

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
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**F-5b****RECORD PACKET COPY**

Date Filed: May 14, 2001  
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Staff: PTI - SF  
Staff Report: July 20, 2001  
Hearing Date: September 14, 2001

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION FILE NO.:** 2-01-009

**APPLICANTS:** Rick and Joyce Lee

**PROJECT DESCRIPTION:** Subdivision of a 10,539 square foot lot into two lots of 5,169 and 5,370 square feet and construction of two multi-story single-family residences, 3,800 and 4,100 square feet respectively, parking, including a 400 square foot garage, three to six-foot tall retaining walls, and landscaping.

**PROJECT LOCATION:** 1215 Danmann Avenue, Pacifica, San Mateo County, APN 023-012-050  
(Exhibit 1)

**LOCAL APPROVALS:** Coastal Development Permit for subdivision (City of Pacifica CDP-161-99)

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**1.0 EXECUTIVE SUMMARY**

The applicants propose to subdivide a 10,539 square-foot lot into two lots of 5,169 and 5,370 square feet and construct two multi-story single-family residences of 3,800 and 4,100 square feet, parking, three to six-foot tall retaining walls, and landscaping (**Exhibit 4**, Project Plan). As proposed, the subdivision and residences do not constitute development that would adversely impact public access, public recreation, or visual or biological resources. Commission staff recommends approval with conditions to mitigate impacts related to polluted runoff.

The proposed project is located in the Pedro Point area of Pacifica in San Mateo County (**Exhibit 2**, Project Location Map). Although the City of Pacifica has a certified LCP, the project site is located on filled public trust lands over which the State retains a public trust interest. Therefore, pursuant to Section 30519 of the Coastal Act, the Commission maintains

development review authority. The standard of review that the Commission must apply to the project is the Chapter 3 policies of the Coastal Act. The policies of the City of Pacifica LCP serve as guidance only and are not the standard of review for this project.

## **2.0 STAFF RECOMMENDATION**

The staff recommends that the Commission approve Coastal Development Permit No. 2-01-009 subject to the conditions in Sections 2.1 and 2.2 below.

### ***Motion:***

I move that the Commission approve Coastal Development Permit No. 2-01-009 subject to conditions 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 Approve 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 Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. 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.

## **2.1 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 or 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.

## 2.2 Special Conditions

1. Construction Period Erosion Control Plan.

*Prior to the issuance of the coastal development permit*, the applicants shall submit, for review and approval of the Executive Director, an erosion control plan. The plan shall be designed to minimize the potential sources of sediment, control the amount of runoff, and retain sediment on-site during construction. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and ensure the application of nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff.

### A. Best Management Practices (BMPs)

1. The Erosion Control Plan shall include, at a minimum, the Best Management Practices specified below:
  - a. Install silt fencing as far from the mean high tide line as feasible, but in no case shall silt fencing be installed within 25 feet of the mean high tide line.
  - b. Control wind-born dust through site watering and/or the installation of wind barriers such as hay bales. Site watering shall be monitored to prevent runoff.
  - c. Establish construction staging areas at least 100 feet from the mean high tide line, and design these areas to control runoff.
  - d. Soil and/or other construction-related material stockpiled on site shall be placed a minimum of 100 feet from the mean high tide line. Stockpiled soils shall be covered with tarps at all times of the year.
  - e. Maintain and wash equipment and construction vehicles in confined areas specifically designed to control runoff and more than 100 feet away from the mean high tide line.
  - f. Provide sanitary facilities for construction workers.
  - g. Store, handle, apply, and dispose of pesticides, petroleum products, and other construction materials properly.
  - h. Develop and implement spill prevention and control measures that are adequate to minimize the risk of spills of hazardous substances, including but not limited to fuels, lubricants, paint, or solvents on the project site or into coastal waters.
  - i. Develop and implement nutrient management measures, including properly timed applications, working fertilizers and liming materials into the soil to depths of 4 to 6 inches, and reducing the amount of nutrients applied by conducting soil tests to determine site nutrient needs.
  - j. Provide adequate disposal facilities for solid waste, including excess asphalt, produced during construction. Excess fill shall not be disposed of in the Coastal Zone unless authorized through either an amendment to this coastal development permit or a new coastal development permit.
  - k. All pollutants contained in BMP devices shall be contained and disposed of in an appropriate manner.

2. The plan shall include, at a minimum, the following components:
  - a. 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.
  - b. a site plan showing the location of all temporary erosion control measures.
  - c. a schedule for installation and removal of the temporary erosion control measures.
- B. The applicants shall be fully responsible for advising construction personnel of the requirements of the Erosion Control Plan.
- C. The applicants shall undertake development in accordance with the final erosion control plan approved by the Executive Director. No proposed changes to the approved final erosion control plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Post-Construction Stormwater Pollution Prevention Plan.

- A. ***Prior to issuance of the coastal development permit***, the applicants shall submit, for review and approval of the Executive Director, a post-construction pollution prevention plan showing final drainage and runoff control measures. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site after completion of construction.
  1. The pollution prevention plan shall demonstrate that:
    - a. runoff from the project shall be prevented from entering the ocean.
    - b. runoff from all roofs 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.
    - c. appropriate vegetation around the splashguards shall be planted at the downspout outlets.
  2. The Post-Construction Stormwater Pollution Prevention Plan shall include, at a minimum, the components and Best Management Practices (BMPs) specified below:
    - a. The final site plan shall show the finished grades and the locations of the drainage improvements, including downspouts and splash guards.
    - b. Native or non-invasive drought-tolerant adapted vegetation shall be selected, in order to minimize the need for fertilizer, pesticides/herbicides, and excessive irrigation.
    - c. Irrigation within 100 feet of the shoreline is prohibited.

- d. Use vegetated filter strips to trap sediment contained in sheet flow. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
- e. The applicants shall modify site plans to specify that the parking areas and driveway shall not be paved, but instead constructed with semi-permeable surfaces such as gravel or concrete latticework.
- f. One year following the completion of construction of the approved development, the permittees shall submit to the Executive Director a landscaping monitoring report prepared by a qualified landscape architect, botanist, or horticulturalist. The report shall demonstrate successful revegetation of disturbed areas caused by the construction of the approved development to pre-development condition. If successful revegetation of the disturbed areas cannot be demonstrated, the report shall make suggestions as to how successful revegetation can be achieved. Subject to the review and approval of the Executive Director, the permittees shall implement the suggested remedial measures and provide a follow-up monitoring report one year following the implementation of the remediation.

B. The applicants 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 required.

3. Assumption of Risk, Waiver of Liability and Indemnity.

A. By acceptance of this permit, the applicant on behalf of (1) themselves, (2) their agents and assignees and (3) any other holder of the possessory interest in the development authorized by this permit, acknowledges and agrees:

(i) that the site may be subject to hazards from earth movement, (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to waive unconditionally any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

**B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicants shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction 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.

### **3.0 FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares as follows:

#### **3.1 Background**

The project property previously consisted of five lots (**Exhibit 3**). In 1985, the City merged the five lots into one pursuant to the City's Merger Ordinance and the County Assessor Parcel Office assigned the combined lot a new assessor parcel number (023-012-050). In 1998, the applicants applied to the City for a coastal development permit (CDP) to subdivide the lot as illustrated in **Exhibit 5**. The City Planning Commission approved the permit for the subdivision on December 6, 1999, but the permit was appealed at the local level based on neighbors' concerns regarding the delineation of the northern lot lines. The applicants resolved the issue by revising their local coastal development permit application to adjust the lot line landward, and the Planning Commission approved the coastal development permit on May 1, 2000.

Coastal Commission staff subsequently determined that the subdivision requires a CDP from the Coastal Commission in addition to the CDP approved by the City because the lot is located mostly over filled public trust lands and therefore is within the Commission's original permit jurisdiction. Evidence of the Commission's permit review authority is demonstrated in a 1996 boundary determination by the Commission's mapping division staff that includes the subject lot (**Exhibit 6**). The boundary determination shows that the Commission retains original permit jurisdiction over more than three-quarters of the property, with the City retaining permit authority only over the westernmost portion of the lot. In addition to the proposed subdivision, both proposed houses require a CDP approved by the Commission because the two proposed houses constitute development located within the Commission's original permit jurisdiction. The proposed house located on the proposed western lot (Parcel A) additionally requires a CDP from the City because the development would be partially located within the City's permitting jurisdiction.

#### **3.2 Site Description**

The 10,539-square-foot lot is located on filled public trust lands west of Danmann Avenue in the Pedro Point area of Pacifica, San Mateo County (**Exhibit 2**). The parcel, with street frontage of approximately 100 feet, slopes eastward away from Danmann Avenue and lies 8 to 10 feet below the roadway. Compacted fill sloping from the roadbed of Danmann Avenue extends some 15 feet onto the site. An old railroad berm north of the subject lot is elevated approximately 20 feet above the lot. The berm was constructed in the early 1900s to allow travel along the coast by the Ocean Shore Railroad.

The project site's land use designation is R-1, single-family residential. Amendment 1-93 to the City's Land Use Plan, certified by the Commission on September 17, 1993, redesignated the land use of the parcel from commercial to residential. (The Commission had not yet certified the City's Zoning Code at the time Amendment 1-93 was approved.) The findings to support the amendment note that the parcel is located in an area that neither attracts nor serves significant numbers of beach visitors and, therefore, that the redesignation would not impact visitor-serving commercial uses in the area.

### 3.3 Project Description

The applicants propose to subdivide the lot into two lots and construct two multi-story single-family residences of 3,800 and 4,100 square feet (**Exhibit 4**, Project Plan). House A, which fronts Danmann Avenue on the first lot, would be a three-story structure, with ground floor dimensions of approximately 35 feet by 60 feet, and lot coverage of approximately 2,100 square feet. The building has an overall height of 34 feet. The ground floor of House A is designated in the building plans as a "basement," and would be situated below the grade of the roadbed of Danmann Avenue to the west, but lies above ground, level with the graded project site, to the east. The second floor of the structure would be level with Danmann Avenue, with a driveway extending from Danmann Avenue to the garage existing at the southwest corner of the proposed structure. House B would be situated behind House A on the second lot, away from Danmann Avenue. House B also has three stories, with a building footprint of approximately 30 feet by 40 feet, or 1,200 square feet, and an overall height of 34 feet, eight inches. A free standing, single-story garage, 20 feet by 20 feet and 12 feet in height, is situated at the southeast corner of the second lot.

Site plans show a 10-foot setback of House A from Danmann Avenue, a setback of 20 feet for both houses from the railroad berm to the north, and a setback of five feet for House B from the eastern boundary of the second parcel. From the southern lot line, House A would be setback 25 feet, while House B would be set back forty-five feet. Each house would be setback five feet from the shared lot line of the two parcels, creating a total setback of ten feet between the two houses. The garage existing at the southeast corner of Lot 2 would be 10 feet from the eastern property line and 2.5 feet from the southern boundary.

Parking for House A would be provided by a single-car garage in the second floor of the structure facing Danmann Avenue and a carport with space for an additional two cars on the basement level at the southeast corner of the house. Parking for two cars for House B would be provided by the garage at the southeast corner of the second parcel. An easement over the eastern portion of the first parcel would allow vehicular access to the garage from Danmann Avenue.

To adjust for the south eastward slope of the site away from Danmann Avenue and the railroad berm, the plan includes the construction of a three-foot retaining wall along the northern wall of both houses, cutting into the slope. In addition, a three-foot tall keystone retaining wall is proposed along the northern property line of both parcels, abutting the railroad berm, and a six-foot tall concrete retaining wall is designed along the southern edge of both parcels. An additional retaining wall supports the driveway from Danmann Avenue to House A.

The applicants' landscaping plan shows placement of a palm tree at the northeast corner of Lot 1, and planter beds with agapanthus along the northern edge of both parcels and the eastern edge of parcel two. The plan also shows beds with shrubs along the northern edge of both houses and the western edge of House A (raphiolepis and phorum tenax), and a lawn between House B and the garage on Lot 2.

### 3.4 Biological Resources, Erosion and Polluted Runoff

Section 30231 of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30231 of the Coastal Act requires that any adverse effects of waste water discharges, entrainment and runoff be minimized to protect the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes.

The project site consists of a flat parcel, sloping eastward away from Danmann Avenue. The project site is bounded to the north by a railroad berm, approximately 20 feet high, that separates the site from San Pedro Valley Beach and the ocean. To the east, the property is bounded by a vacant parcel. A geotechnical report, prepared by Harold Lewis & Associates, dated July 27, 1999, characterizes surface soils on the site as very stiff, light brown, moderately plastic sandy silty clays, with an estimated thickness of 3 to 6 feet. These surface soils, according to the geotechnical report, are underlain by weathered and fractured Sandstone bedrock materials. Groundwater levels at the site stabilize at a depth of 20 to 25 feet, with minor seasonal fluctuations.

The project involves a moderate amount of grading to level the project site, and would require limited cutting into the fill supporting the roadbed beneath Danmann Avenue, which extends onto the western edge of Lot 1. Cut materials would be used to back fill against the retaining walls proposed at the property boundaries. Because the natural gradient of the site is away from the ocean and the property is situated behind a railroad berm, there is little danger of polluted runoff flowing directly into tidal areas. To address erosion that may occur during project construction, the applicants propose to place silt fencing and hay bales along the northern and eastern boundaries of the project site, across the natural gradient of the site. To ensure that adequate measures are taken to address impacts from erosion during construction, the Commission imposes **Special Condition 1**, requiring the applicants to submit, prior to issuance of the permit, a detailed construction period erosion control plan. The erosion control plan must incorporate the best management practices set forth in Special Condition 1A, including appropriate silt fencing and management of construction materials and hazardous substances. As conditioned, the erosion control plan will be sufficient to protect the biological productivity and the quality of coastal waters and is consistent with Section 30231 of the Coastal Act.

The coastal development permit is also subject to **Special Condition 2**, requiring review and approval of a post-construction stormwater pollution prevention plan by the Executive Director prior to issuance of the permit. As proposed, the project will create over 3,700 square feet of new impervious surface, including the rooftops of the residence and garage, and not including the paved driveway and, parking areas. To control runoff from the residence, the applicants propose to install rain gutters and down spouts on the roofs of both houses. Applicants propose



to divert runoff from House A by a drain pipe to the street and from House B to a 10-foot square by 5-foot deep drain box along the retaining wall at the eastern edge of Lot 2. Runoff from the garage and driveway would be dispersed by means of two 16 by 16-inch Christie boxes filled with 2-inch drain rock. **Special Condition 2** requires that the applicants modify site their proposed plans to specify that the parking areas and driveway shall be paved with semi-permeable surfaces such as gravel or concrete latticework to allow better seepage of runoff.

As conditioned, the Commission finds that the proposed development, is designed to protect the biological productivity and the quality of coastal water in conformance with Section 30231 of the Coastal Act.

### 3.5 Seismic and Geologic Hazards

Section 30253 states:

*New development shall:*

*(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

*(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The geotechnical report submitted by the applicants states that the site is not located in an area of potential surface subsidence, liquefaction, or potential landslides. The report further concludes that inundation from Tsumani waves is not considered to be a major hazard because of the placement of the railroad berm between the site and the ocean.

In discussing site stability, and in particular the proposed retaining walls, the geotechnical report concludes that the proposed retaining walls will increase slope stability and decrease existing slope inclinations, thereby "greatly reducing or eliminating" the potential for future sloughing or erosion of the railroad berm and roadway fill material. The report further generally concludes that from a soil and foundation engineering standpoint the site is suitable for the proposed construction.

The geotechnical report submitted by the applicants notes however that the site, as with the rest of the region, is considered to be one of the most seismically active regions in the United States. The northwest trending Seal Cove/San Gregorio, San Andreas, and Hayward Faults are respectively mapped approximately 2 miles southwest, 4 miles and 22.5 miles northeast of the site. The geotechnical report states that although seismology cannot yet accurately predict the time and location of earthquakes with precision, "it is reasonable to assume that the proposed residential buildings will be subjected to at least one moderate to severe earthquake." The report notes that the USGS predicts that a magnitude 7 or larger earthquake much closer to Pacifica than the 1989 Loma Prieta earthquake has a 50 to 70 percent probability of occurrence by 2018. Therefore, **Special Condition 3** requires the applicant, as landowner, to execute and record an assumption of risk deed restriction whereby the applicants, by accepting the permit and

undertaking construction of the project, acknowledge the potential seismic hazards and agree to release the Commission from and indemnify it against any liability for injury or damage resulting from such hazards. The Commission finds that **Special Condition 3** is required because the applicants have voluntarily chosen to implement the project despite the risk of hazards. Recordation of the deed restriction will also provide notice of potential hazards of the property and eliminate false expectations of potential buyers of the property, lending institutions, and insurance agencies that the property is safe for an indefinite period of time and for further development indefinitely into the future. In addition, the condition ensures that future owners will be informed of the Commission's immunity from liability and the indemnity afforded the Commission.

As conditioned, the Commission finds that the proposed project is consistent with Sections 30253 of the Coastal Act.

### 3.6 Public Access

Section 30210 of the Coastal Act states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211 of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212 of the Coastal Act states:

*(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects, except where:*

- 1. It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
- 2. Adequate access exist nearby, or,*
- 3. Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

The project parcel, which lies west of Cabrillo Highway, is located between the first public road and the sea. The project parcel is situated at the corner of Danmann Avenue and Shoreside Drive, a private road atop the old railroad berm paralleling the shoreline above San Pedro Valley Beach. Adequate public access to the beach presently exists from Danmann Avenue, adjacent to the parcel, from Halling Way, which parallels Danmann some 200 yards to the east, and from the point where San Pedro Avenue meets Beau Rivage, some 200 yards to the northwest.

The railroad berm, which abuts the north side of the project parcel, forms a natural boundary between the parcel and the shoreline. There is no record of historic beach access on the site, and direct access from the parcel is not possible because of the berm. Due to the location of the parcel, the topography of the site and the existence of adequate access nearby, the proposed development will not interfere with public access to the shoreline and will have no other significant adverse impacts on existing or potential public access. Therefore, the Commission finds that the proposed project is consistent with Sections 30210, 30211, and 30212 of the Coastal Act.

### **3.7 Environmentally Sensitive Habitat**

Section 30240(b) of the Coastal Act states:

*Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

The subject parcel is relatively small, roughly 100 by 110 feet, and is situated in an urbanized area with a mix of residential and commercial uses. The 20-foot high railroad berm at the northern property boundary separates the parcel from San Pedro Valley Beach and ocean to the north. The applicants submitted a biological assessment of the parcel by Thomas Reid Associates dated April 2001. The assessment states that no sensitive habitats or species were found within the proposed building areas on the property or adjacent to the property. According to the report, vegetation on the 1/4 acre site, which at the time of the site visit had largely been cleared, consists primarily of weedy exotics, such as coyote brush (*Baccharis pilularis*), sow thistle (*Sonchus oleraceus*), and French broom (*Genista monspessulana*). The report states that the site does not provide habitat for sensitive, threatened, rare, or endangered plant or animal species and does not support any sensitive biological resources.

Therefore, the proposed development on the site will cause no direct impact to sensitive habitats. Since there are no environmentally sensitive habitat areas on or adjacent to the project site, the proposed development creates no conflict with Section 30240(b) of the Coastal Act. As conditioned to mitigate any impacts from erosion or polluted runoff, discussed above, the proposed development will also not indirectly adversely affect the biological productivity or quality of coastal waters. The Commission therefore finds that the proposed development is designed to prevent impacts to environmentally sensitive habitat areas in conformance with Sections 30240(b) of the Coastal Act.

### **4.0 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 that 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 which would substantially lessen any significant adverse effects which the activity may have on the environment.

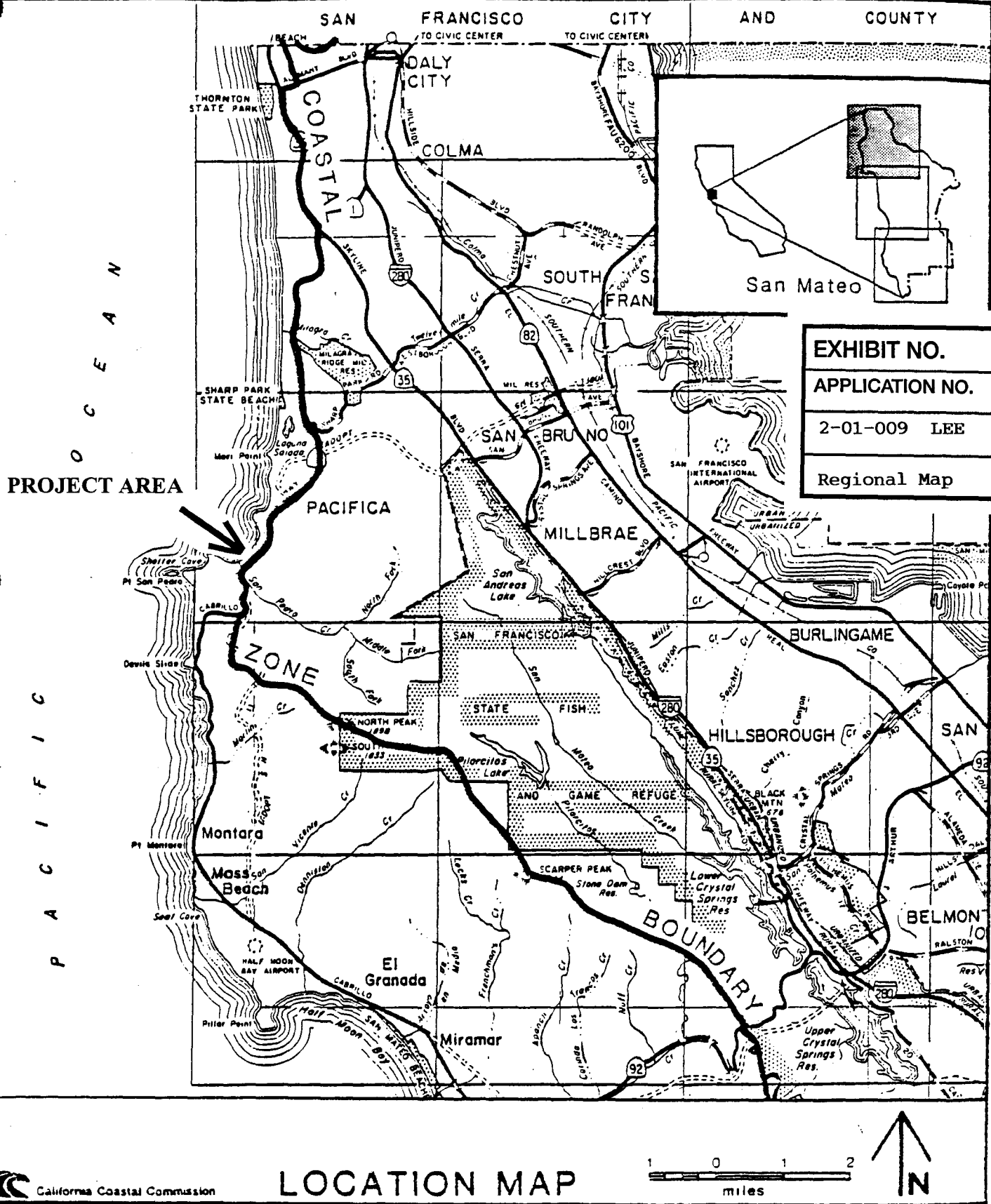
The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. As discussed above, as conditioned, there are no feasible alternatives or feasible

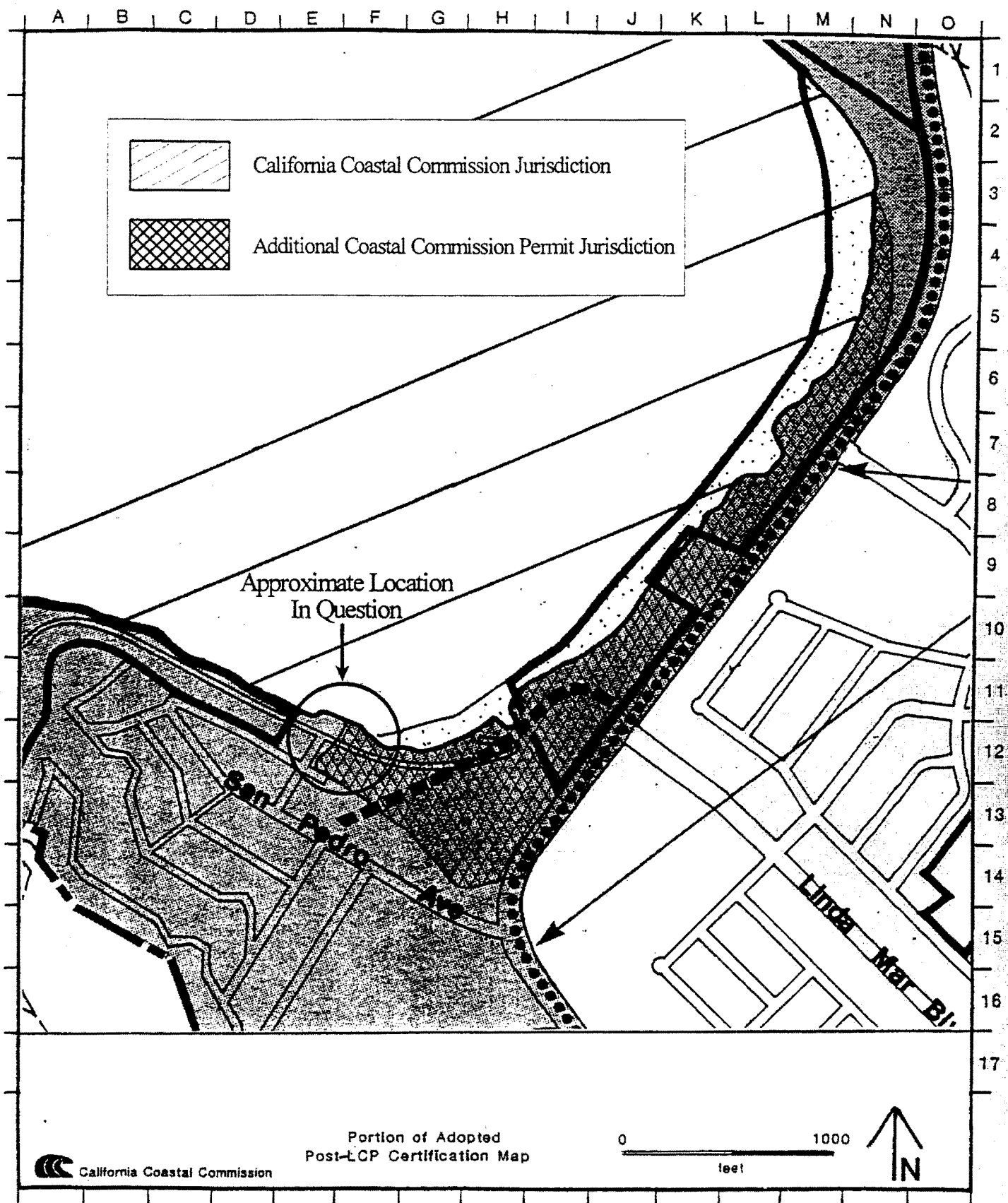
mitigation measures available, beyond those required, which would substantially lessen any significant adverse impacts which the development may have on the environment. Therefore, the Commission finds that the proposed project has been conditioned to mitigate the identified impacts and can be found consistent with Coastal Act requirements to conform to CEQA.

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**EXHIBITS:**

1. Regional map
2. Project location map
3. Assessor parcel map, Configuration of lots before merger in 1985
4. Project site plans, floor plan, and residence elevations
5. Proposed subdivision
6. 1996 boundary determination by Commission mapping division staff



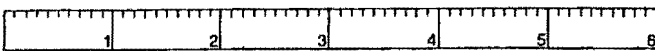


City of Pacifica

BD No. 27-2001  
APN 023-073-20

EXHIBIT NO.	2
APPLICATION NO.	
2-01-009	LEE
Project location map	

1-800-345-7334



SCALE IN 1/10 OF AN INCH

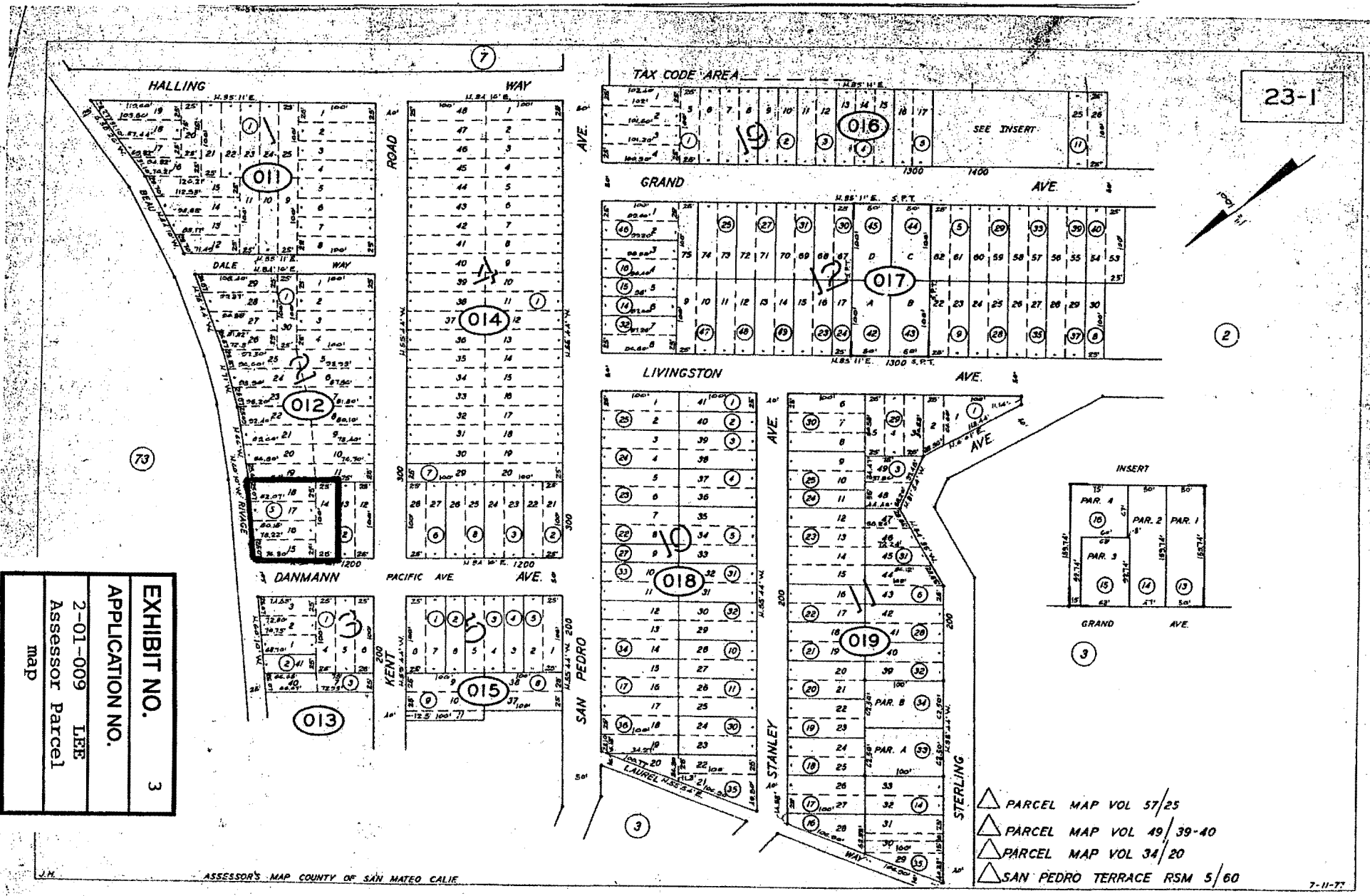
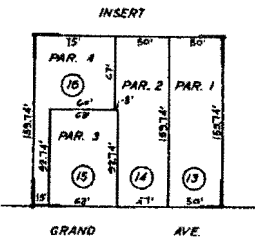


EXHIBIT NO. 3  
APPLICATION NO. 2-01-009 LEE  
Assessor Parcel map



- △ PARCEL MAP VOL 57/25
- △ PARCEL MAP VOL 49/39-40
- △ PARCEL MAP VOL 34/20
- △ SAN PEDRO TERRACE RSM 5/60

APR 13 2001

DANMAN AVENUE (50' WIDE)

ASPHALT PAVEMENT



~~City of Pasadena - San Marino Library, CA.~~

FBI: 032-01-050  
 THIS PROPERTY IS ZONED R-1  
 THE PROPOSED USE OF THIS PROPERTY  
 A TWO FAMILY RESIDENTIAL  
 A SINGLE RESIDENT WITH FREESTANDING  
 FRONT PORCH, REAR PORCH AND  
 REAR PORCH, A.C.  
 ALL UTILITIES ABOUT THE PROPERTY  
 OVERHEAD LINES SHALL BE  
 ALL EXISTING IMPROVEMENTS THAT  
 SHALL BE PAID FOR BY OWNER OF SUBJECT  
 PROPERTY AS SHOWN BY THE CITY ENGINEER.  
 CONTOUR MAPS SHALL BE ONE FOOT

EXISTING TOPOGRAPHY  
SITE PLAN

LANDS OF CALSON

**APPLICATION NO.**

2-01-009 LEE

Project site  
plans

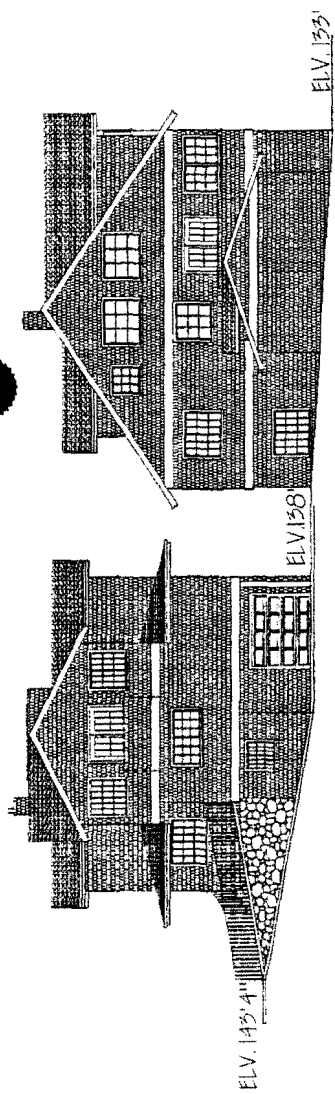
RICHARD LEE DESIGNS  
704 CORONA DRIVE  
PACIFICA, CA 94044  
(650) 359-9685

RICK & JOYCE LEE  
2311 PALMETTO AVE.  
PACIFICA, CA.

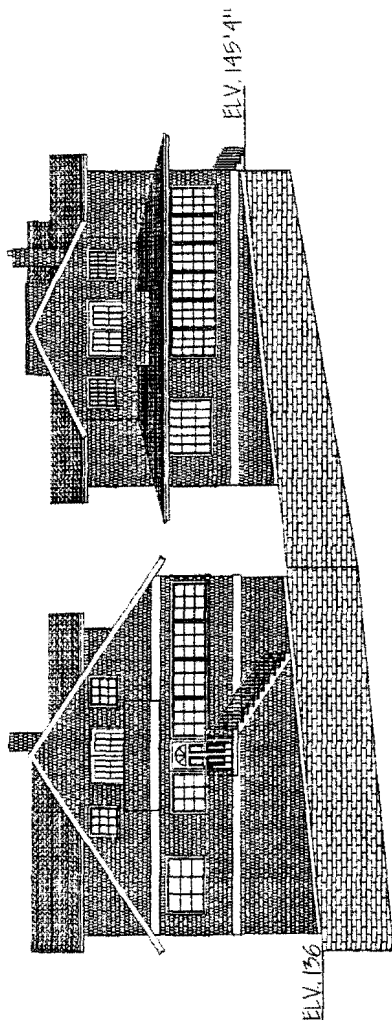
EXISTING TOPOGRAPHY  
SITE PLAN

SCALE: 8' = 1" DATE: 01/01





VIEW FROM FIREHOUSE



VIEW FROM LEVEE



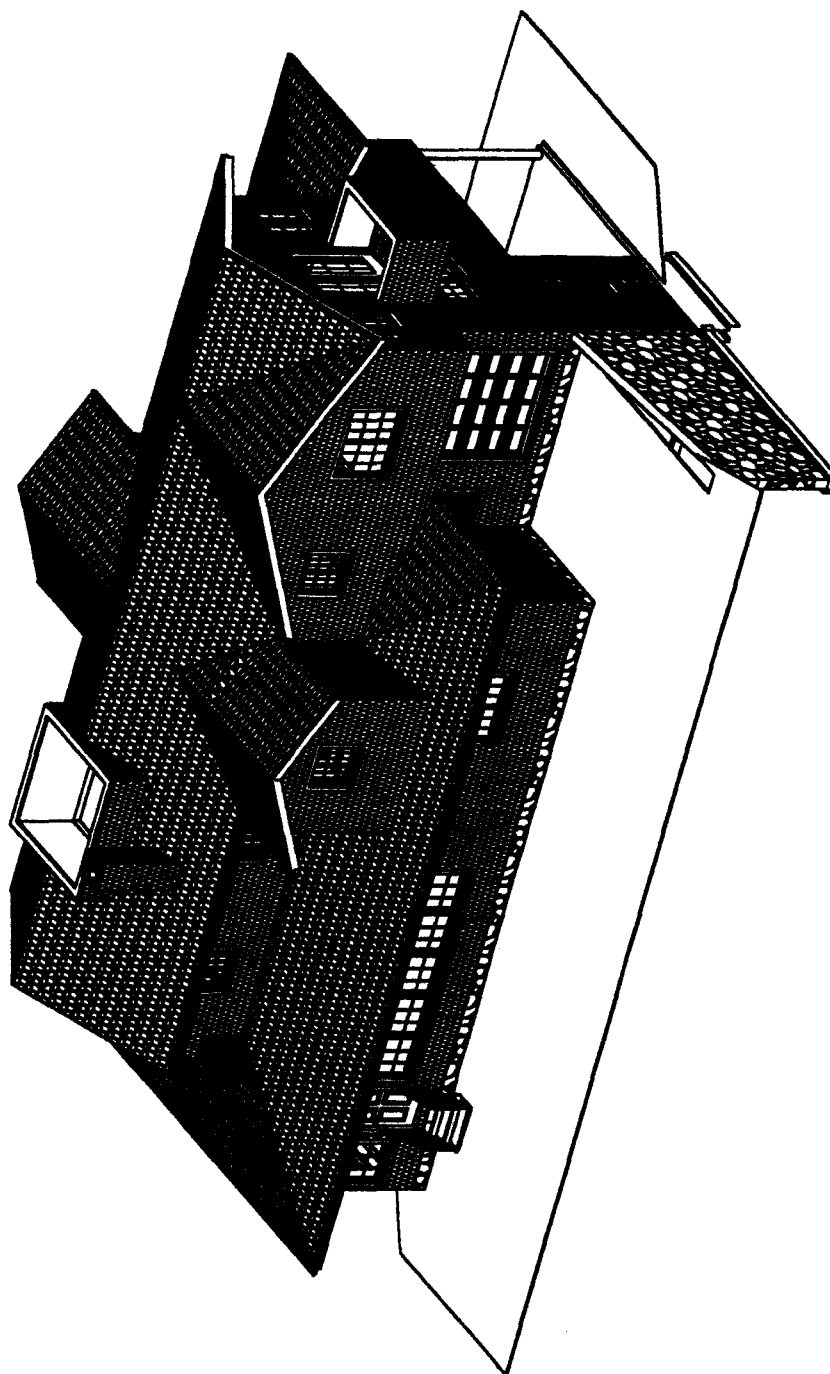
VIEW FROM DANMAN

STREET ELEVATIONS

RICK & JOYCE LEE  
2311 PALMETTO AVE.  
PACIFICA, CA

RICHARD LEE DESIGNS  
704 CORONA DRIVE  
PACIFICA, CA 94044  
(650) 550-9685

DATE: NONE  
DWN: 2/1/2010  
SHEET: 3

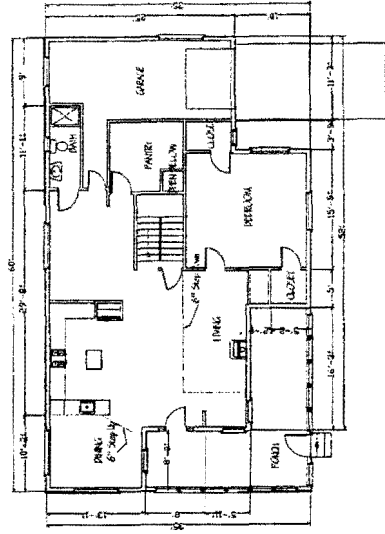


# HOUSE A FLOOR PLANS

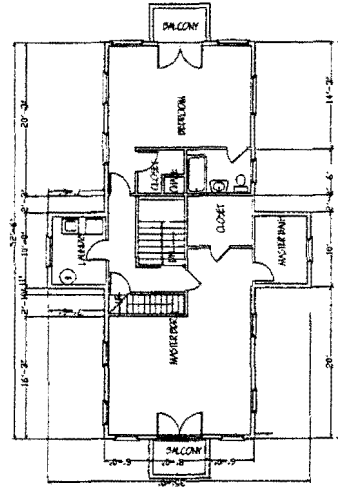
RICK & JOYCE LEE  
2311 PALMETTO AVE.  
PACIFICA, CA.

RICHARD LEE DESIGNS  
704 CORONA DRIVE  
PACIFICA, CA. 94044  
(650) 358-9685

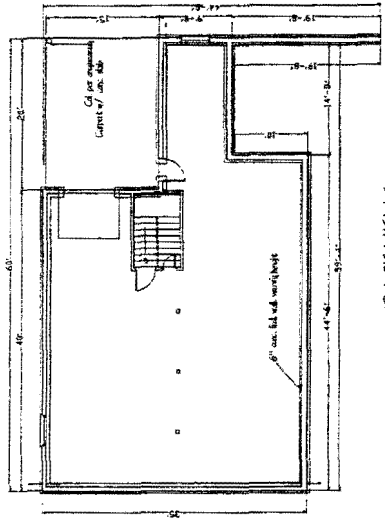
SCALE: 1/8" = 1'  
DATE: 2/20/01  
SHEET: 5



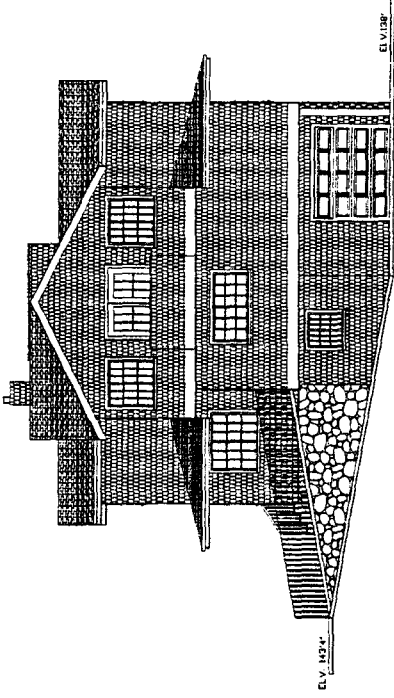
MAIN FLOOR



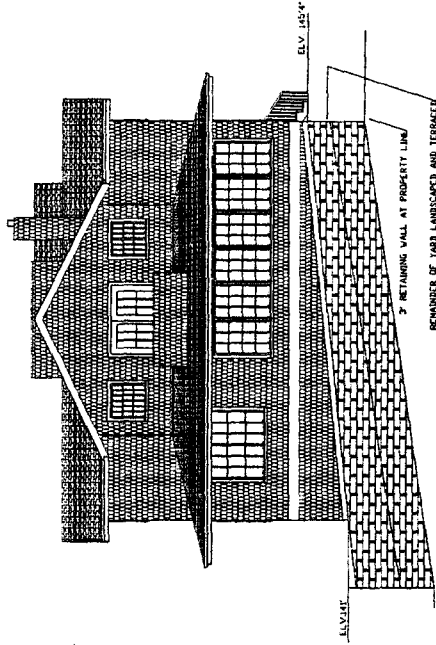
UPPER FLOOR



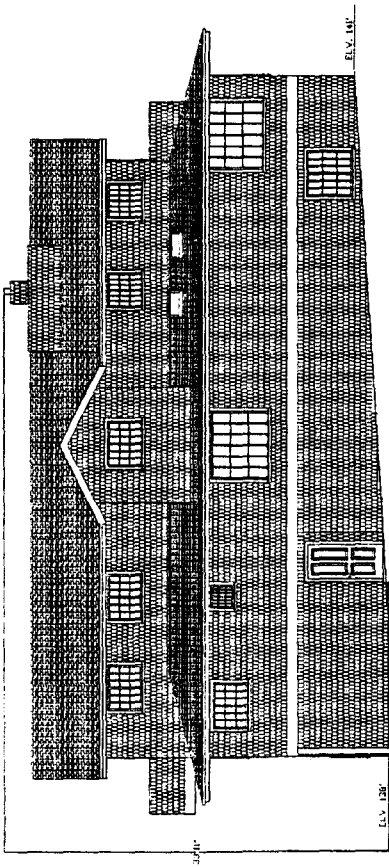
BASEMENT



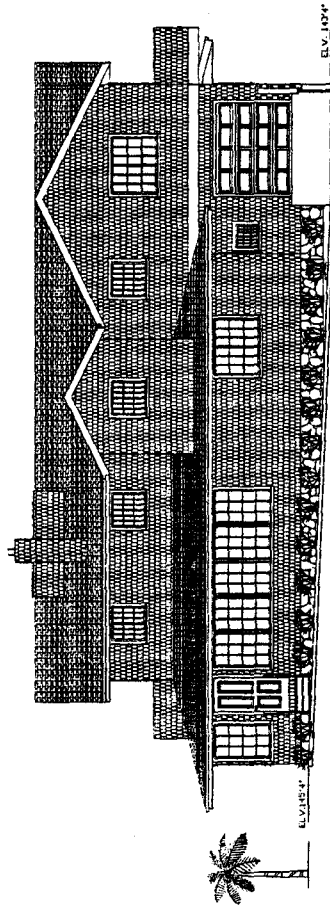
FROM FIREHOUSE FACING NORTH



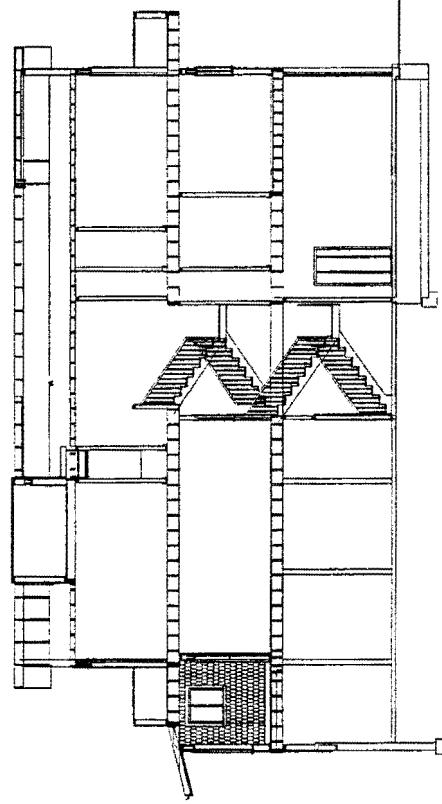
FROM LEVEE FACING SOUTH



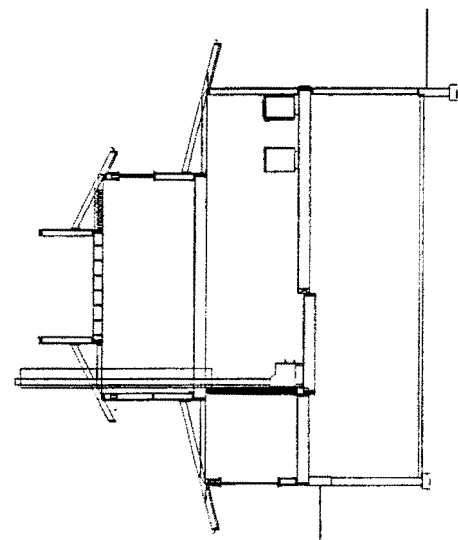
FROM OPEN LOT FACING WEST



FROM BANAMAN FACING EAST

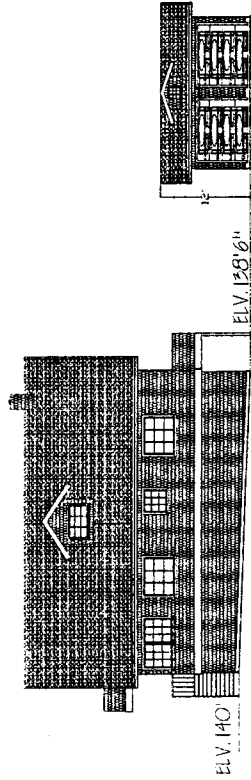
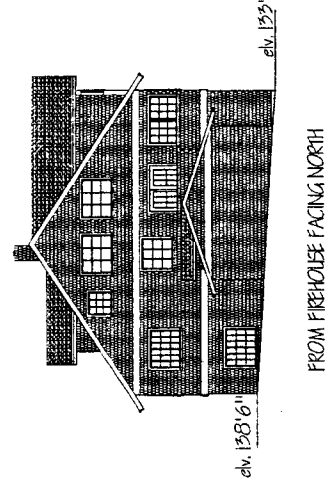
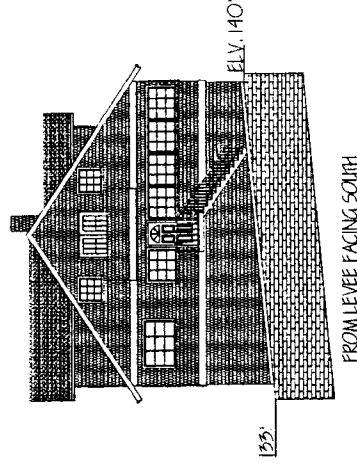
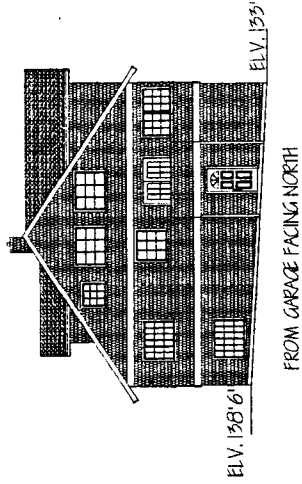


FACING EAST

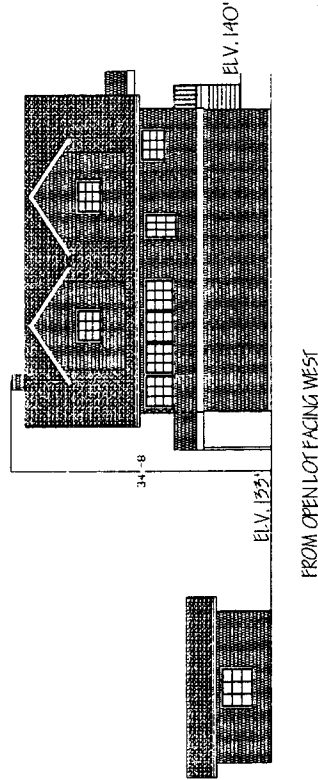


FACING SOUTH



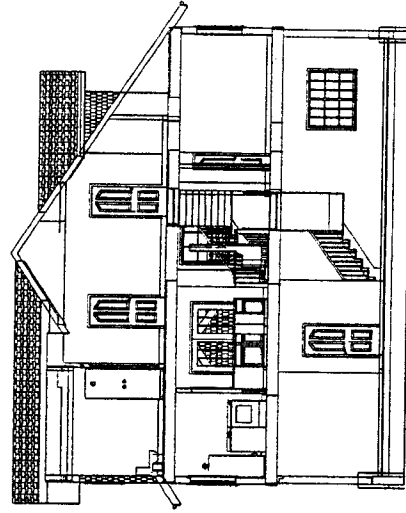


FROM DRIVEWAY FACING EAST

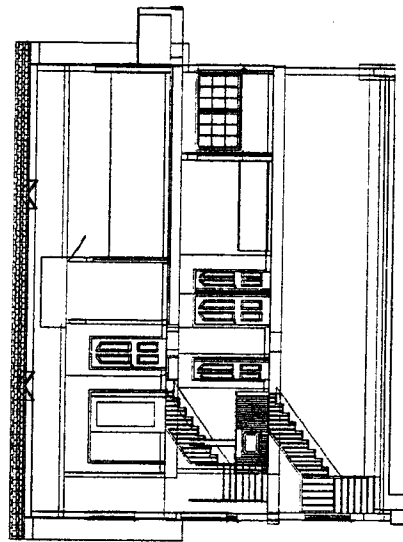


FROM OPEN LOT FACING WEST

NOTE: ALL EAVE OVERHANGS TO BE 24"



FACING SOUTH



FACING EAST

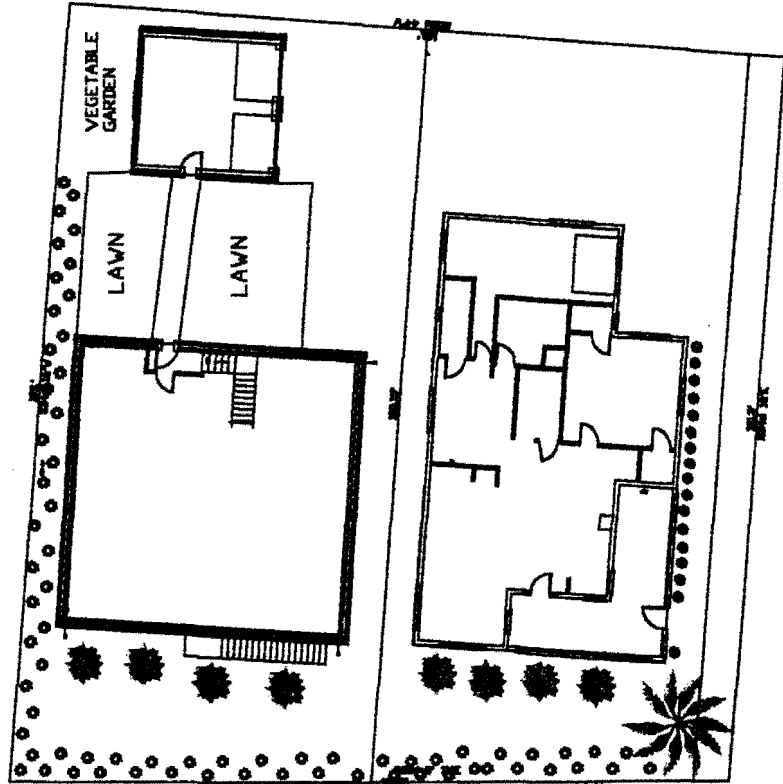


# LANDSCAPE LEGEND

- 15 qd. — PALM SABAL - 1
- 5 qd. — RHAPHIOLEPIS INDICA - 17
- 1 qd. — ACAPANTHUS AFRICANO - 69
- 2 qd. — PHORUM TENAX - 8
- 5 qd. — BOUGAINVILLEA - 5

NOTE:  
NO TREES ON EXISTING SITE

LOT A - 28% LANDSCAPING  
LOT B - 40% LANDSCAPING



# EROSION CONTROL PLAN

RICK & JOYCE LEE  
2311 PALMETTO AVE.  
PACIFICA, CA

RICHARD LEE DESIGNS  
704 CORONA DRIVE  
PACIFICA, CA 94044  
(650) 559-9685

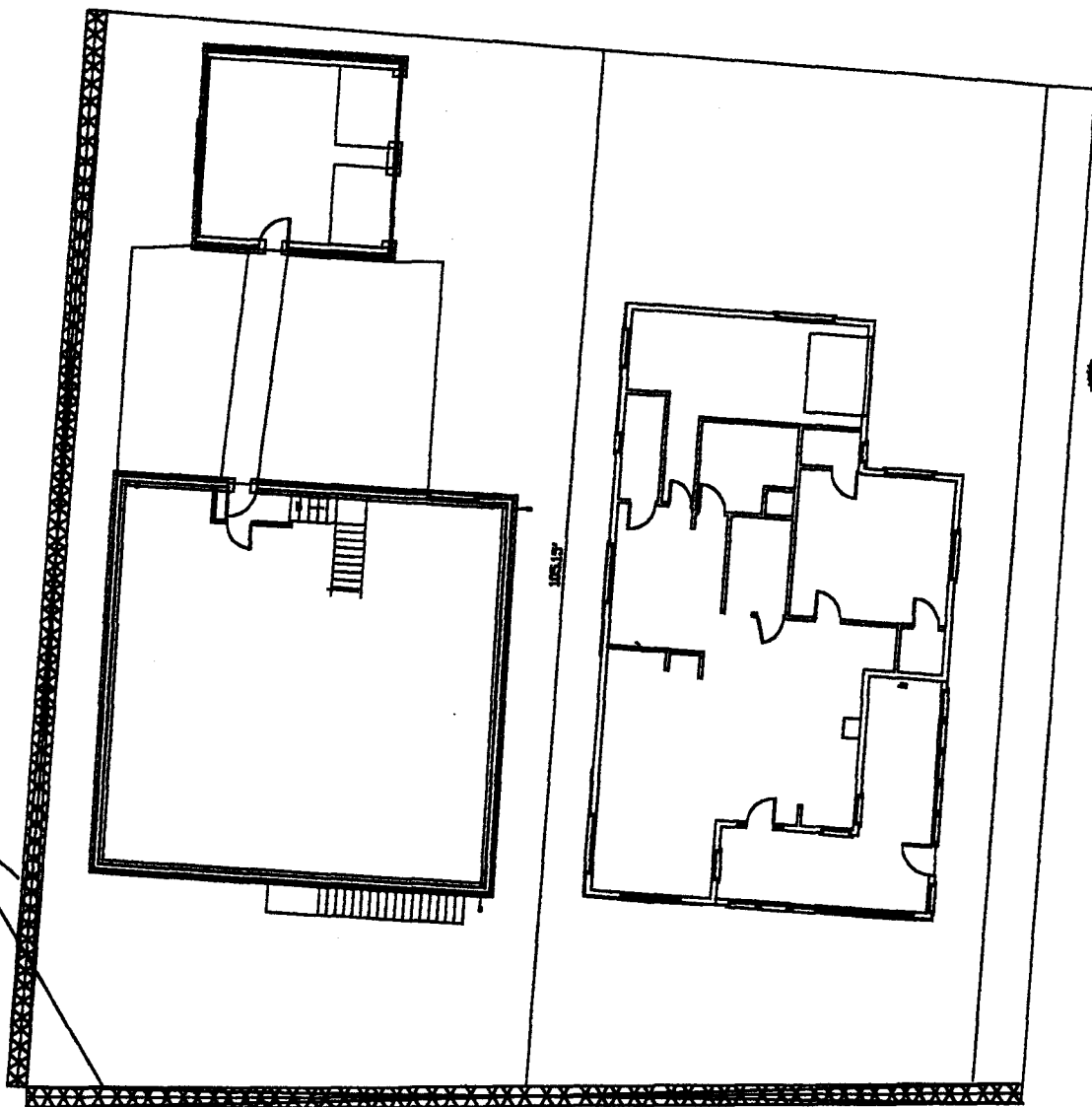
DATE  
10/1

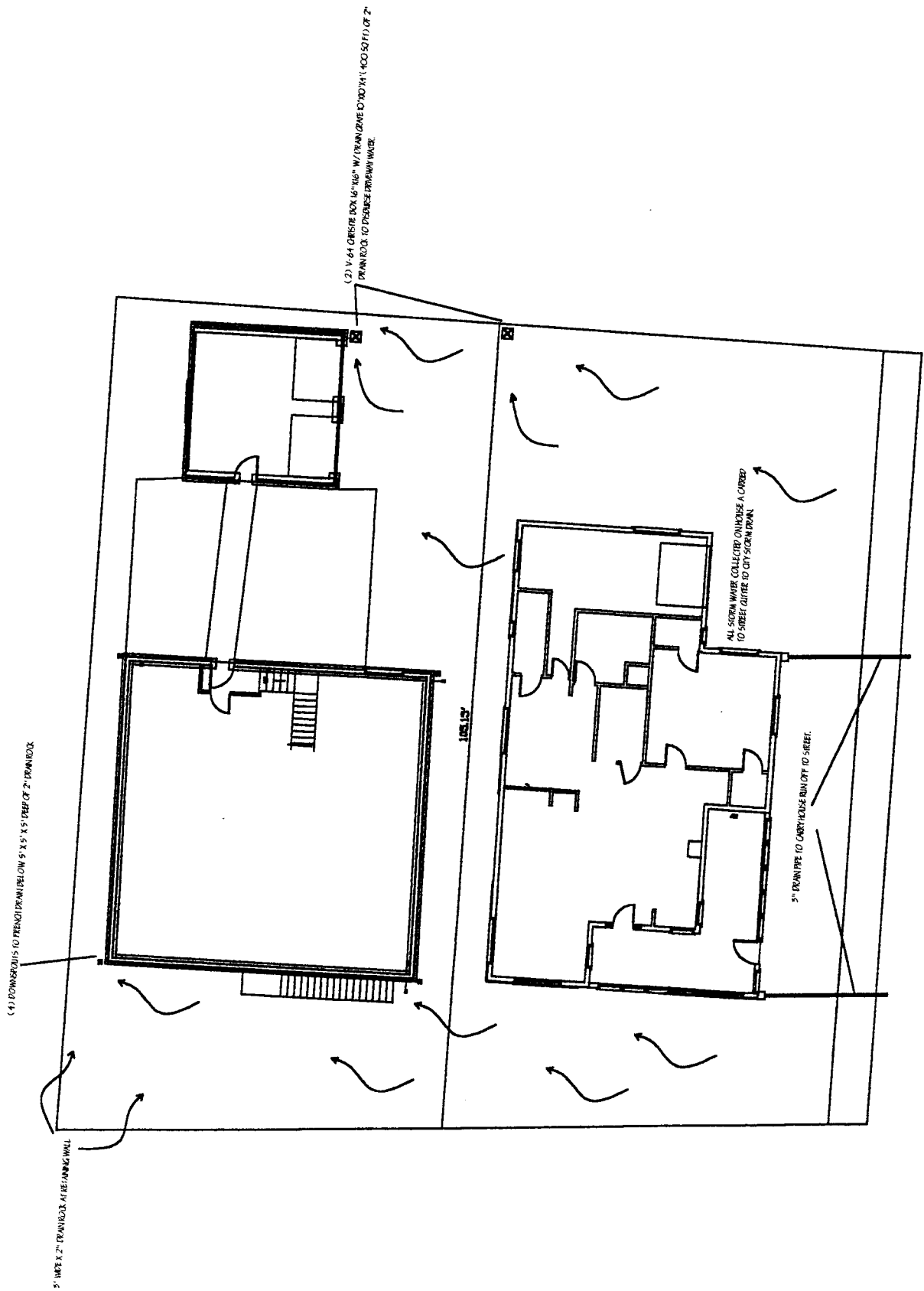
SCALE  
NONE

13

EXISTING FIRE HOUSE FOUNDATION AND PLAYGROUND  
RETAINING WALL TO STOP EROSION ON THIS BOUNDARY.

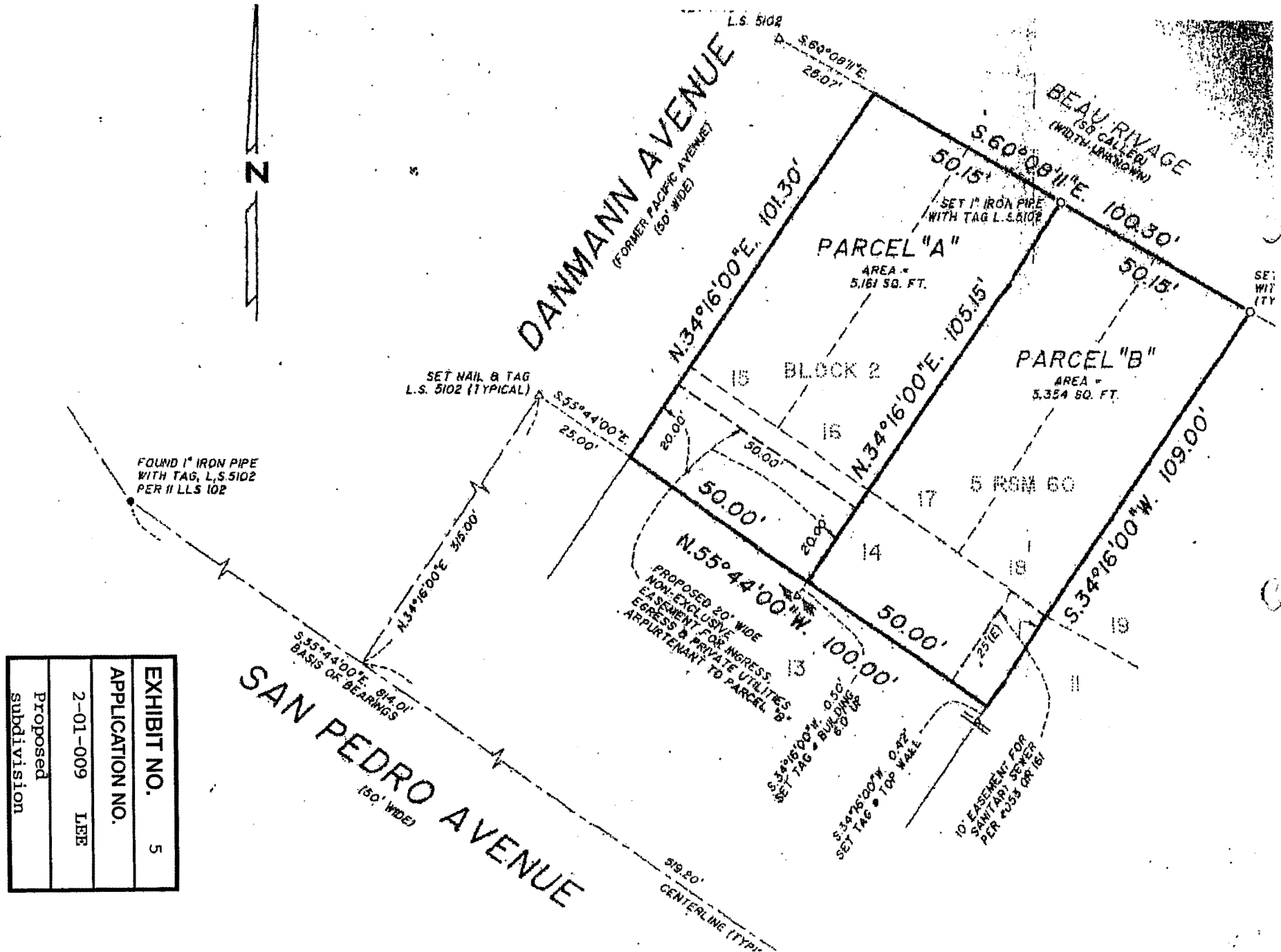
HAY BALES AND SILT FENCE TO STOP  
EROSION ON THIS BOUNDARY







ANN



**CALIFORNIA COASTAL COMMISSION**

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

13 June 1996

**MEMORANDUM**

To: Jim Muth

From: Jayson Yap *Jy*

Re: **Boundary Determination #14-96**  
**City of Pacifica**

Enclosed is a copy of a portion of the City of Pacifica's Adopted Post-LCP Certification Map with the approximate location of San Mateo County Assessor's Parcel Numbers 23-014-01, 23-012-01 and 23-011-01 highlighted. Also included is the Assessor's Parcel Map of the area with these parcels and the Commission's Original Permit Jurisdiction Boundary shown thereon.

Based on the information provided, Assessor's Parcel Number 23-011-01 and 23-012-01 lie entirely *within* the Commission's Original Permit Jurisdiction. Development occurring on these parcels would therefore require a Coastal Development Permit from the Commission. Assessor's Parcel Number 23-014-01 lies in the Commission's Appeal Jurisdiction. Development occurring on this parcel would require a Coastal Development Permit from the City of Pacifica, which if approved, would be appealable to the Commission.

As you know, the boundary between the Commission's retained permit and appeal jurisdictions is based on the State Lands Commission staff delineation of potential public trust lands, and its exact location may vary depending on what lands are actually subject to the public trust. Questions regarding the exact location and extent of public trust lands should be referred to the State Lands Commission for determination. Their status determination procedure may or may not result in a different boundary.

Please call me if you have any questions regarding this determination.

enclosures

cc: Steve Scholl, CCC-NC

<b>EXHIBIT NO.</b>	6
<b>APPLICATION NO.</b>	
2-01-009 LEE	
1996 boundary	
determination	

