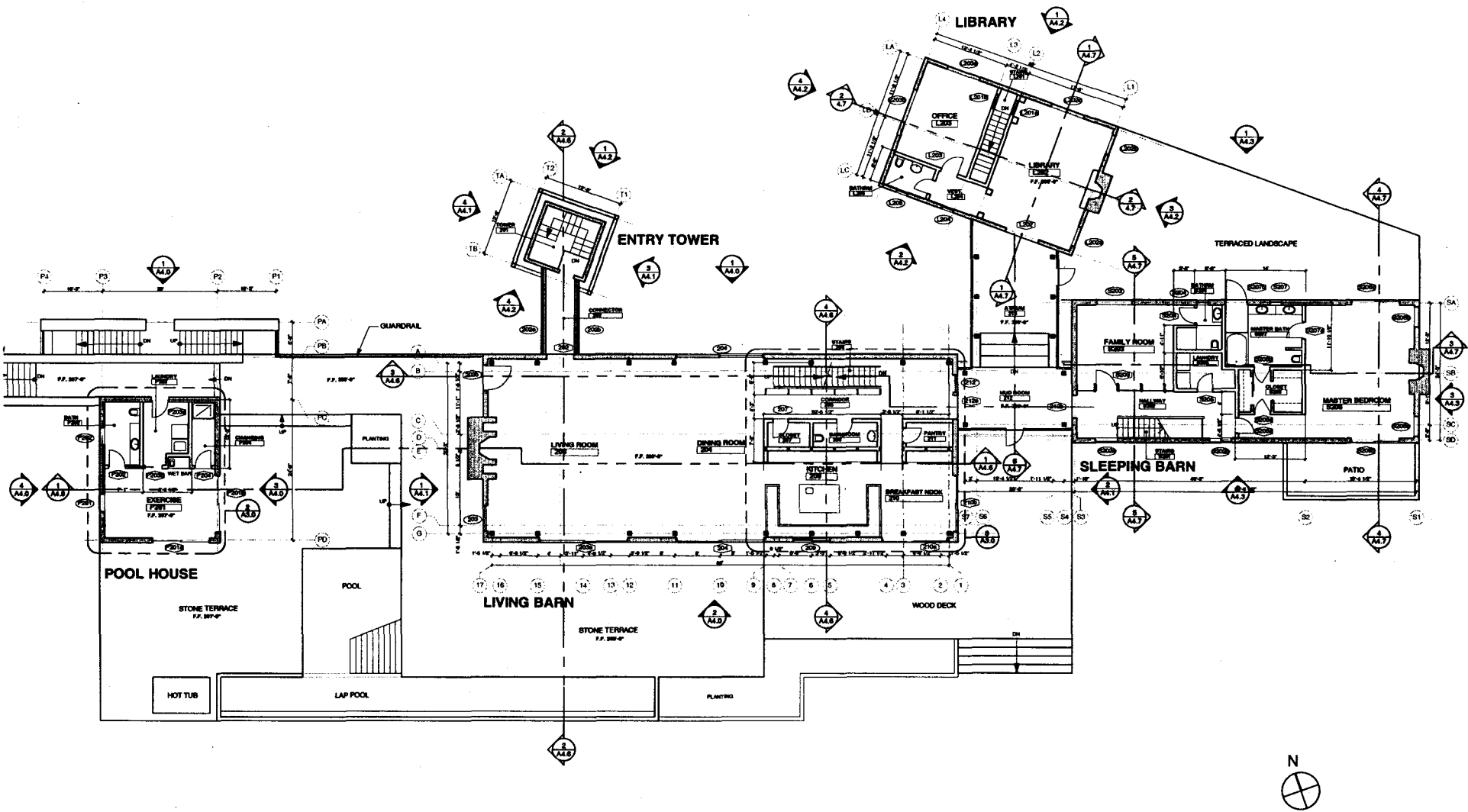
- OWNERS**
STEVEN BLANK and ALISON ELLIOTT
218 MARIONA DRIVE
MENLO PARK, CA 94025
TEL. 650.325.5718
FAX. 650.322.5922
- GENERAL CONTRACTOR**
DOUG ROSS
DOUG ROSS CONSTRUCTION
908 ALMA STREET
PALO ALTO, CA 94301
TEL. 650.470.4700
FAX. 650.470.4701
- MARTIN HAGAN**
247 MAVILLA CIRCLE
PACIFICA, CA 94044
TEL. 650.879.0992
FAX. 650.879.0993
- GEOLOGIST**
ERIC ZINN
ZINN GEOLOGY
2231 40TH AVE.
SANTA CRUZ, CA 95062
TEL. 831.464.7431
- OWNER'S REPRESENTATIVE**
JOHN WADE
PESCADERO CONSERVATION ALLIANCE
PO BOX 873
PESCADERO, CA 94060
TEL. 650.299.8528
FAX. 650.207.9441
- OWNER'S REPRESENTATIVE**
RICHARD SCHNEIDER
18835 LIVORNO DRIVE
PACIFIC PALISADES, CA 90272
TEL. 310.230.0332
FAX. 310.454.4725
- STRUCTURAL ENGINEER**
STEVE TIPPING & LARS LEE
TIPPING - MAR ASSOCIATES
1808 SHATTUCK AVENUE
BERKELEY, CA 94704
TEL. 510.549.1908
FAX. 510.549.1912
- MECHANICAL ENGINEER**
PAUL O'NEILL
CHARLES & BRAUN CONSULTING ENGINEERS
150 SPEAR STREET SUITE 500
SAN FRANCISCO, CA 94105
TEL. 415.442.0110 x104
FAX. 415.882.7747
- GEOTECHNICAL ENGINEER**
BRIAN BAULDRIY
BAULDRIY ENGINEERING
PO BOX 4100
SANTA CRUZ, CA 95063-4100
TEL. 831.427.1298
- CIVIL ENGINEER**
BOB DEWITT & LUKE BEAUTZ
ROBERT L. DEWITT & ASSOCIATES
1807 OCEAN SUITE 1
SANTA CRUZ, CA 95060
TEL. 831.425.1617
FAX. 831.425.0224
- LANDSCAPE ARCHITECTS**
ERIC BLASEN
BLASEN LANDSCAPE ARCHITECTURE
2344 MARINSHIP WAY
SAUSILITO, CA 94065
TEL. 415.332.5329
FAX. 415.332.4729
- ELECTRICAL ENGINEER**
SUSANNA VAN LEEUWEN
HANSEN & SLAGTER, INC.
44 WOODLAND AVE.
SAN RAFAEL, CA 94801
TEL. 415.454.0561
FAX. 415.454.0659
- LIGHTING**
DARRREL HAWTHORNE
ARCHITECTURE & LIGHT
PIER 5 EMBARCADERO
SAN FRANCISCO, CA 94111
TEL. 415.878.3999
FAX. 415.397.4375
- AV/ACOUSTICS/COMMUNICATIONS**
RANDY SPARKS
FLS
480 5TH STREET
SAND FRANCISCO, CA 94107
TEL. 415.541.7800
FAX. 415.541.7877
- POOL CONSULTANT**
CAROL ANDERSON
FIELDS AND ASSOCIATES
480 GATE 5 ROAD, SUITE 259A
SALASITO, CA 94965
TEL. 415.331.5233
FAX. 415.331.5279



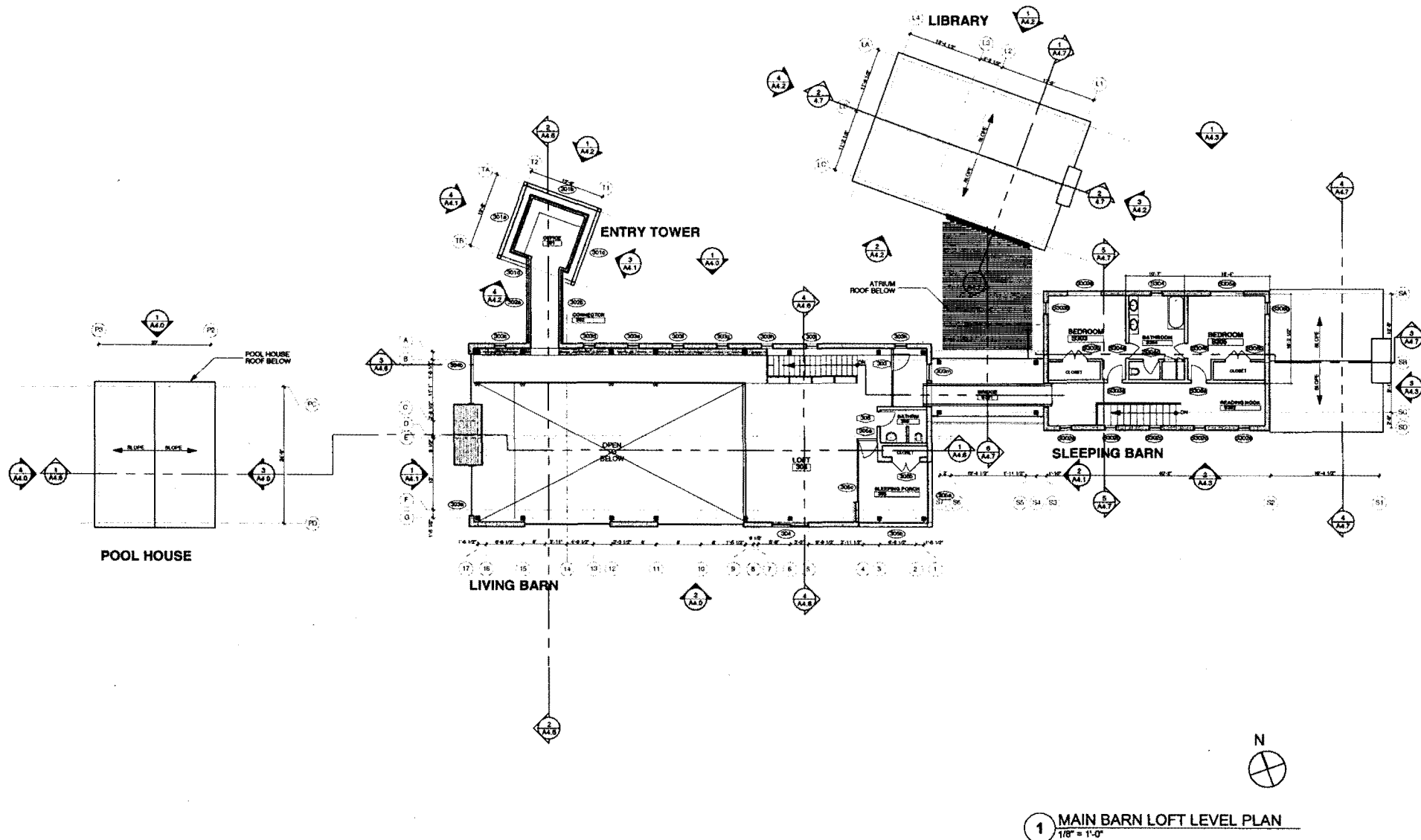
1 SITE PLAN - RESIDENTIAL AREA
1" = 30'-0"



1 MAIN BARN LOWER LEVEL PLAN
1/8" = 1'-0"



1 MAIN BARN & POOL HOUSE UPPER LEVEL PLAN
1/8" = 1'-0"



RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT
K & S RANCH
4100 CABRILLO HIGHWAY
PESCADERO, CALIFORNIA
94060

DATE: JULY 28, 2000

REVISIONS:

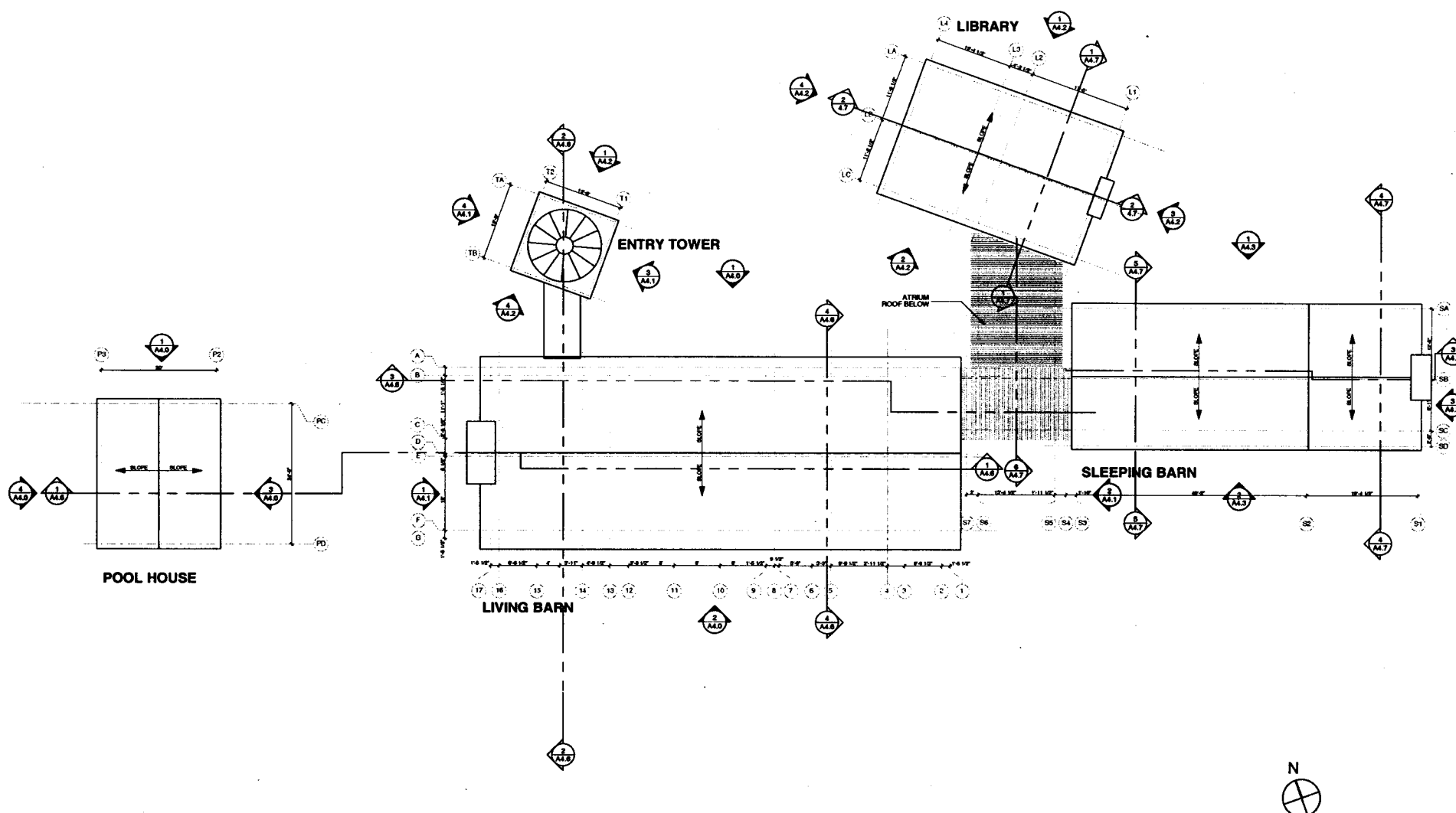
**PLANNING
SUBMITTAL**

JOB NO.: 8802
DRAWN BY: STUART
CHECKED BY: TOM

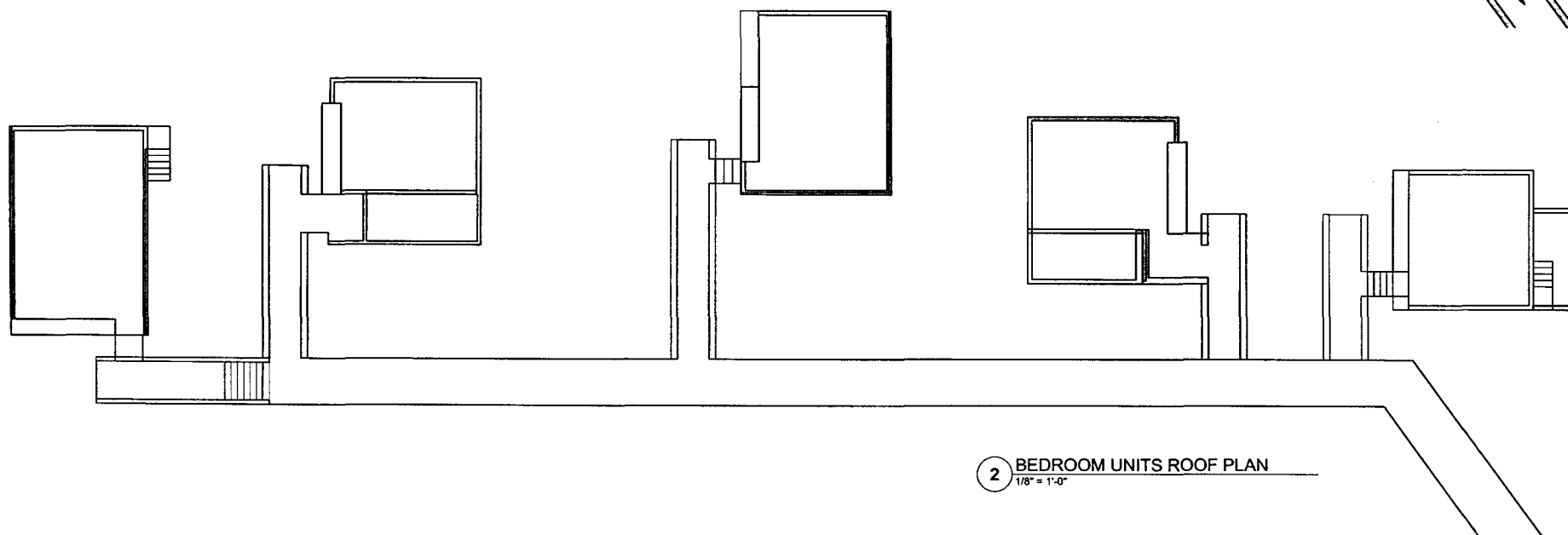
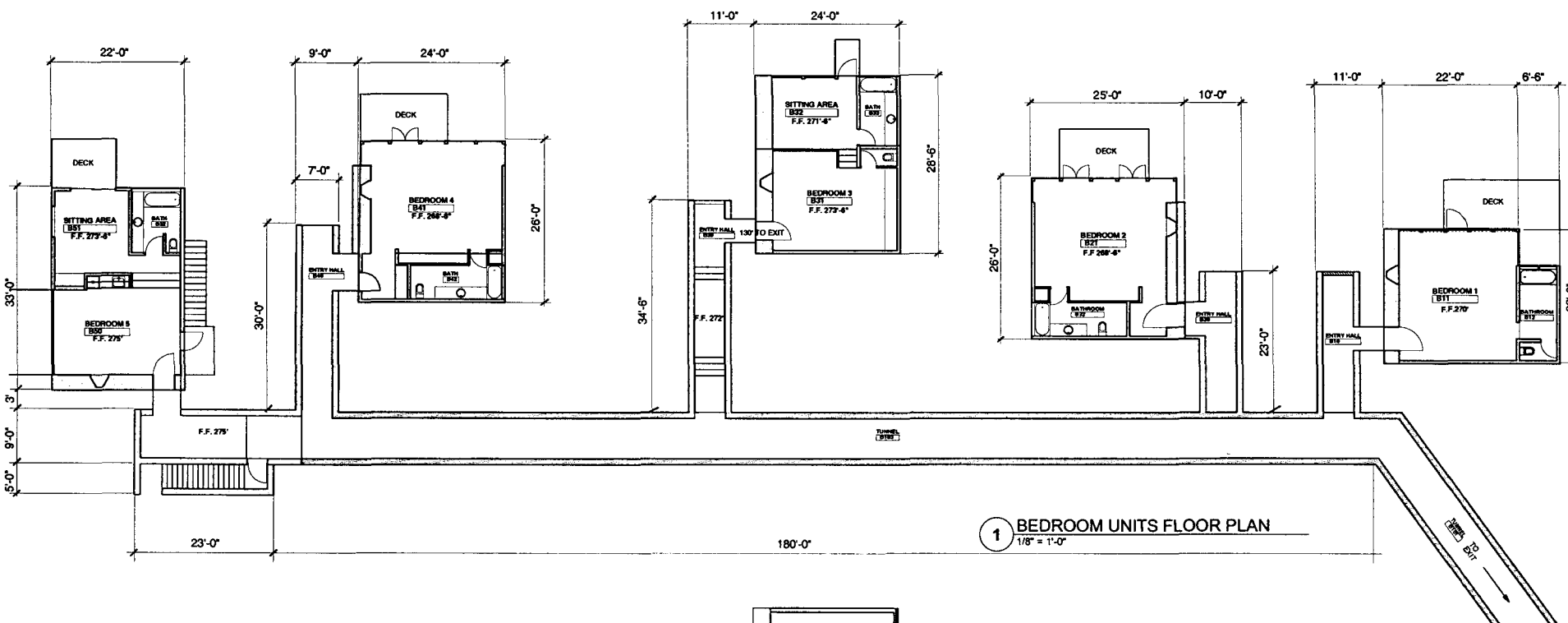
**LIVING BARN,
SLEEPING BARN,
LIBRARY &
POOL HOUSE**

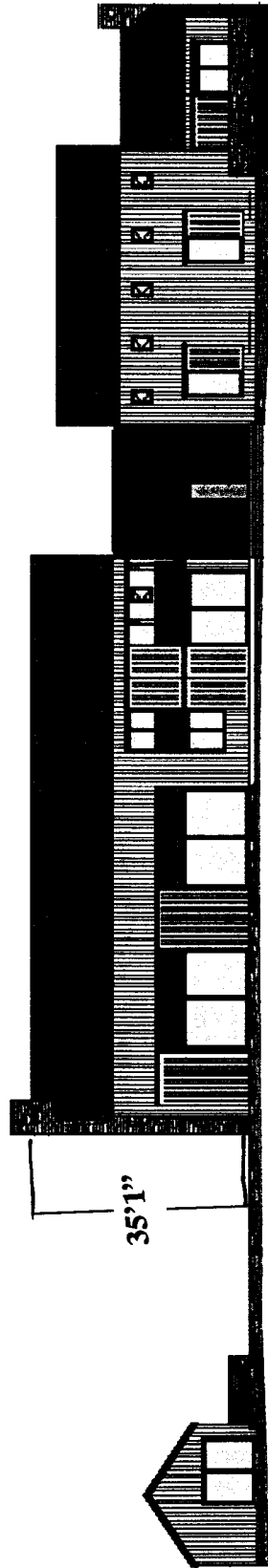
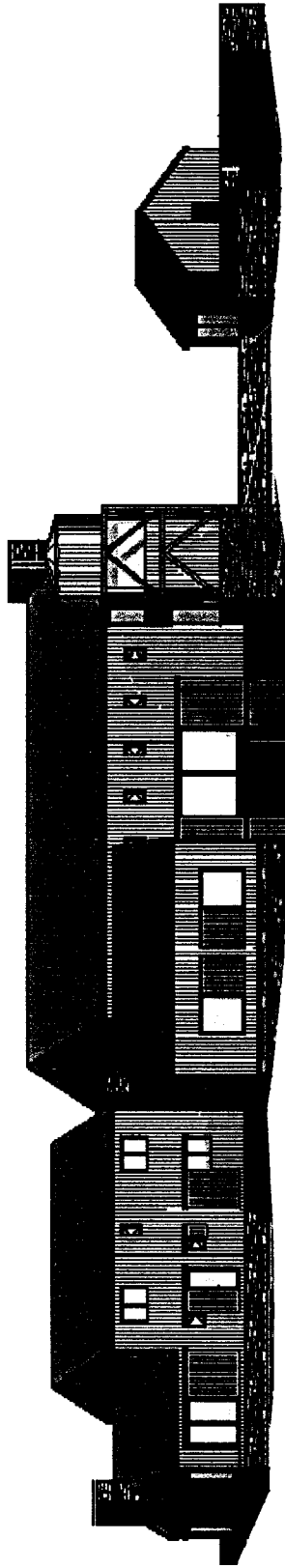
ROOF PLAN

A2.3



1 MAIN BARN ROOF PLAN
1/8" = 1'-0"





Sagan + Pischke
Architecture

2005 6th Street, Suite 100
San Francisco, California 94107
Telephone: (415) 558-1200
Fax: (415) 558-1201

RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT
K & S RANCH
4100 CABRILLO HIGHWAY
PESCADERO, CALIFORNIA
94060

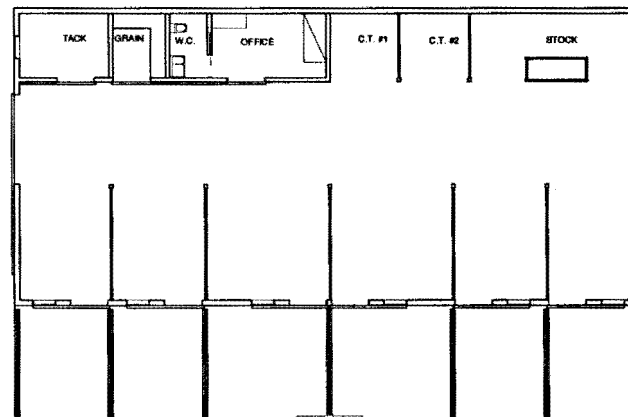
DATE: JULY 28, 2000
REVISIONS:

PLANNING
SUBMITTAL

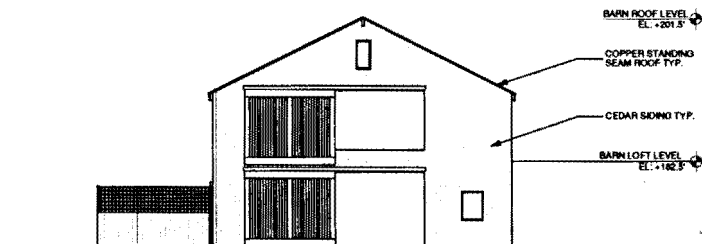
JOB NO.: 8888
DRAWN BY: STUART
CHECKED BY: TOM

HORSE BARN
PLANS AND
ELEVATIONS

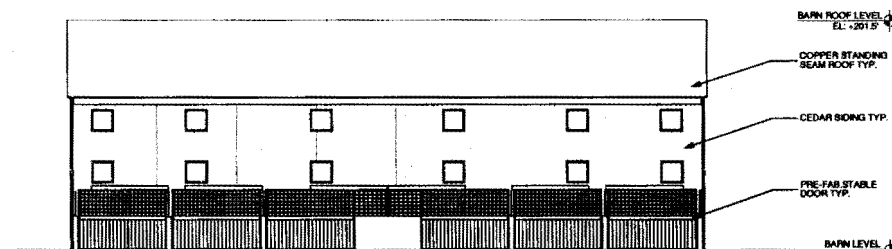
A11.0



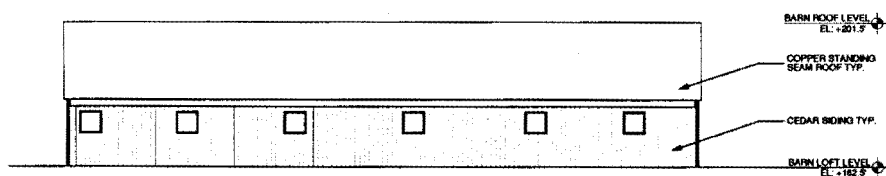
1 HORSE BARN FLOOR PLAN
1/8" = 1'-0"



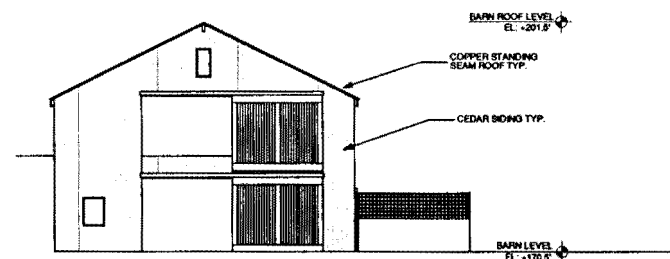
5 HORSE BARN EAST ELEVATION
1/8" = 1'-0"



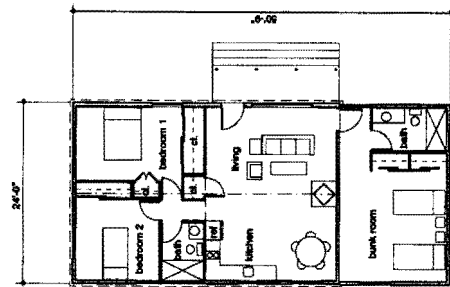
2 HORSE BARN SOUTH ELEVATION
1/8" = 1'-0"



4 HORSE BARN NORTH ELEVATION
1/8" = 1'-0"



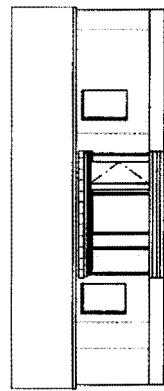
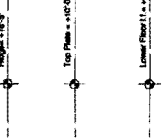
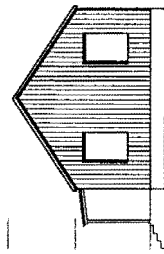
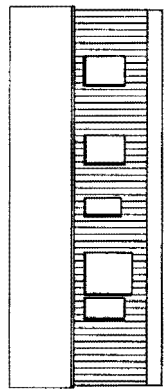
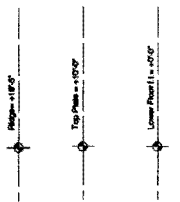
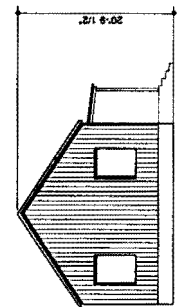
3 HORSE BARN WEST ELEVATION
1/8" = 1'-0"



Floor Plan
 scale: 1/8" = 1'-0"



Farm Labor Housing



Elevations
 scale: 1/8" = 1'-0"

Sagan + Pichota
Architects

2000 2nd St. Suite 200
Berkeley, CA 94702
Tel: 415.863.1300
Fax: 415.863.1301

RESIDENCE FOR STEVE BLANK & ALISON ELLIOTT

K&S RANCH
4100 CARBILLO HIGHWAY
PESCADERO, CALIFORNIA
94050

DATE: JULY 24, 2000

REVISIONS

PLANNING
SUBMITTAL

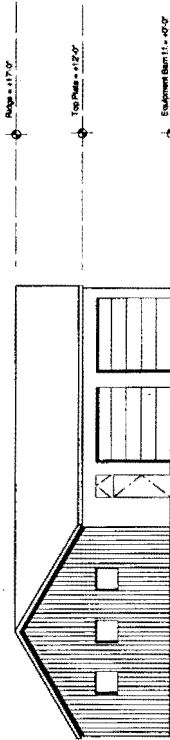
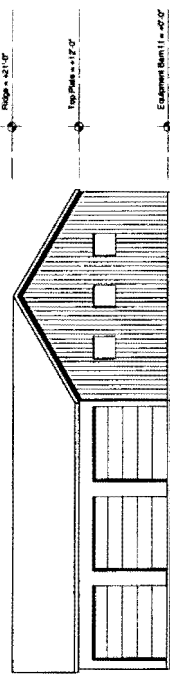
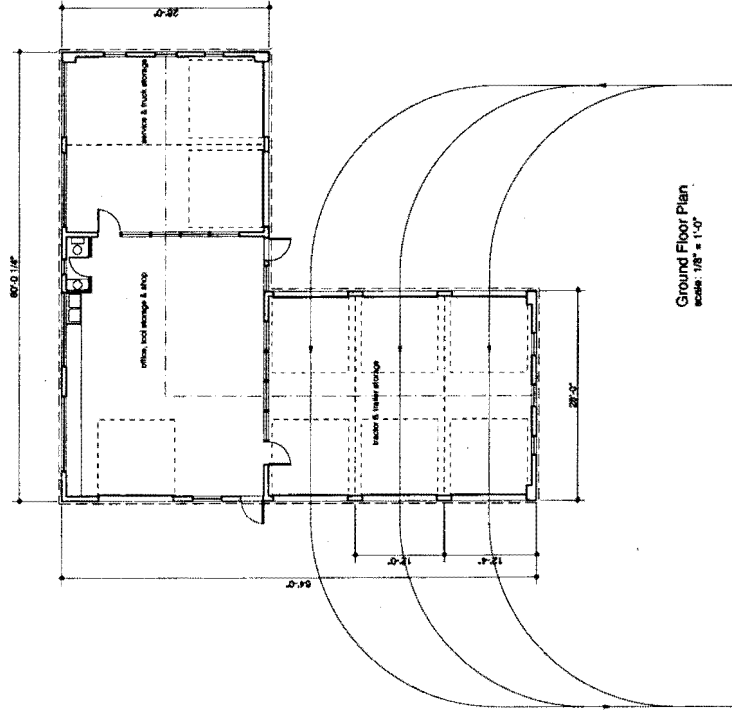
JOB NO. 0002

DRAWN BY

CHECKED BY

EQUIPMENT BARN
PLANS AND
ELEVATIONS

A11.2



Steven Blank
216 Marmona Drive
Menlo Park, CA 94025

Friday, September 22, 2000

RECEIVED
SEP 25 2000

CALIFORNIA
COASTAL COMMISSION

Jane Steven
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Hi Steve,

I'm amending my application as follows:

There will be no use of helicopters or other aircraft on the property for the life of the development approved by the coastal development permit.

I am willing to reflect this restriction by executing and recording a deed restriction against the property so that future owners will be on notice of the restriction.



Steve Blank

EXHIBIT NO.	4
APPLICATION NO.	A-2-SMC-00-028 BLANK
Ltr from Steve Blank dated Sept. 22, 2000	

K & S RANCH
4100 Cabrillo Highway
Pescadero, CA 94060
(650) 879-3244

EXHIBIT NO.	5
APPLICATION NO.	A-2-SMC-00-028 BLANK
Constraints	
Analysis and Visual	
Assessment	
Page 1 of 12	

September 17, 2000

Chris Kern/Jane Steven
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105

Chris/Jane,
Sorry we missed you on Friday. We had prepared this package to physically hand to you for our meeting. Here is the text electronically. I'll drop by a hard copy Monday afternoon with the maps and revised house plans

K&S Ranch Site Selection and Evaluation Process

The site Selection and Evaluation program for the K & S Ranch has four phases:
Phase 1 – Mapping Program and Constraints Analysis. Develop a set of maps showing siting constraints and the potential building sites.
Phase 2 – Site Selection. Evaluate all potential building sites for practicality.
Phase 3 – Visual Analysis. In the selected building site, test the proposed house for visibility
Phase 4 - Visual Protection. Eliminate the small remaining areas of visibility, with berming proposals

Phase 1: Mapping Program, Constraints Analysis

To develop a site plan for the owner's home on the K & S Ranch, we prepared a series of maps representing the key issues of concern in the Local Coastal Plan. The issues are Scenic Corridors, Prime Soils, Sensitive Habitats, Geologic Stability and Slopes. Together they form a set of siting constraints on possible building locations. The initial study was prepared prior to purchase of the property in 1999. It was refined during the LCP application process, and has been updated again for the Coastal Commission process.

When overlaid, the five constraint maps eliminated most of the property as possible for building, and generated a sixth map showing the areas remaining for building. These maps, and others supporting the first six, are attached.

Our internal objectives have been to make the house invisible from any public road or trail, and to avoid sensitive habitats completely, as well as meet the County requirements.

Map 1, Scenic Corridors

The Scenic Corridor (Map 1) was generated through a five-step process.

- 1) The first step was examining over 150 photos of the property taken from all of the adjacent public roads and trails.
- 2) The second step was walking and driving Highway 1.
- 3) Next we walked the Año Nuevo trails as well as walking Cascade Creek Trail and the Cascade Creek-Whitehouse Creek trail, carefully mapping each portion of the property that was visible.
- 4) In the fourth step, we walked and mapped the K and S Ranch property looking for vehicles, Highway 1 and the park trails.
- 5) The fifth step, at the request of Coastal Commission Staff, was walking the remaining possible building site areas to test if an object 12 feet high could see the roads or trails. This test eliminates "shallow" building sites where portions of any normal building would be visible. We walked the site again using an 8' ladder, which when stood upon, would give a 12 foot eye height. We then looked for the previously mentioned public roads and trails using 7x50 binoculars.

The 12' criteria markedly reduced the possible building sites.

The portions of the ranch, where an object 12 feet high or less would be visible from Highway 1, Año Nuevo, Cascade Creek Trail and the Cascade Creek-Whitehouse Creek trail, are shown in yellow.

Map 2, Prime Agricultural Soils.

The Prime Soils Map (Map 2) was generated from the 1961 USDA Soils Report. The Prime Soil designation covers all those that are Class I, Class II, and those Class III rated good or very good for Artichokes and/or Brussels Sprouts. This same source was used in the Coastal Conservancy conservation easement to designate prime soils on the property. Only buildings necessary for agriculture or accessory to agricultural uses are permitted in prime soils. All building on prime soils, except for farm labor and an equipment barn was avoided. Prime soils are shown in brown.

Map 3, Sensitive Habitats.

Of the eight habitats listed as "Sensitive" under the San Mateo Local Coastal Plan, three apply to the property:

- 1) habitats containing or supporting rare, threatened or endangered species;
- 2) all perennial and intermittent streams and their tributaries;
- 3) lakes and ponds and adjacent shore habitat.

The primary sensitive species of interest are the San Francisco Garter Snake and the Red-legged frog. While no San Francisco Garter Snakes have been observed, they are presumed to be on the property. The Red-legged frog has been found on Potato Patch Pond. Both of these species are normally found in or near riparian and pond habitats.

The Sensitive Habitats Map (Map 3) was generated from creeks and ponds marked on aerial photos and observed in the field, combined with field surveys of willow and alder dominated creek corridors, to determine riparian vegetation width and species composition. Riparian corridors are shown in green, while creeks and water bodies are shown in blue. All building in or near riparian corridors was avoided, with the exception of the existing farm labor house and two existing road crossings.

Map 4, Geologic Stability

Geologic Stability (Map 4) was generated by combining USGS and San Mateo County sources, as well as research done specifically for this property in the past. Erik Zinn, the project geologist, and Jerry Weber, a geologist with a long history of research in the area were consulted.

Erik Zinn has prepared a new composite map of hazardous areas. The key issues are the faults on either side of the property, Reidel shears between the two faults, and landslides. Liquefaction may also be a concern in the valley bottom. Areas of high hazard are shown in red, moderate to high hazard in orange, and low to moderate hazard in green. A matching map showing the geology is also attached.

Map 5, Slopes

Slope (Map 5) was based on density of contour lines as well as field observations. Slopes over 30% were eliminated, and are shown in gray. Some adjacent areas have slopes in the range of 20-29%, which while not shown, are not desirable building sites unless there are no alternatives.

Map 6, Building Site Evaluation

Any area constrained in maps 1-5 was eliminated as a potential house site. The remaining possible building sites for the house are shown in orange on Map 6.

Phase 2: Site Selection

Several highly desirable sites from an esthetic and visual point of view were eliminated by prime soil, geologic hazards and sensitive habitat concerns. Of the sites that remained, the most northerly site (A), and the northeasterly site (B) were rejected as too small, steep and inaccessible. Access to (A) or (B) would

require a major new road that would either be through a riparian area and wet meadow or across a highly visible hillside.

Several sites that had previously been considered, but rejected due to visibility if over 8-12 feet high, were eliminated from consideration by the 12' test. Others were rejected due to geologic risk and uncertainties.

The "Hook Valley" site (C), near the southern end was dropped from consideration due to the combination of steep slope (20-25%), poor and long access, and close proximity to the San Gregorio fault. The updated geologic map confirmed this.

The small east facing area on the north side of Deluca Valley (D) is limited by its small size (80 feet long by 60 feet deep, on a 15% slope), so the uninhabited horse barn was placed here, on non-prime soils.

The final areas, (E) and (F) are at the back edge of the large central plateau. The 12' criteria reduced this site from its original 7 acres to two small areas with about 1 acre each. (E) was chosen because of its easier shorter access.

Site E is constrained by the San Gregorio fault to the east, steep slopes to the north and the visual corridor on the west and south. It is flat and geologically stable. The coastal terrace is 900 feet wide to the west, screening any structure from nearby views from Highway 1. A dense forest of Douglas Fir shelters the site on the north and northwest sides.

It was surprising to find that out of 261 acres, only 2-3 acres were suitable for building when all constraints are considered.

In planning site E, we moved the house to the extreme northeast corner where it would be screened to the maximum extent by the broad coastal terrace in front and the forest behind. The house was placed at the break in slope on the northeast side of the coastal terrace, as close to the edge as the geologists were willing to accept. We did not move further east due to the close proximity of the San Gregorio fault on that side.

Phase 3: Visual Analysis

When the house plans were done, we put up a 34' Story Pole for the top of the chimney and repeated the scenic analysis process. This revealed four small "windows" where a portion of the house would be seen at distances of 0.5 to 2.25 miles. These were designated "windows" 1-4. Our mitigation measures are described below in Phase 4.

- Window 1 was from Highway 1, 0.5 miles away between a gap in a row of tall trees.
- Windows 2 and 3 were from portions of Cascade Creek Trail and the Cascade Creek-Whitehouse Creek Trail.

- Window 4 is a view from a 35-foot portion of a sand dune on a trail at Año Nuevo, 2.25 miles away through a narrow gap in a tree row.

Phase 4: Visual Protection

San Mateo Planning Commission Original Proposal

Knowing that screening would be necessary with the San Mateo Planning Commission, to screen the house we planted four groves totaling 67 trees, 10-16 feet high (24-36" boxes), and installed an irrigation system.

We proposed, once excavation had begun, to put additional 4' high screening hills in back of the trees, with an additional 33 trees planted on top, to further screen the house from any possible view. To further reduce any possible visual impact, the design and color of the buildings will be in "earth tones," dark gray walls and a dark brown roof.

Coastal Commission Staff Proposal

At the request of Coastal Commission Staff, we have revised the house and berm plans.

1. We will reduce the total height of the house from 34 feet to 29 feet.
2. We will increase and lengthen the previously planned berms into two well rounded natural looking berms 7-12 feet high to block the four small visible angles. The berms will be built using a balanced cut and fill from the house basement construction. They will require no additional imported dirt.
3. To increase the height of the berm in Window #2, without additional excavation, we will build a 20' x 60' earth-covered storage area into the east side of the berm, 10-12 feet high.
4. With natural vegetation we will plant on the berms such as baccharis and other shrubs, (adding four feet to the effective height) the berms alone will screen to the roof of the house.
5. To raise the screening further, we will plant the top of the berms with large fir, oak and Cypress, 10-14 feet high, densely enough so the house envelope is completely unseen, prior to construction.
6. As we proposed in our email to Peter Douglas, a separate fund will be created to guarantee that the plantings will always be in place.

Sincerely,

John N. Wade
Site Planner

Site Selection Study K & S Ranch

September 21, 2000

RECEIVED
SEP 21 2000
CALIFORNIA
COASTAL COMMISSION

Residence for Steve Blank and Alison Elliott
4100 Cabrillo Highway Pescadero, California

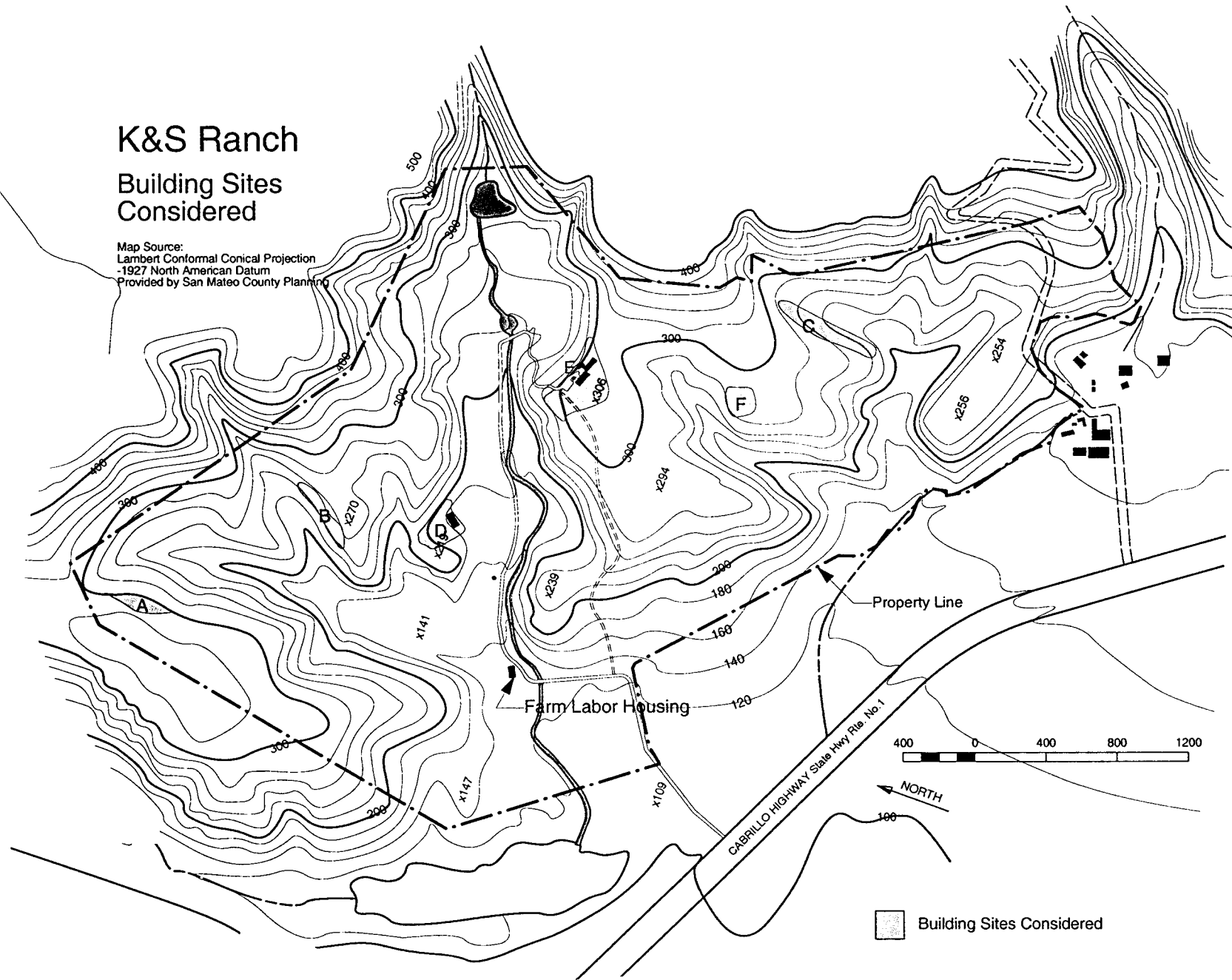
**Sagan - Piechota
Architecture**

2325 3 rd Street, Suite #320
San Francisco, California 94107
Telephone: (415) 503 - 1260
Fax: (415) 503 - 1261

K&S Ranch

Building Sites Considered

Map Source:
Lambert Conformal Conical Projection
1927 North American Datum
Provided by San Mateo County Planning

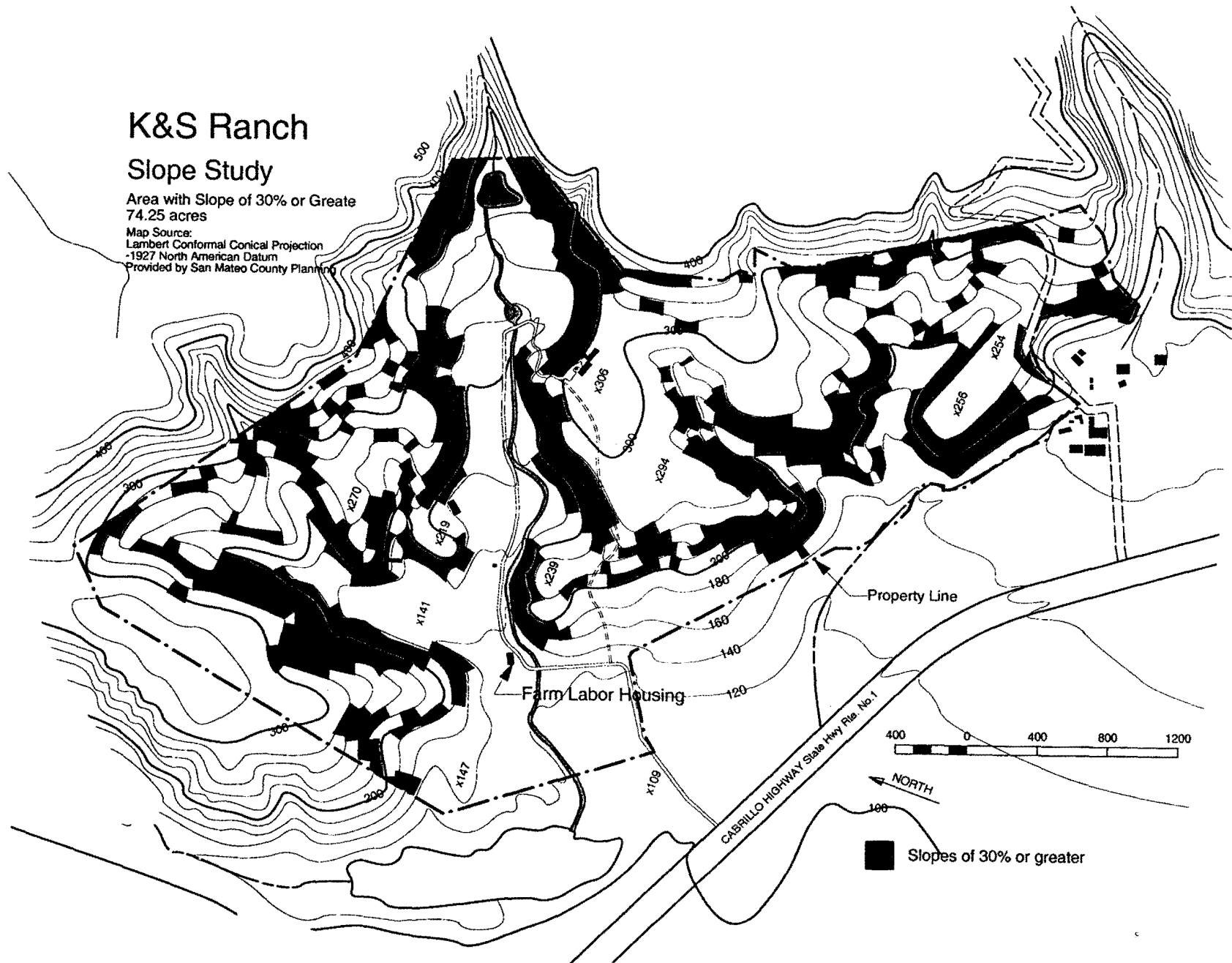


K&S Ranch

Slope Study




Area with Slope of 30% or Greater
74.25 acres

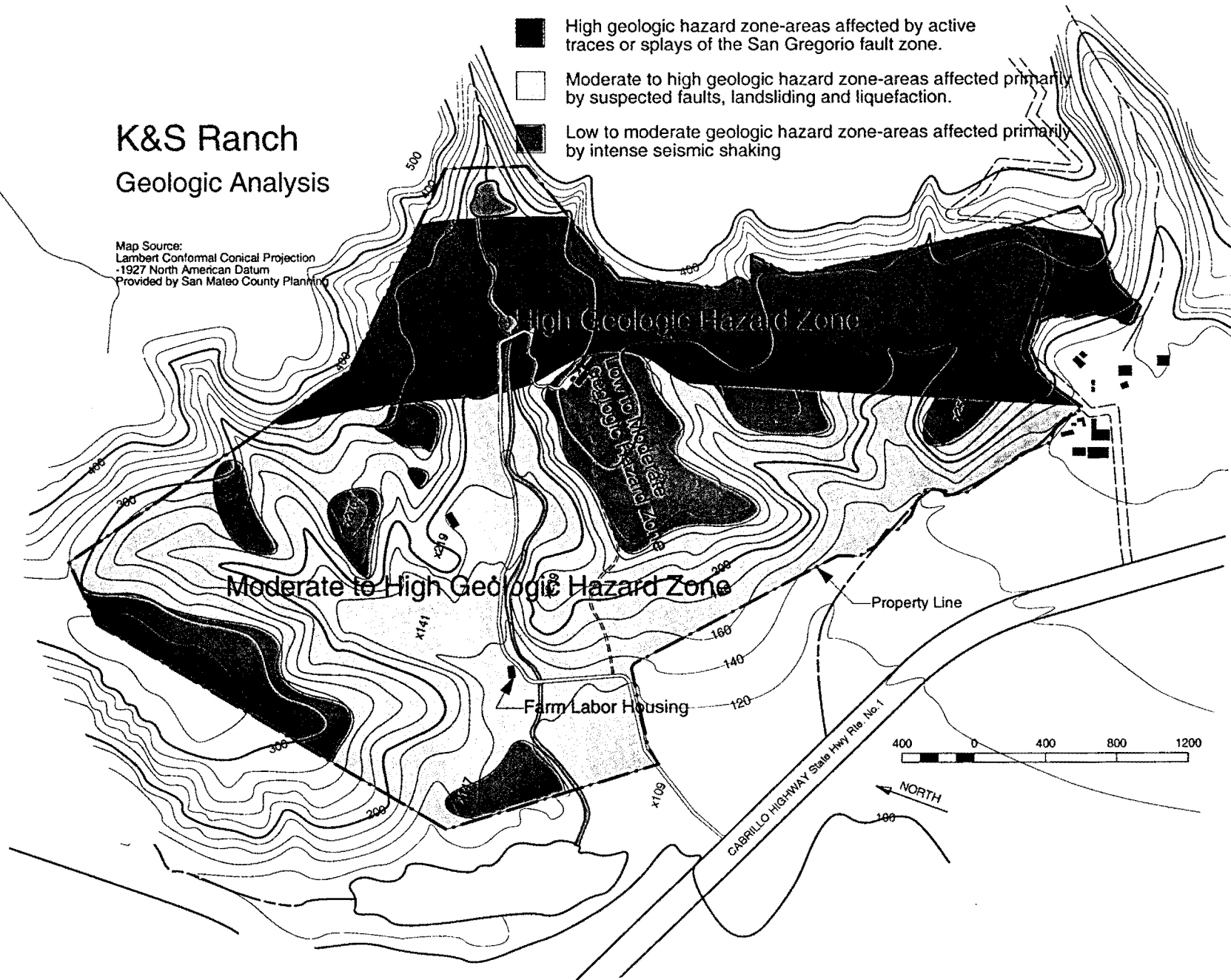
Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning



K&S Ranch Geologic Analysis

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning

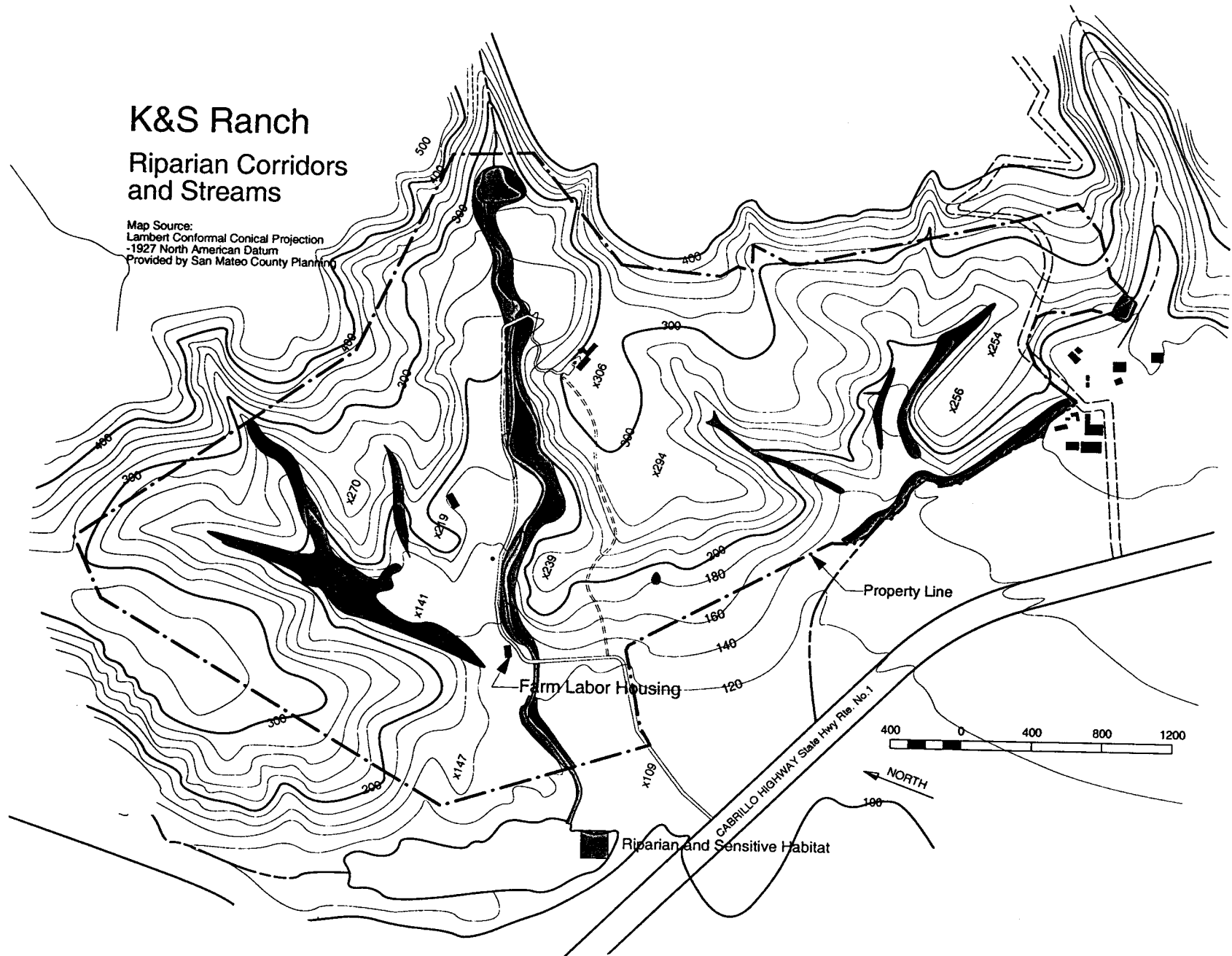
-  High geologic hazard zone-areas affected by active traces or splays of the San Gregorio fault zone.
-  Moderate to high geologic hazard zone-areas affected primarily by suspected faults, landsliding and liquefaction.
-  Low to moderate geologic hazard zone-areas affected primarily by intense seismic shaking



K&S Ranch

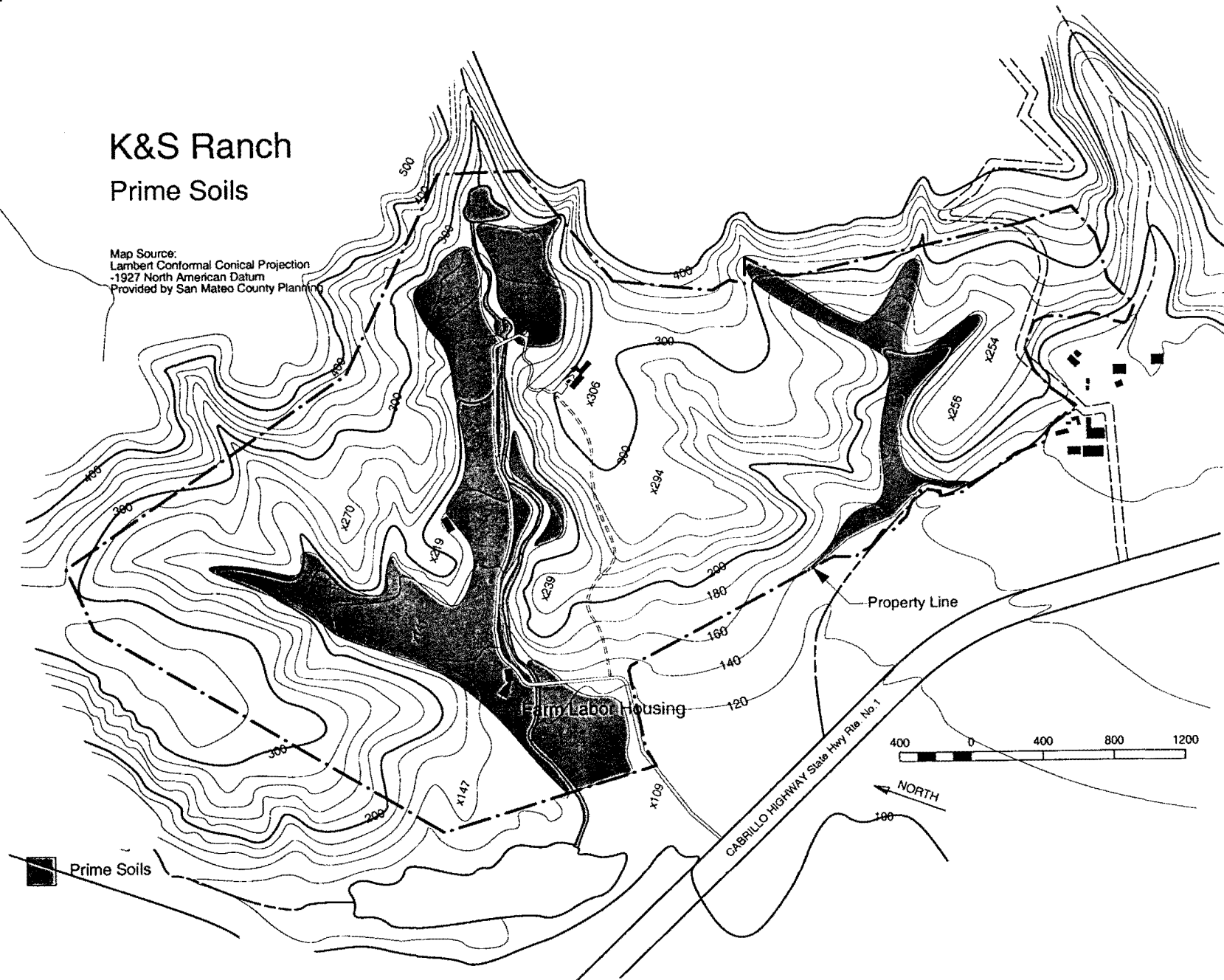
Riparian Corridors and Streams

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning



K&S Ranch Prime Soils

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning



K&S Ranch Visual Analysis

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning

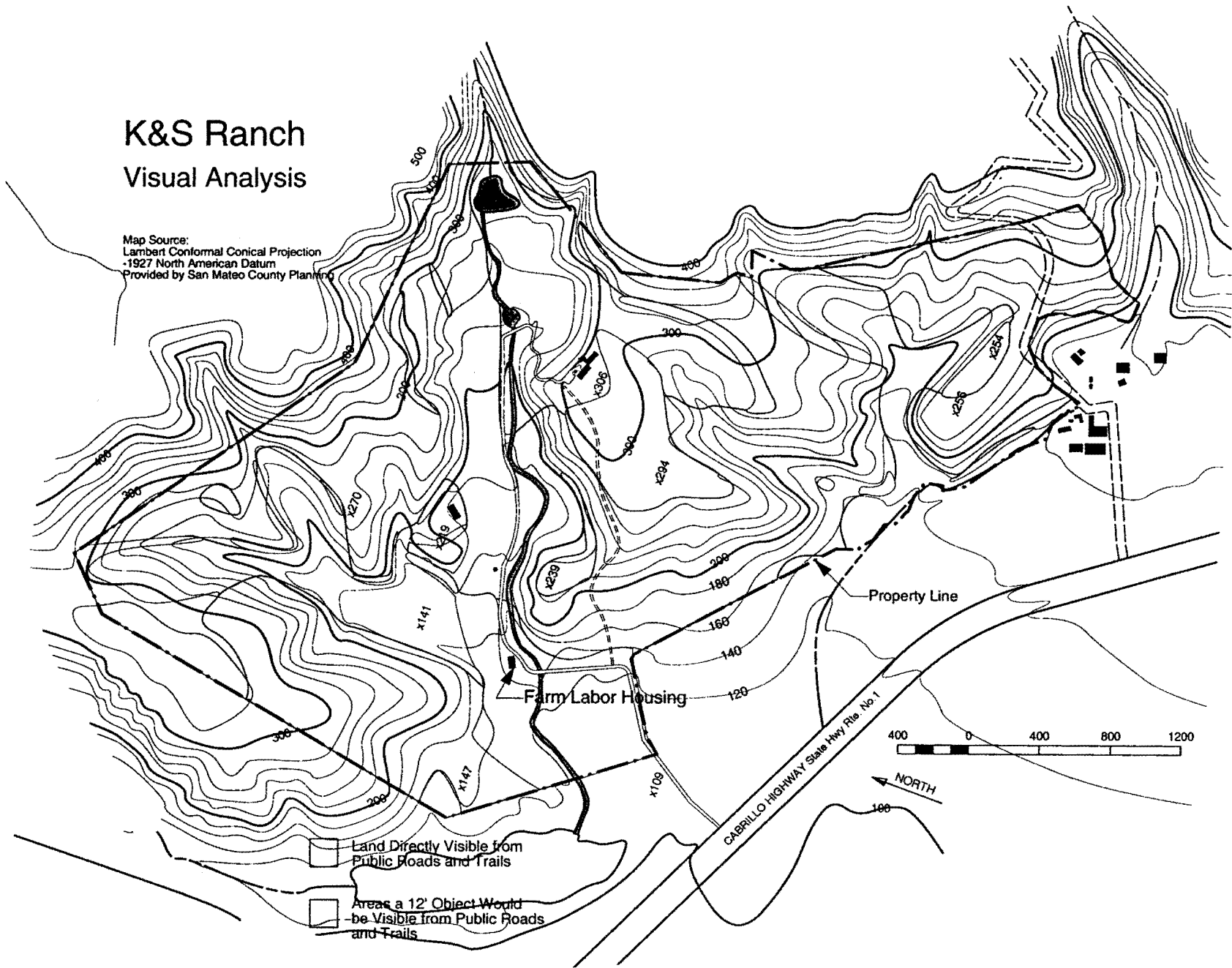




EXHIBIT NO.	6
APPLICATION NO.	A-2-SMC-00-028 BLANK
Regional Geology and Hazard Zones	
Page 1 of 4	

2231 40th Avenue - Santa Cruz, California 95062 - 831.464.7451 - enzinn@bigfoot.com

16 September 2000

Mr. Steve Blank
c/o Mr. John N. Wade
Pescadero Conservation Alliance
PO Box 873
Pescadero, CA 94060

Re: Regional geology and hazard zones
K & S Ranch
4100 Cabrillo Highway
Pescadero, California

Dear Mr. Blank:

Your project planner, John Wade, and Stuart Wright of Sagan/Piechota Architecture, have requested that we construct a regional geologic map and regional geologic hazards map for the K & S Ranch. It is our understanding that this letter and the accompanying maps will be used primarily for planning overview during discussions with the California Coastal Commission. Please note that the accompanying maps are not a substitute for a detailed site specific investigation. The locations of the earth materials, faults and the limits of the hazard zones are not exact; also there will be local variations. These local variations can be more precisely defined by more detailed investigations and mapping.

The geologic map (Figure 1) that accompanies this letter is largely based on regional mapping pursued by this author, G.E Weber and J.M. Nolan, under contract with the federal government in 1994 (Weber et al., 1995). We have made some minor modifications based on our fault trench investigations and observation exploratory borings advanced on the ranch in 1999 and 2000.

EXPLANATION OF HAZARDS ZONE MAP

The high geologic hazard zone (shaded red) contains areas which may be affected by active traces or splays of the San Gregorio fault zone. The actual zone reflects a buffer to either side of the fault trace to account for variability in the fault location, active splays and the inaccuracies of locating the fault under very young surficial materials.

The moderate to high geologic hazard zone (shaded orange) contains areas affected primarily by suspected faults, landsliding and liquefaction. The suspected faults are based on lineaments seen

on the historical aerial photographs and suspect topography. Buffer zones similar to those used for the active faults were drawn to either side of the suspected faults. Areas underlain by mapped landslides and moderately-steep to steep slopes that show a predilection for instability were included in this zone. Finally, all areas underlain by young alluvium and high groundwater (seasonal and permanent) were also included in this zone.

The low to moderate geologic hazard zones (shaded green) contain areas affected primarily by intense seismic shaking. These zones are exclusively underlain by marine terrace deposits, as may be noted on the accompanying figures.

CONCLUSIONS

The safest areas to pursue development on the K&S Ranch are upon the gently sloping topographic surfaces underlain by uplifted marine terrace deposits, where the marine terrace deposits are not cut by faults, suspected faults or landslides.

The bulk of the land on the ranch is within areas zoned as having moderate to high potential for geologic hazards. Some of these hazards, such as landsliding or liquefaction, may be mitigated by proper location or structural design, after the geologic hazard has been adequately characterized by a site specific geologic (and geotechnical) investigation. The hazards related to surface fault rupture may only be mitigated by siting the structure away from the fault, after the fault has been accurately located by a site specific investigation. Some sites located within the moderate to high geologic hazards zone may be so severely impacted by geologic hazards, that mitigation of the hazards may make development economically impracticable.

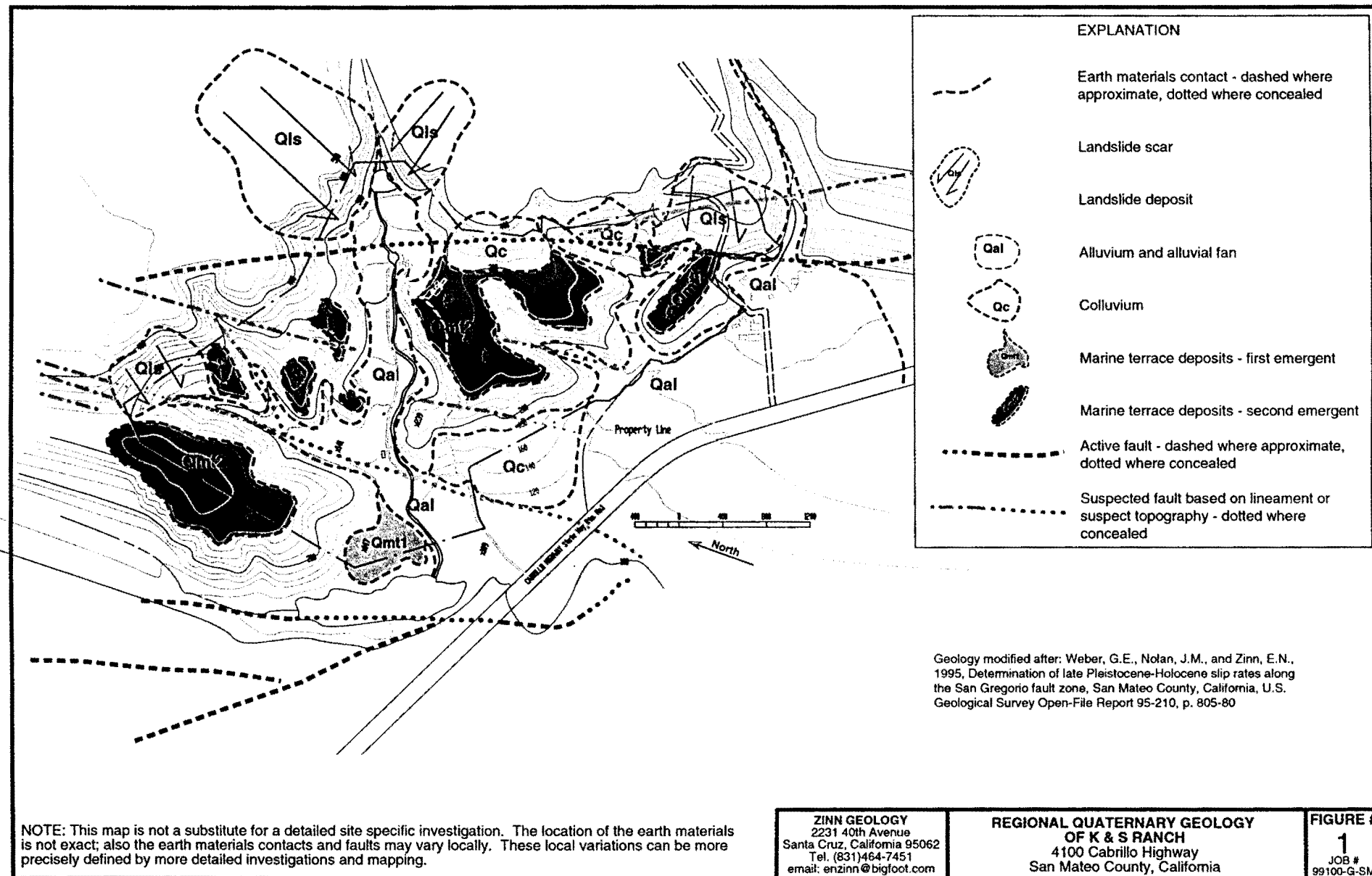
Sincerely,

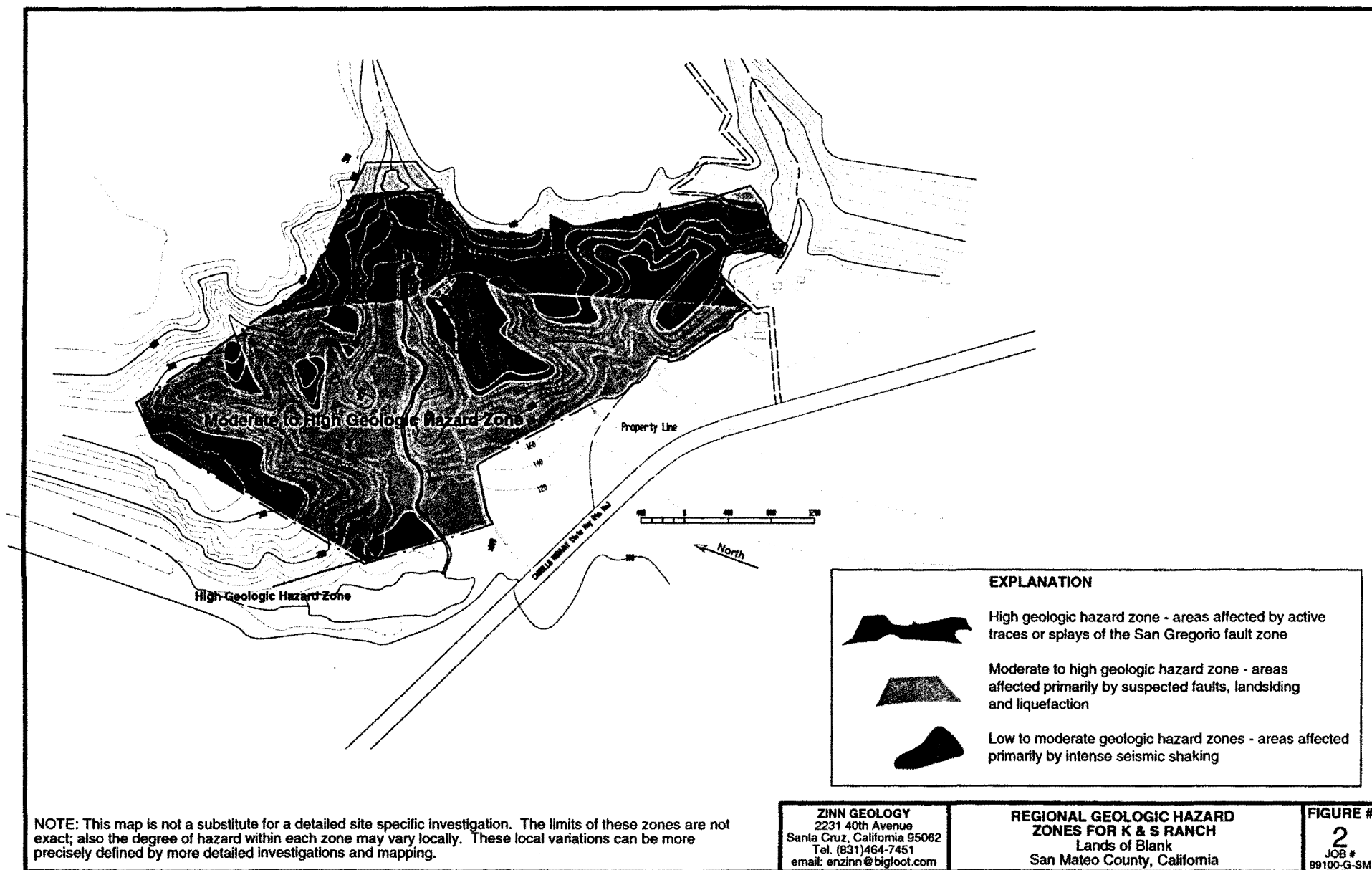
Zinn Geology

Erik N. Zinn
Principal Geologist
C.E.G. #2139

cc: Tom Allen - Sagan/Piechota Architecture
Brian Bauldry - Bauldry Engineering

Attachments: Figure 1 - Regional Quaternary Geology Of K&S Ranch
Figure 2 - Regional Geologic Hazard Zones For K&S Ranch





CORRESPONDENCE

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3633 Ramona Circle
Palo Alto, CA 94306
650 494 2099
Fax: 650 494 2099

FAX TRANSMISSION COVER SHEET

Date: September 11, 2000
To: California Coastal Commission
Fax: 415 904 5400
Re: Public Hearing/ agenda # W17c
Sender: Edward Berkowitz

RECEIVED
SEP 08 2000
CALIFORNIA
COASTAL COMMISSION

YOU SHOULD RECEIVE 3 PAGE(S), INCLUDING THIS COVER SHEET. IF
YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 650 494 2099.

IN PROCEEDINGS BEFORE THE CALIFORNIA COASTAL COMMISSION

Agenda Item: W 17c
Permit No: A-2-SMC-00-028
OPPOSED
Edward H. Berkowitz

Honorable Ladies and Gentlemen of the Commission:

My name is Edward Berkowitz. I am a volunteer docent/naturalist with the California Department of Parks and Recreation. In that capacity I am often on the lands of Ano Nuevo State Reserve and interact with visitors, both from California and in great numbers from around the world.

In respect to the subject appeal, please take account of the prior interpretation of applicable law and the precedent established, by which development on the coast should not be visible from Highway 1, nor from State Park lands.

The site of the proposed development is clearly visible from Highway 1 and from a wide variety of locations within Ano Nuevo State Reserve from points well northwest of Franklin Point to the south western boundary of the Reserve ("South Point") near Ano Nuevo Island. The latter areas include high ground from which Pigeon Point is easily seen to the northwest and the included arc of visibility continues south to the vicinity of Davenport. The site of the proposed development is visible and presents intrusion on a magnificent coastal landscape.

Please note that State Park lands presently accessed from Whitehouse Creek road and sharing a common border with Big Basin State Park looks downwardly upon the proposed site.

A proposed barrier of trees is insufficient mitigation. While public policy should encourage addition of trees to this or any proposal, a screen of trees will not suffice. Such a proposed screen will not have any effect for decades, under the best conditions. Moreover, trees are subject to disastrous endemic diseases, as has been dramatically demonstrated for a variety of species in Northern California in recent months.

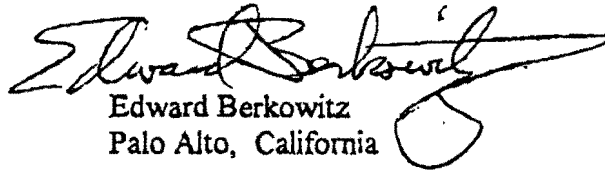
Trees will not eliminate a most annoying effect of typical domestic structures. Windows installed in the structure, at any orientation facing from South to Northwest at the proposed site, will produce annoying metallic reflections at various times from noon to sunset as seen from the Ano Nuevo State Reserve over the above mentioned arc from the neighborhood of the South Point of Ano Nuevo to points along the Gazos Creek Beach Access. A tree screen will simply divide the reflection from any one such window into any angle into an indefinite number of glaring reflections.

It is instructive for the Commission to consider the Costanoa development located about 800 yards to the northwest of the proposed site, along highway 1. There, a berm of

insufficient height and a regrettably insufficient number of trees fail to conceal this commercial development from highway 1. This is a clear example of a standard of mitigation that falls far short of the desired results, and the failure of public authority to require any remedial measure.

The proposed development is inordinately extensive and so far out of proportion to the character of this beautiful region of the San Mateo coast that I am appalled that the stated public policy of coastal preservation may be so evidently circumvented.

The Commission should act in this appeal to deny the permit and such action is respectfully solicited.


Edward Berkowitz
Palo Alto, California

September 9, 2000

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

In reference to: Permit Number A-2-SMC-00-028 Blank House

Dear Commissioners,

We wish to express our opposition to Steve Blanks proposal to build a 15,000 square foot mansion on a pristine hillside between Año Nuevo State Reserve and Big Basin Redwoods State Park. Enclosed is a map of Año Nuevo State Reserve for your reference. We urge you to look toward preserving the coastal view shed of one of the last remaining jewels of the California coastline. When voters established the California Coastal Act in 1976, it was with the idea of preserving the unique character of California's coastline for future generations. The State Coastal Conservancy sold this agriculture property to be preserved for agricultural uses. This home proposal has nothing to do with preserving agricultural use of the property, and everything to do with building a home on a knoll with an ocean view. The Blank House would be one of the largest, if not the largest, home on the southern San Mateo County coastline, and it would be readily visible from the surrounding State Park lands.

Californians are losing their ability to escape to wild areas, especially those so close to urban areas. We want to preserve the feeling one gets from visiting this "wild" area for our children, and their children. Año Nuevo's brochure describes this area: ***"Fifty-five miles south of San Francisco and the Golden Gate bridge, a low, rocky, windswept point juts out into the Pacific Ocean. The Spanish Maritime explorer Sebastian Viscaïno named it for the day on which he sighted it on 1603-Punta del Año Nuevo-New Year's Point. Today the point remains much as Viscaïno saw it from his passing ship-lonely, undeveloped, wild. It is a unique and unforgettable natural spectacle that hundreds of thousands of visitors come to witness each year."*** California's population is expected to rise to 43 million people in the next 40 years. We urge you to look out for the long-term interests of the people of California.

The proposed house is within the scenic corridor of Highway 1. The location will be impossible to hide from the adjacent State Park lands, even with the proposed screening trees. The trees proposed will take years to mature, and might never do the intended job. The three-story home is situated on a knoll, overlooking the surrounding coastal terrace. Although one of the stories will be underground, the height will still make the structure visible from adjoining Año

September 10, 2000

Nuevo State Reserve. The house is clearly visible from trails at Año Nuevo State Reserve. View sheds in the pristine North Año Nuevo Point vicinity, as well as the coastal bluffs between Cascade Creek and Whitehouse Creeks will be degraded by the home. The home would also be visible from the wilderness lands of Big Basin Redwoods State Park, and the Chalk Mountain Road. California State Parks will eventually open this road for visitor use, and the house stands out in contrast to the wild hillsides around it. The home would also be visible from the Monterey Bay National Marine Sanctuary.

Proposed mitigation measures such as weathered wood and earth tone paint will do little to hide this large structure. "Costanoa Resort," located just north of the proposed Blank mansion, is an example of a "mitigated" commercial coastal development whose measures failed. It is hard to hide an elephant, no matter what kind of paint, glass, roof color, or landscaping are attempted.

Development pressure now threatens the lands around Año Nuevo State Reserve, Año Nuevo State Park, and Big Basin. Just south of the proposed Blank House, a proposed 6,800 square foot by David Lee was recently appealed by the State Coastal Commission because of the impacts on Año Nuevo State Reserve. In addition, the Commission recently voted to deny a monster home for Brian Hinman on a ridge overlooking Año Nuevo. Much of the same problems exist with the Blank Home as the Hinman and Lee home proposals.

Environmental issues also concern us. The property contains a pond with endangered San Francisco Garter snakes. San Francisco Garter snakes use upland areas surrounding the pond sites and the impact of this home has not been fully evaluated. Already, a dirt road has been graded up a hillside above the pond and scars the hillside from the Highway One corridor. The proposed facilities may negatively impact endangered species habitat. In addition, the farm labor home and barns are proposed to come close to riparian corridors and will degrade these corridors through their close proximity. The creeks on the property flow into Año Nuevo State Reserve. Building the home, up on a ridge, will remove Douglas Fir and other native forest species, and has the potential to impact adjacent state park lands.

The Año Nuevo region remains much the same as it has for the past 100 years. The cumulative impact of all of these developments will destroy something intrinsic that Californians get from this stretch of relatively pristine coastline. From one lonely, 1200 square foot farm house that was on the property, how can a such a massive amount of development be permitted in the name of preserving coastal farm land? Approximately 20,200 feet of construction in four structures to "restore" this agricultural property is a farce.

In closing, we urge the Commission to find for a Substantial Issue Determination and deny the proposed Blank House permit. We urge a reduction in the height and square footage of the size of the house so that it will not be

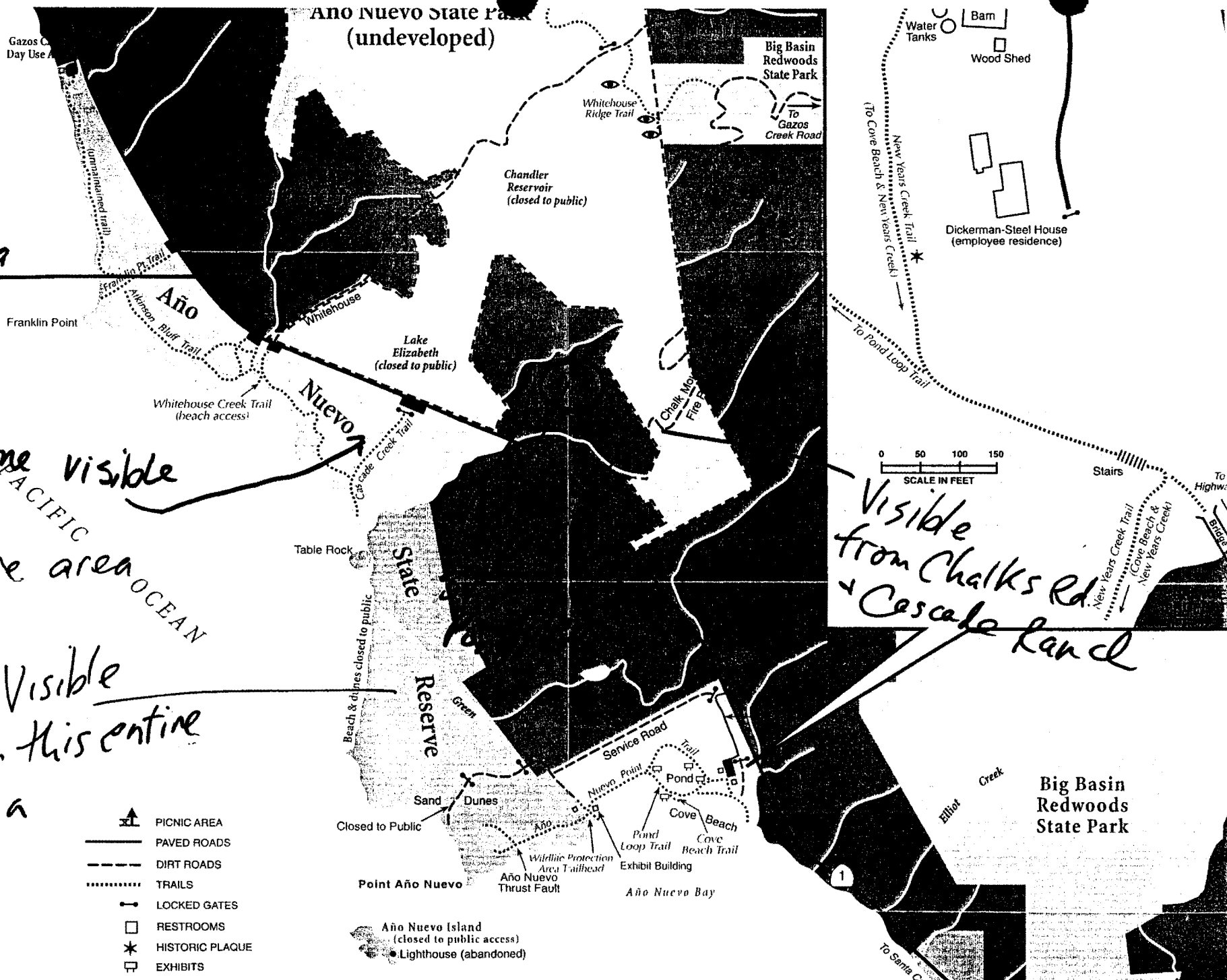
September 10, 2000

visible from surrounding State Park Lands. The massive 2200 square foot "farm labor" home should be eliminated, along with the "equipment barn" near the riparian corridors. The "horse barn" should either not be permitted on the prime agricultural property, or combined with the proposed "equipment barn" into one smaller structure. Alternatives exist to move the reduced scope home to a location where it will not impact negatively on adjacent state park lands. Please do not allow the destruction of one of the last "wild" areas of Bay Area coastline for future generations. Thank you for your consideration.

Sincerely,

Kevin Williams
Cheryl Williams
Kevin and Cheryl Williams

3201 Mulberry Drive
Soquel, CA 95073



Th 5b

Addendum

September 29, 2000

TO: Commissioners and Interested Persons

FROM: Steve Scholl, Deputy Director
North Central Coast District

SUBJECT: Addendum to Staff Report for **Appeal No. A-2-SMC-00-28 - STEVE BLANK** Appeal by Commissioners Wan & Potter from decision of County of San Mateo granting permit to Steve Blank for 15,000 sq.ft. single-family home with outlying bedrooms and underground tunnels, swimming pool, 2,500 sq.ft. equipment barn, 2,700 sq.ft. horse stable, and farm labor housing unit on 261-acres. (Hearing Date: Thursday, October 12, 2000, Item 5b)

Attached are COLOR figures regarding this appeal.

The following figures appear in the staff report in black and white and are presented in this addendum for a better visual representation.

Figure 3	Habitat Types
Figure 6	Site Area Map Designating View Corridors
Figure 7	View Corridor 1 (85 mm)
Figure 8	View Corridor 1 (460 mm)
Figure 9	View Corridor 2 (85 mm)
Figure 10	View Corridor 2 (460mm)
Figure 11	View Corridor 3 (85 mm)
Figure 12	View Corridor 3 (460 mm)
Figure 13	View Corridor 4 (85 mm)
Figure 14	View Corridor 4 (460 mm)

The following figures appear as attachments to Exhibit 5, Constraints Analysis and Visual Assessment:

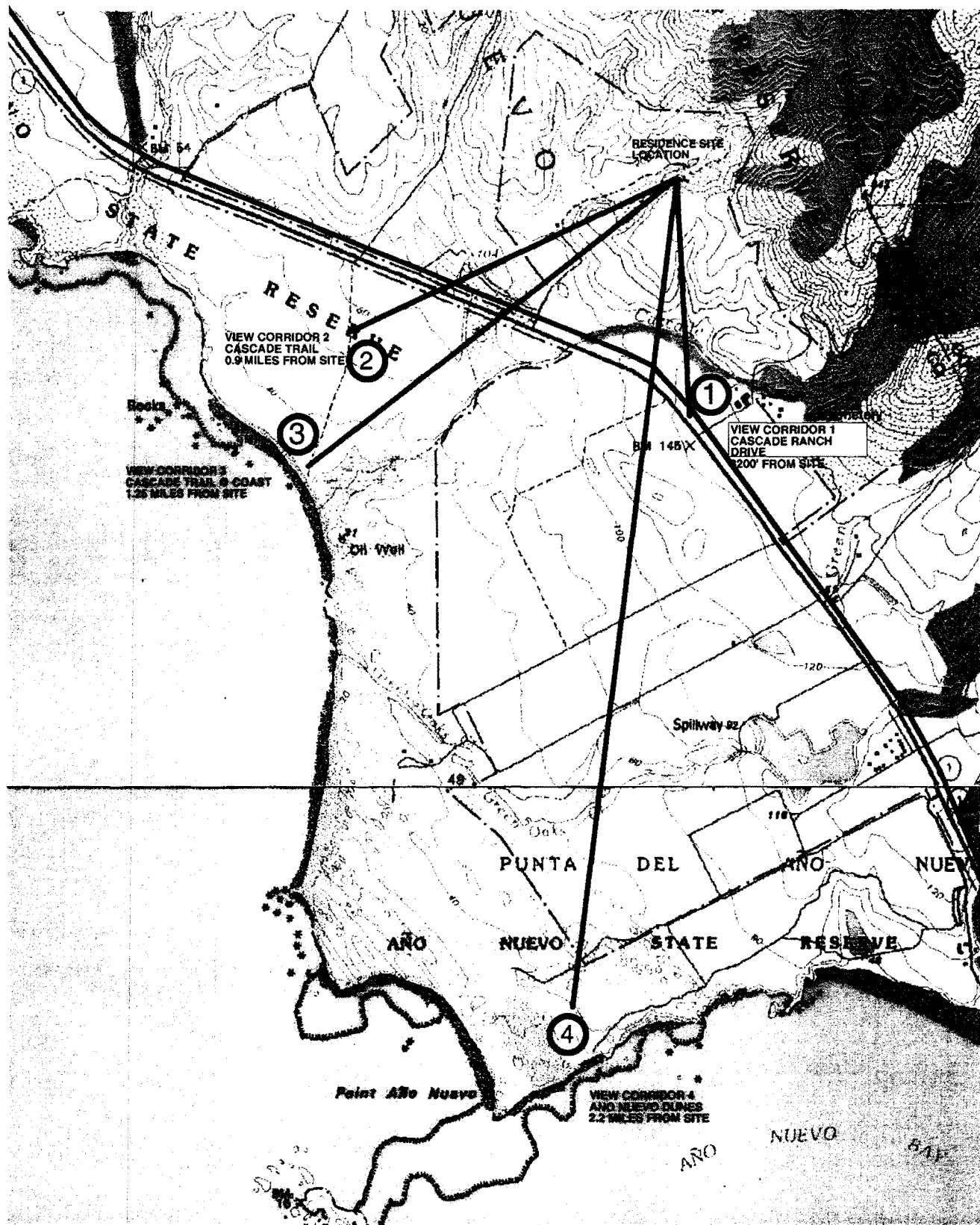
Map 1	Visual Analysis
Map 2	Prime Soils
Map 3	Sensitive Habitats
Map 4	Geologic Analysis
Map 5	Slope Study
Map 6	Building Sites Considered



Figure 2
3/00
230-01

K and S Ranch, San Mateo County
Existing Biological Resources
Figure 3 Application No. A-2-SMC-00-028 Habitat Types

Biotic Resources Group
Post Office Box 14 ♦ Santa Cruz, California 95063
(831) 476-4803 ♦ Fax (831) 476-8038



SITE AREA MAP DESIGNATING VIEW CORRIDORS

SCALE



Figure 6
Application No. A-2-SMC-00-028
Site Area Map Designating View Corridors

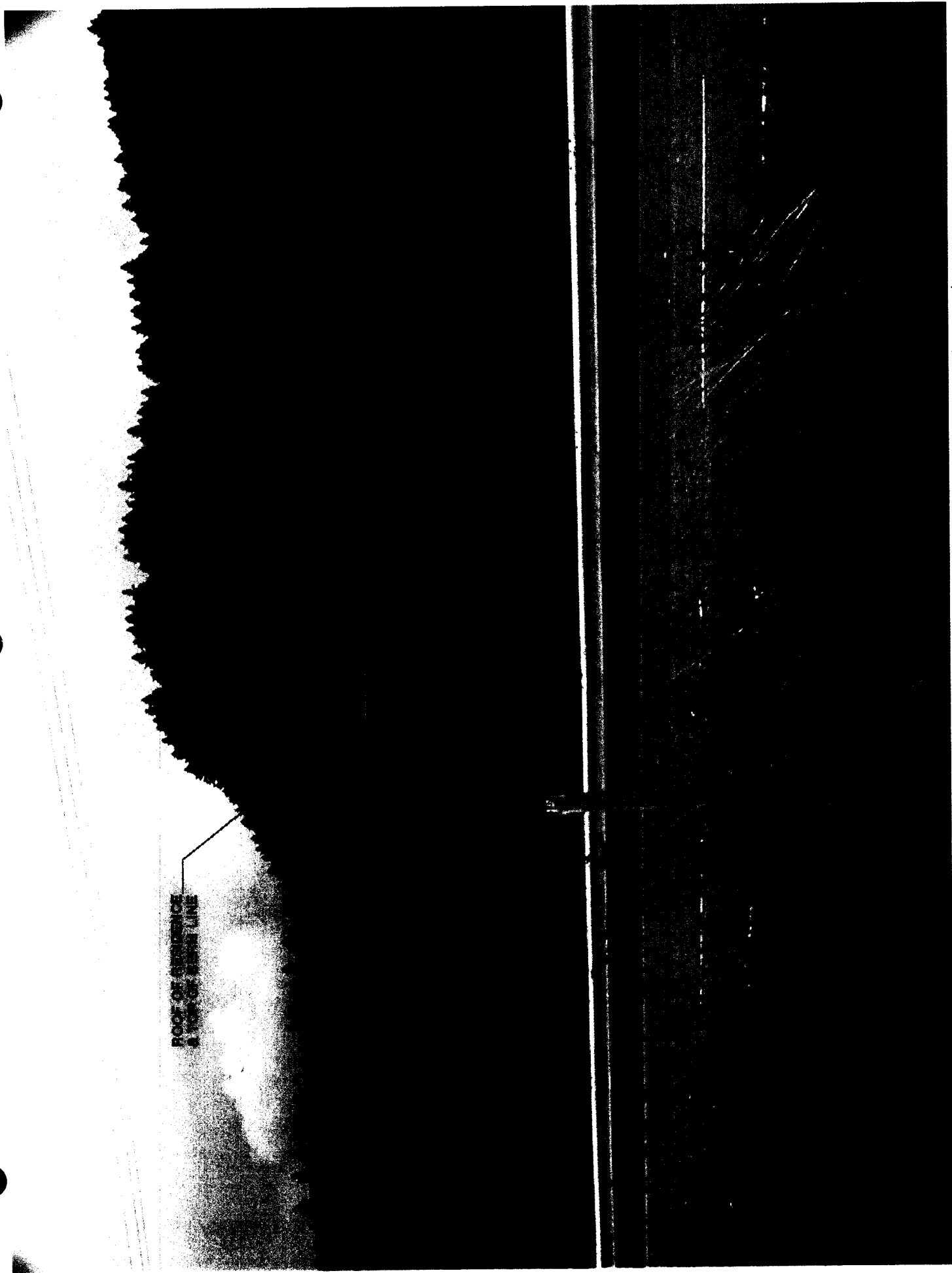


Figure 7 Application No. A-2-SMC-00-028 View Corridor 1 (85mm)

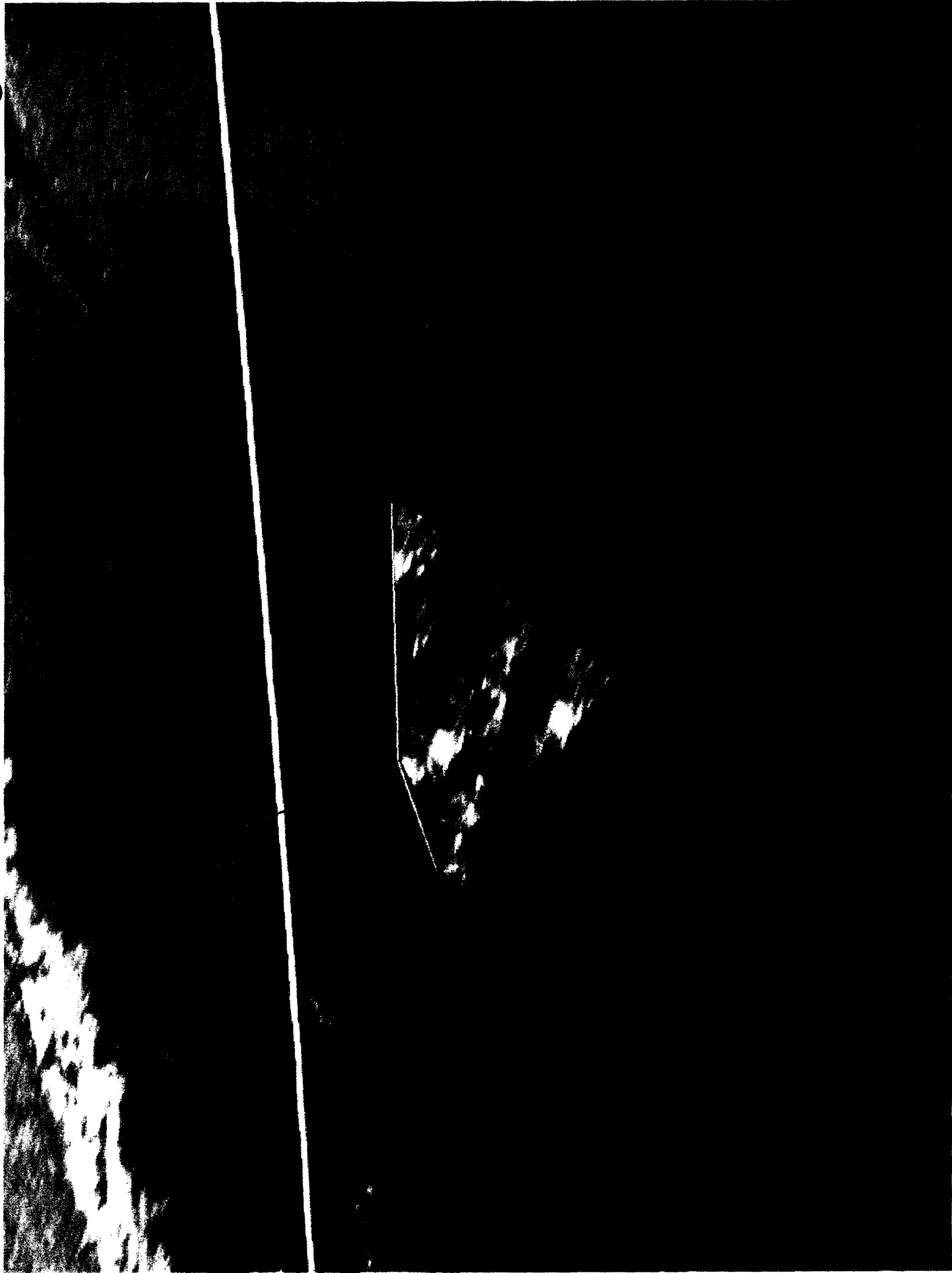


Figure 8 Application No. A-2-SMC-00-028 View Corridor 1 (460mm)



Figure 9 Application No. A-2-SMC-00-028 View Corridor 2 (85mm)



Figure 10 Application No. A-2-SMC-00-028 View Corridor 2 (460mm)

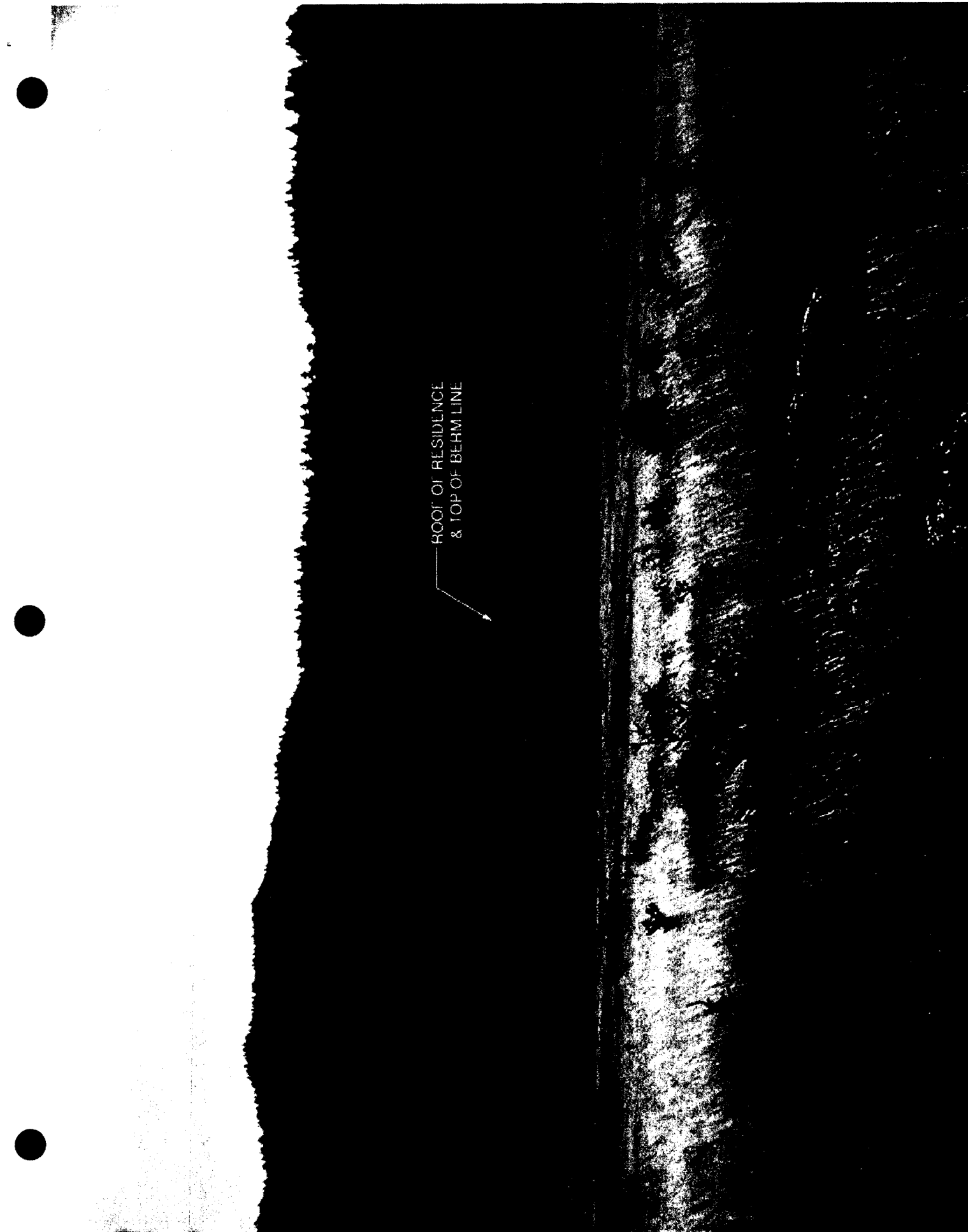


Figure 11 Application No. A-2-SMC-00-028 View Corridor 3 (85mm)



Figure 12 Application No. A-2-SMC-00-028 View Corridor 3 (460mm)



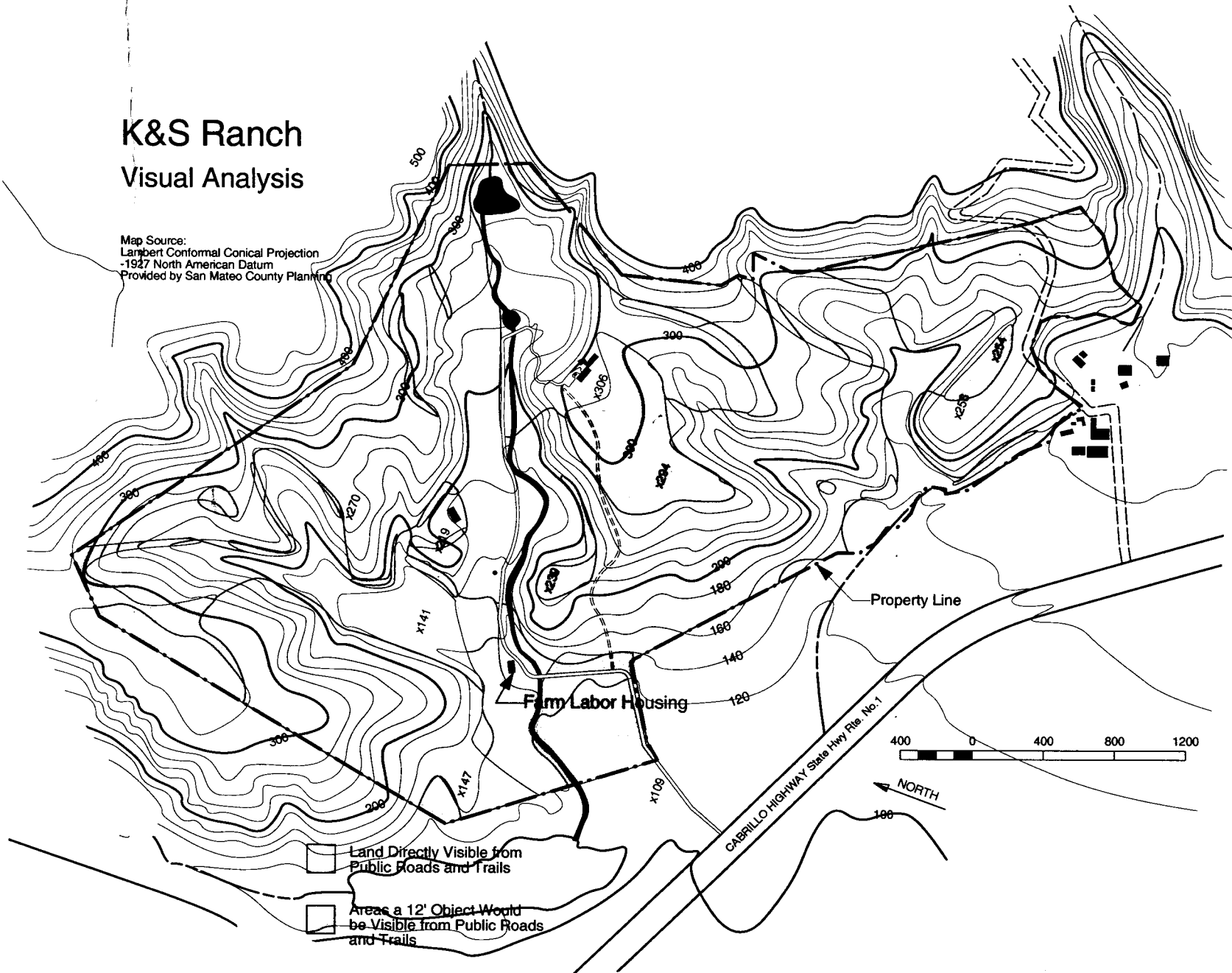
Figure 13 Application No. A-2-SMC-00-028 View Corridor 4 (85mm)



Figure 14 Application No. A-2-SMC-00-028 View Corridor 4 (460mm)

K&S Ranch Visual Analysis

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning

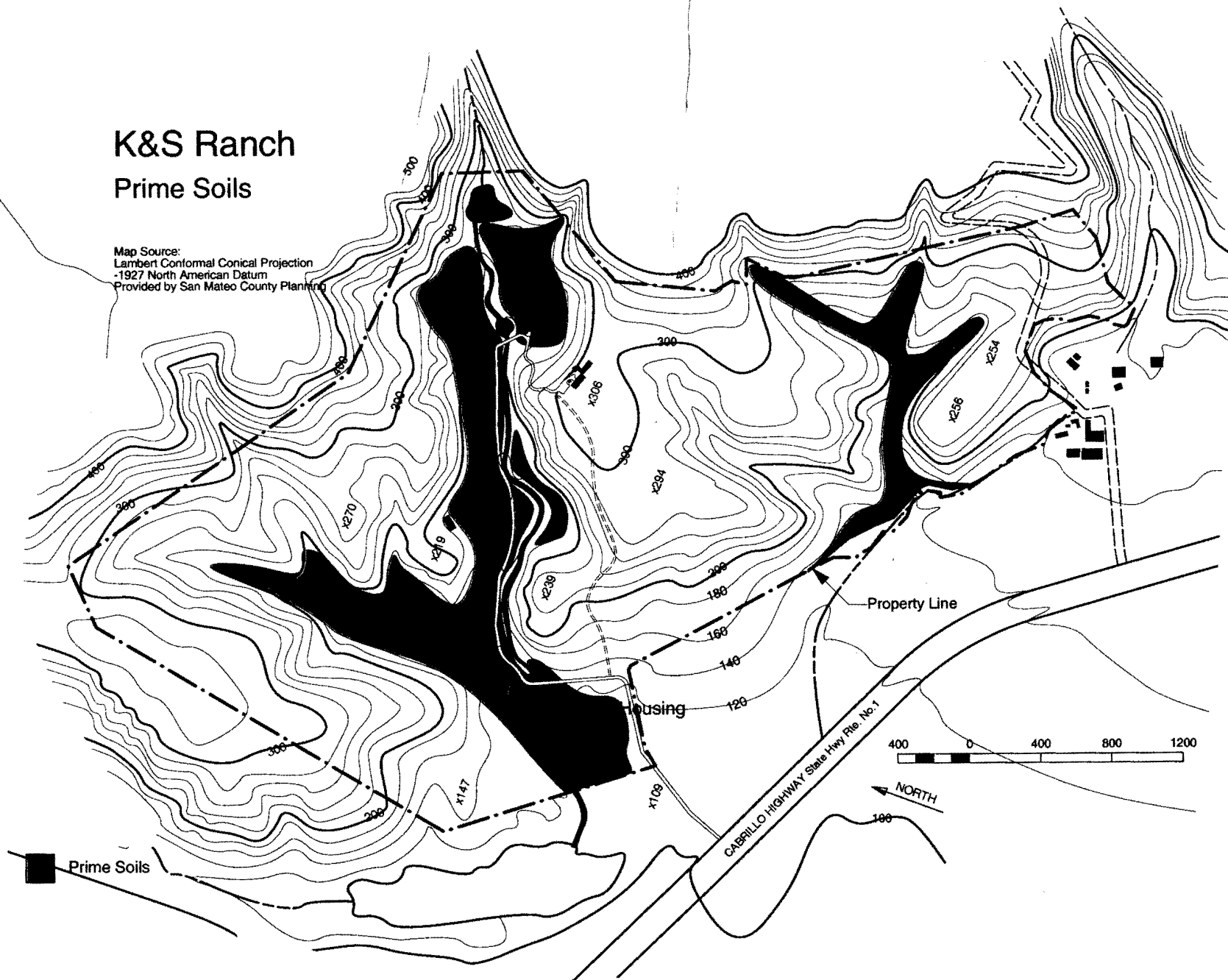


MAP 1



K&S Ranch Prime Soils

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning

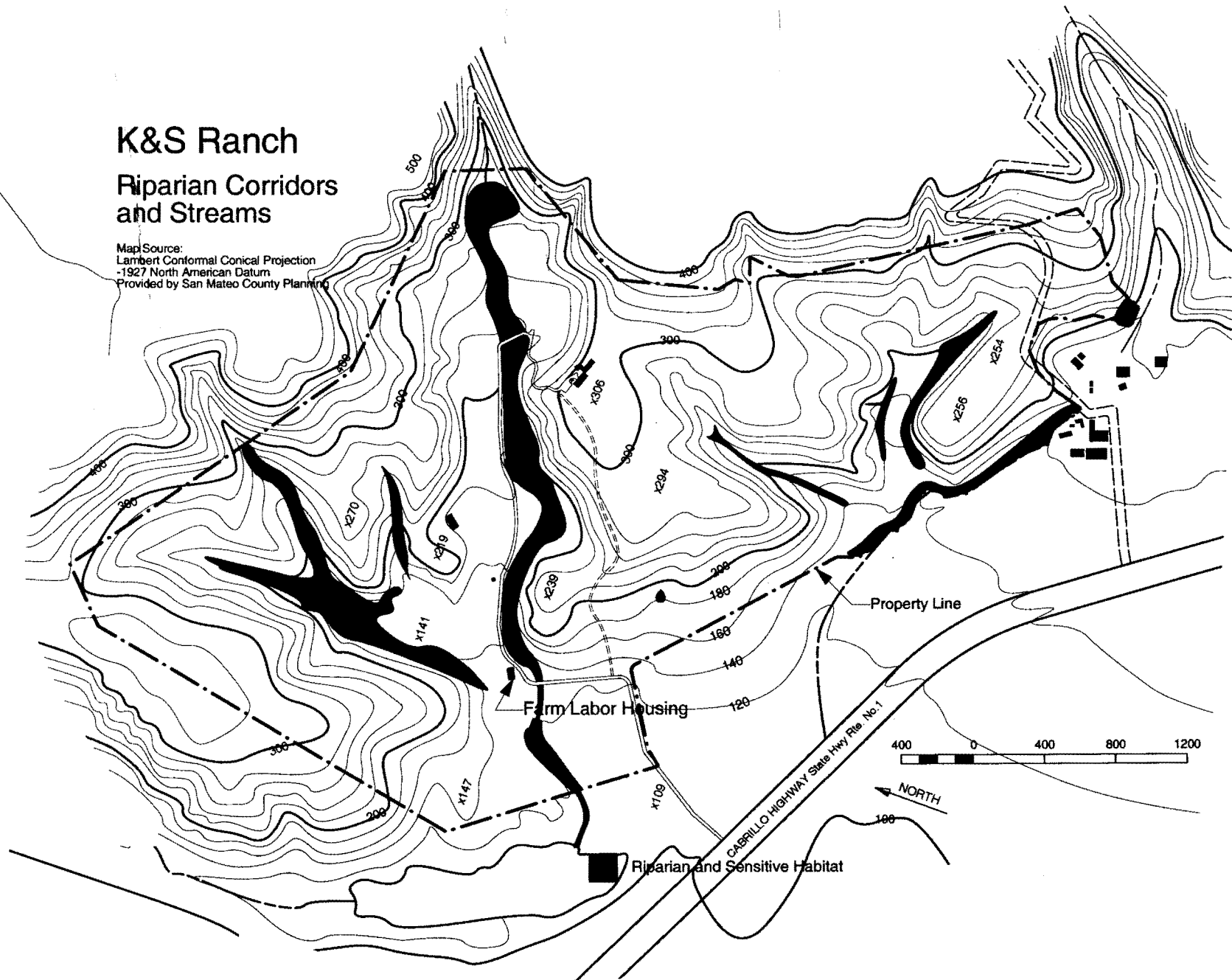


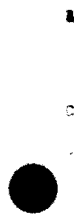


K&S Ranch

Riparian Corridors and Streams

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning

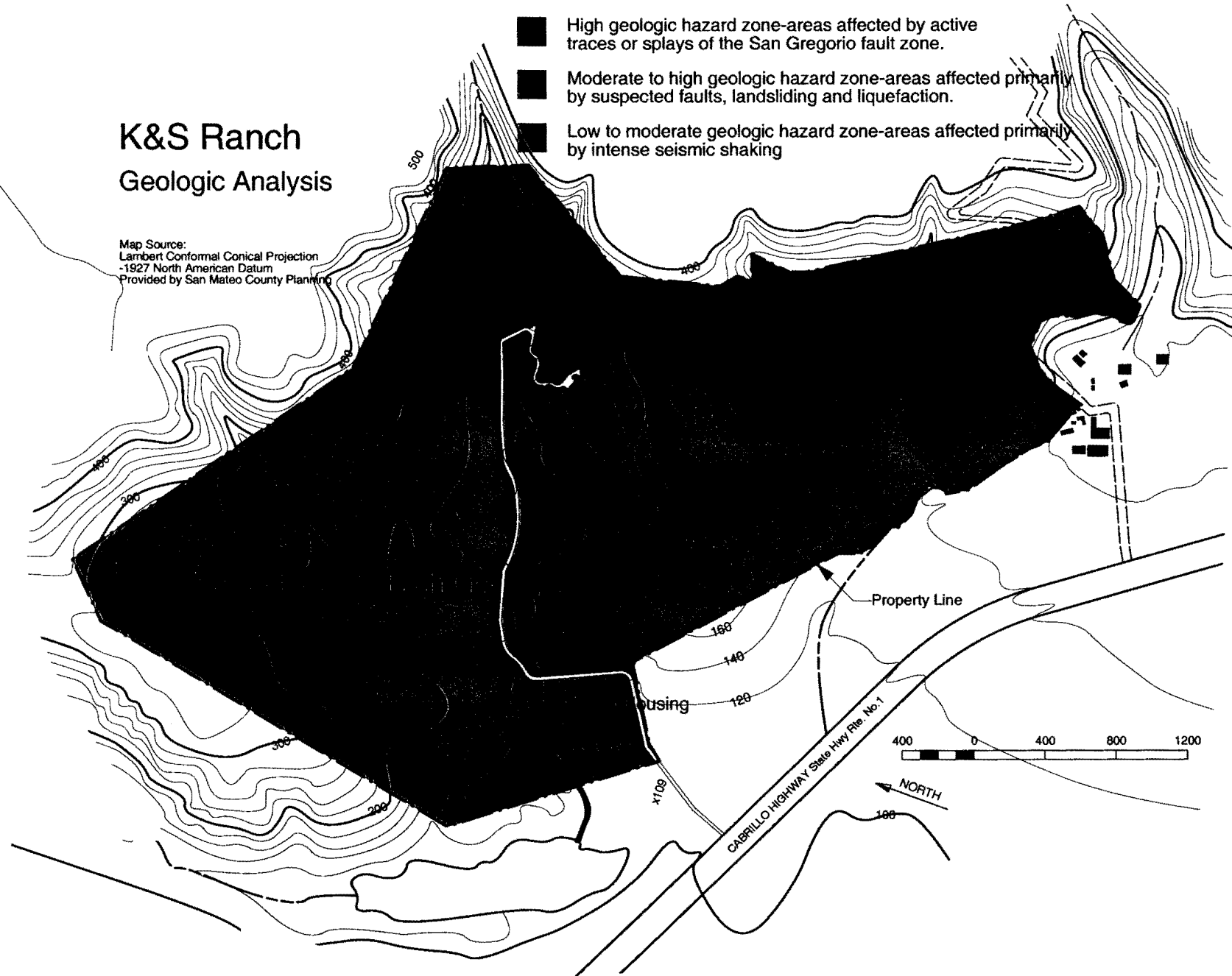




K&S Ranch Geologic Analysis

Map Source:
Lambert Conformal Conical Projection
-1927 North American Datum
Provided by San Mateo County Planning

- High geologic hazard zone-areas affected by active traces or splays of the San Gregorio fault zone.
- Moderate to high geologic hazard zone-areas affected primarily by suspected faults, landsliding and liquefaction.
- Low to moderate geologic hazard zone-areas affected primarily by intense seismic shaking

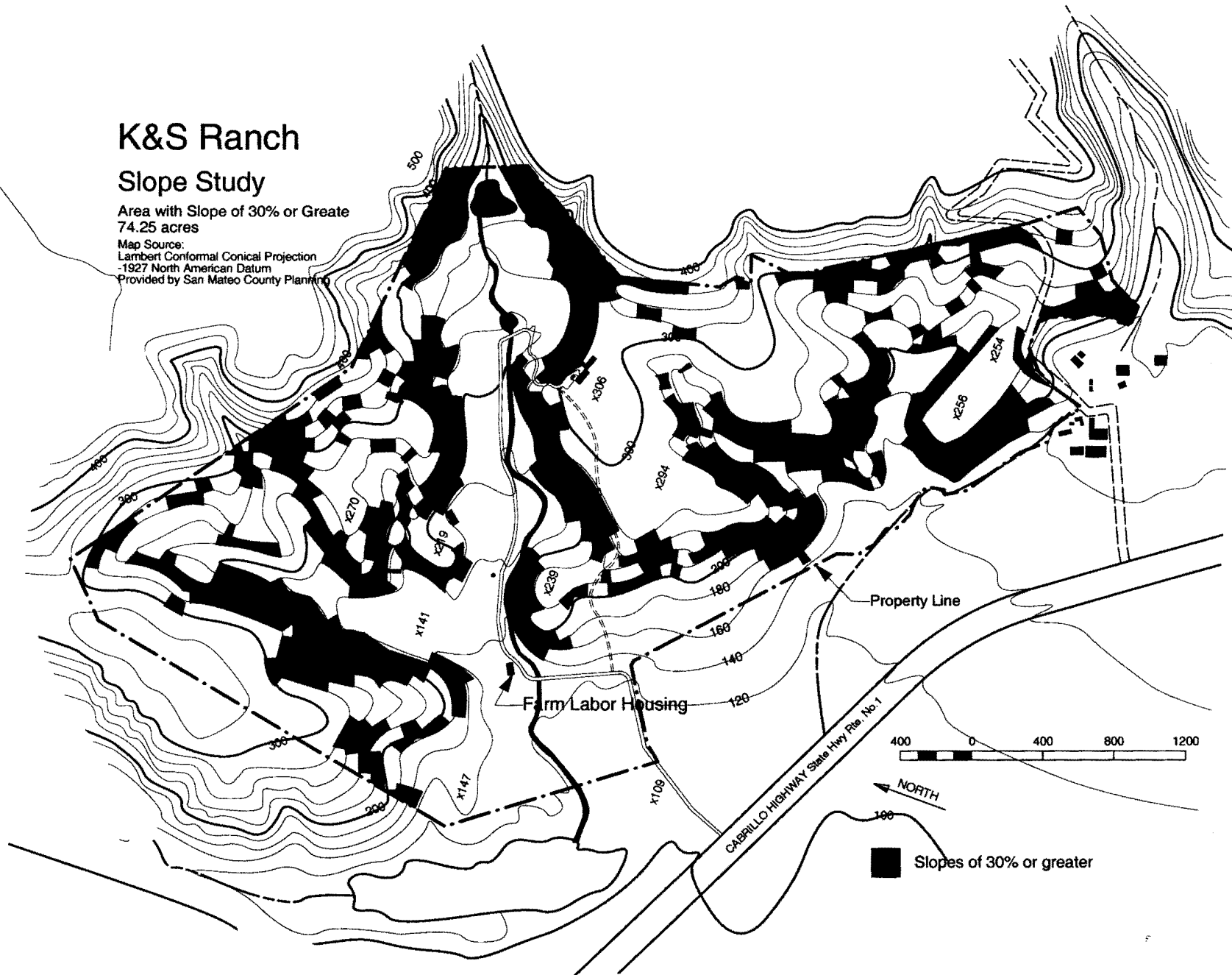


K&S Ranch

Slope Study

Area with Slope of 30% or Greater
74.25 acres

Map Source:
Lambert Conformal Conical Projection
1927 North American Datum
Provided by San Mateo County Planning



K&S Ranch

Building Sites Considered

Map Source:
Lambert Conformal Conical Projection
1927 North American Datum
Provided by San Mateo County Planning

