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Staff: Ruby Pap
Staff Report: June 22, 2007
Hearing Date: July 12, 2007

STAFF REPORT – APPEAL
SUBSTANTIAL ISSUE

APPEAL NO.:	**A-2-SMC-07-026**
APPLICANTS:	**Debra Christoffers and Jon Jang**
LOCAL GOVERNMENT:	**San Mateo County**
ACTION:	**Approved with Conditions**
PROJECT LOCATION:	10721 Cabrillo Highway, Pescadero (San Mateo County) (APN 086-211-140)
PROJECT DESCRIPTION:	Demolition of an existing house and construction of a new 5,936 square foot single-family dwelling with 2-car attached garage, a new 960 square foot stable, and removal of six (6) living and two (2) dead trees.
APPELLANTS:	Committee for Green Foothills
RECOMMENDATION:	**Substantial Issue**

1.0 EXECUTIVE SUMMARY

1.1 Summary of Staff Recommendation: Substantial Issue

The staff recommends that the Commission, after public hearing, determine that a substantial issue exists with respect to the grounds on which the appeal has been filed. The approved development includes demolition of an existing 1,000-square-foot A-frame house and construction of a new 5,936 square foot single-family dwelling with 2-car attached garage, a new 960 square foot stable, and removal of six (6) living and two (2) dead trees.

The approved development is located on a 2.6-acre bluff top parcel in the unincorporated Bean Hollow area of southern San Mateo County, south of the town of Pescadero (Exhibit 1). The property is zoned RM-CZ (Resource Management-Coastal Zone). The site abuts the south end

of the Bean Hollow State Beach property (Exhibit 1). Bordering the parcel to the south is a rural residential parcel developed with a single family residence. Just east of Highway One across from the subject property is an undeveloped forested area adjacent to a large agricultural nursery to the south.

The Commission received an appeal of the County's approval of the proposed development contending that the project is inconsistent with the visual resources and hazards policies of the LCP. Specifically: (1) The new house's size, scale, mass, and colors would impact coastal views, particularly from Highway One and the bluffs and trails at the adjacent Bean Hollow State Beach, and that the County's reliance on existing Monterey Pine trees to screen the development is erroneous because Monterey Pines in this area of the coast are suffering from disease and dying, and there are no County conditions of approval to address the future loss of these trees; and (2) There is insufficient evidence to determine whether the location and design of the approved development is in compliance with the hazards policies of the certified LCP.

Staff recommends that the Commission find that the appeal of the development approved by San Mateo County raises a substantial issue regarding the conformity of the approved development to the visual resources and hazards policies of the certified LCP.

In regards to visual resources, staff recommends that the Commission find that the appeal raises a substantial issue due to the size and scale of the approved development, the lack of an adequate visual analysis by the County conducted from all vantage points, including the State Beach trails, and the lack of Special Conditions to ensure that the development is adequately sited and screened to ensure that coastal views are protected and the development is subordinate to the character of the area.

In regards to hazards, staff recommends that the Commission find that the appeal raises a substantial issue because based on the existing geotechnical investigation, there is insufficient evidence to establish that: (a) the approved project site will be stable over the life of the project; (b) the development neither creates nor contributes significantly to erosion problems or geologic instability; and (c) the structure would not require the need for bluff protection work.

2.0 STAFF RECOMMENDATION

Substantial Issue

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

Motion:

I move that the Commission determine that Appeal No. A-2-SMC-07-026 raises No Substantial Issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.

Staff Recommendation:

Staff recommends a **NO** vote. Failure of this motion will result in a *de novo* hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective.

The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

Resolution to Find Substantial Issue:

The Commission hereby finds that Appeal No. A-2-SMC-07-026 presents a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

3.0 PROJECT SETTING AND DESCRIPTION

3.1 Project Location and Site Description

The approved development is located on a 2.6-acre bluff top parcel located at 10721 Cabrillo Highway, in the unincorporated Bean Hollow area of rural southern San Mateo County. The property is zoned RM-CZ (Resource Management-Coastal Zone). The site is located west of Highway One, abuts the Bean Hollow State Beach property, and is a few miles south of the town of Pescadero (Exhibit 1). Bordering the parcel to the south is a rural residential parcel developed with a single family residence.

The site is currently developed with an A-frame house situated approximately 60-feet away from the ocean bluff. There is a detached garage off the southeast corner of the house. A dirt and gravel driveway leads from Cabrillo Highway to the garage (Exhibit 4, Geotechnical Investigation, Figure 4).

The site slopes gently from east to west, with an average slope of 5% from the highway to the top of the coastal bluffs. These bluffs are approximately 25 feet tall and have a slope ranging from 2:1 to a near vertical face.

The project footprint is located on the west side of the property. Monterey Pines and Monterey Cypress trees are growing throughout the property. According to the County staff report, there is a row of Monterey cypress trees growing along the north and south sides of the existing home. A row of Monterey pines have been planted along the eastern fence line with some additional pines planted throughout the property. One California wax myrtle is growing along the northern property boundary. A tree survey was completed by McClenahan Consulting in March of 2004. A total of 25 Monterey cypress trees and 26 Monterey pine trees were documented on the property. The survey recommended the removal of seven cypress and three pine trees. Reasons for removing these trees include dead (2), fallen (3), severe breakage (2), and irreversible decline (3). However, the applicant proposed and the County approved the removal of five living trees.

3.2 Project Description

The approved development consists of the demolition of an approximately 1,000-square-foot 26-foot-high existing A-frame house and construction of a new 5,936-square-foot, 33-foot-high house and attached garage in roughly the same location as the existing house. The approved development also consists of a 960-square-foot barn for the keeping of four horses. Water would be provided via an existing well, and an existing 200-square-foot utility shed would remain on the parcel, adjacent to the existing well. The approved development also includes the upgrade

and expansion of an existing septic system to accommodate the larger house. Some minor widening and reorientation of the existing driveway was also approved to provide access to the new house and the barn. Lastly, the approved development includes the removal of five living and two dead trees to accommodate the proposed project. The applicant estimates that preparation of the new foundation and improvements to the driveway would result in approximately 26 cubic yards of grading (Exhibit 3).

4.0 APPEAL PROCESS

4.1 Local Government Action

On March 13, 2006 the San Mateo County Technical Advisory Committee approved a confined animal permit exemption for the parcel for a maximum of four (4) horses.

On May 9, 2007 the San Mateo County Planning Commission conditionally approved a Coastal Development Permit, Resource Management-Coastal Zone Permit, Architectural Review Permit, and a Mitigated Negative Declaration, approving the development (Exhibit 5 and 6). This approval was not appealed to the Board of Supervisors, and the local appeal period ended on May 23, 2007.

The approved CDP includes the following special conditions (see Exhibit 5 for full text): Special Condition No. 3, 19, and 28, which require the submittal of an erosion and drainage control plan, No. 4, which requires the applicant to submit a tree replacement plan that stipulates only 5 trees to be removed and replacement of these trees at a 1:1 ratio with species common to the San Mateo Coast but not to include Monterey Pine or eucalyptus; No. 11, which requires the applicant to submit a post-construction permanent drainage plan; No. 12, which requires the applicant to submit exterior color samples that are earth tones compatible with existing vegetation on the site, and verified by the County Planning and Building Department prior to final inspection for the building permit; No. 13, which requires that all exterior lighting be the minimum required and shielded; No. 14, which requires new water storage tanks for fire or domestic use be buried underground; No. 17, which requires that prior to pouring of the foundation a licensed surveyor make written confirmation that the setbacks, as shown on approved plans, have been maintained; and No. 42, a County Fire Department condition that requires that overhead obstructions such as tree limbs be removed to provide a minimum of 15 feet vertical clearance for fire engine turnaround.

4.2 Filing of Appeal

On May 29, 2007, the Commission received notice of the County's final action approving a coastal development permit for the project. The Commission's appeal period commenced the following working day and ran for ten working days thereafter (May 30 through June 12, 2007). On June 8, 2007, within the 10-working day appeal period, the Commission received an appeal from the Committee for Green Foothills (Exhibit 2). Following receipt of the appeal, the Commission mailed a notification of appeal to the County and the applicant.

Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. The appeal on the above-described decision was filed on June 8, 2007. The 49th day will be July 27, 2007.

In accordance with the California Code of Regulations, on June 8, 2007, staff requested all relevant documents and materials regarding the subject approval from the County to enable staff

to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. The regulations provide that a local government has five working days from receipt of such a request from the Commission to provide the relevant documents and materials. The Commission received the local record from the County on June 18, 2007.

4.3 Appeals under the Coastal Act

After certification of local coastal programs, the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits (Coastal Act Section 30603).

Coastal Act Section 30603 provides, in applicable part, that an action taken by a local government on a coastal development permit application may be appealed to the Coastal Commission for certain kinds of developments, including the approval of developments located within certain geographic appeal areas, such as those located between the sea and the first public road paralleling the sea, or within 300 feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff; or in a sensitive coastal resource area; or located within 100 feet of any wetland, estuary, or stream. Developments approved by counties may be appealed if they are not designated as the "principal permitted use" under the certified LCP. Developments that constitute a major public works or a major energy facility may also be appealed, whether they are approved or denied by the local government.

The approved development is located between the sea and the first public road paralleling the sea, and thus within the Commission's appeal jurisdiction as defined in Section 30603 (a)(1) of the Coastal Act. Pursuant to Section 30603 (b)(1) of the Coastal Act, an appeal for development in this location is limited to the allegation that the development does not conform to the standards set forth in the certified LCP or the public access policies is set forth in the Coastal Act.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that the appeal raises no substantial issue of conformity of the approved project with the certified LCP. Since the staff is recommending substantial issue, unless three Commissioners object, it is presumed that the appeal raises a substantial issue and the Commission may proceed to its *de novo* review.

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.

The only persons qualified to testify before the Commission on the substantial issue question are the applicants, the appellant and persons who made their views known to the local government (or their representatives). Testimony from other persons regarding substantial issue must be submitted in writing.

Unless it is determined that there is no substantial issue, the Commission will proceed to the *de novo* portion of the appeal hearing and review the merits of the proposed project. This *de novo* review may occur at the same or subsequent meeting. If the Commission were to conduct a *de novo* hearing on the appeal, because the proposed development is located between the first public road and the sea, the applicable test for the Commission to consider would be whether the

development is in conformity with the certified Local Coastal Program and with the public access and public recreation policies of the Coastal Act.

4.4 Standard of Review

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 or its implementing regulations. The Commission's regulations simply indicate that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." (Commission Regulations, 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.

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

5.0 SUBSTANTIAL ISSUE ANALYSIS

5.1 Appellants' Contentions

The Coastal Commission received one appeal of the County's action on the approved development. The full text of the appeal is included in Exhibit 2. The appeal filed by the Committee for Green Foothills includes the following contentions:

1. The new house, as approved by San Mateo County, does not comply with the visual resources policies of the San Mateo County Certified LCP, because of the house's size, scale, mass, and colors, and its visibility from Highway One and the bluffs and trails at the adjacent Bean Hollow State Beach. The appellant further contends that the County's approval relies on the existence of Monterey Pine trees to screen the development, but that these trees in this area of the coast are suffering from disease and dying, and there are no County conditions of approval to address the loss of these trees that currently screen the house from some public viewpoints.

2. There is insufficient evidence to determine whether the location and design of the approved house and expanded and upgraded septic systems drainfields, landscape irrigation, and drainage facilities are in compliance with the hazards policies of the certified LCP, and the County approval does not ensure that bluff protection work would not be required in the future, inconsistent with the certified LCP.

In this case, for reasons further specified below, the Commission exercises its discretion and determines that the appeal of the development approved by the County raises a **substantial issue** of conformity of the approved development with the visual resources and hazards policies f the certified LCP.

5.1.1 Visual Resources

Contention

The appellant contends that the new house, as approved by San Mateo County, does not comply with the visual resources policies of the San Mateo County Certified LCP, because of the house's size, scale, mass, and colors, its visibility from Highway One and the bluffs and trails at the adjacent Bean Hollow State Beach. The appellant further contends that the County's approval relies on the existence of Monterey Pine trees to screen the development, but that these trees in this area of the coast are suffering from disease and dying, and there are no County conditions of approval to address the loss of these trees that currently screen the house from some public viewpoints.

Applicable Policies

LUP Policy 8.4 (Cliffs and Bluffs) states:

a. Prohibit development on bluff faces except public access stairways where deemed necessary and erosion control structures which are in conformity with coastal policies on access and erosion.

b. Set back bluff top development and landscaping from the bluff edge (i.e., decks, patios, structures, trees, shrubs, etc.) sufficiently far to ensure it is not visually obtrusive when viewed from the shoreline except in highly developed areas where adjoining development is nearer the bluff edge, or in special cases where a public facility is required to serve the public safety, health, and welfare.

LUP Policy 8.5 (Location of Development) states:

a. 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…
This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation on the parcel. In such cases, agricultural development shall use appropriate building materials, colors, landscaping and screening to eliminate or minimize the visual impact of the development.

b. Require, including by clustering if necessary, that new parcels have building sites that are not visible from State and County Scenic Roads and will not significantly impact views from other public viewpoints. If the entire property being subdivided is visible from State and County Scenic Roads or other public viewpoints, then require that new parcels have building sites that minimize visibility from those roads and other public viewpoints.

LUP Policy 8.9 (Trees) states:

a. Locate and design new development to minimize tree removal.
b. Employ the regulations of the Significant Tree Ordinance to protect significant trees (38 inches or more in circumference) which are located in urban areas zoned Design Review (DR).
c. Employ the regulations of the Heritage Tree Ordinance to protect unique trees which meet specific size and locational requirements.
d. Protect trees specifically selected for their visual prominence and their important scenic or scientific qualities.
e. Prohibit the removal of trees in scenic corridors except by selective harvesting which protects the existing visual resource from harmful impacts or by other cutting methods necessary for development approved in compliance with LCP policies and for opening up the display of important views from public places, i.e., vista points, roadways, trails, etc.
f. Prohibit the removal of living trees in the Coastal Zone with a trunk circumference of more than 55 inches measured 4 1/2 feet above the average surface of the ground, except as may be permitted for development under the regulations of the LCP, or permitted under the Timber Harvesting Ordinance, or for reason of danger to life or property.
g. Allow the removal of trees which are a threat to public health, safety, and welfare.

LUP Policy 8.10 (Vegetative Cover) states:

(with the exception of crops grown for commercial purposes)
Replace vegetation removed during construction with plant materials (trees, shrubs, ground cover) which are compatible with surrounding vegetation and is suitable to the climate, soil, and ecological characteristics of the area.

LUP Policy 8.15 (Coastal Views) states:

Prevent development (including buildings, structures, fences, unnatural obstructions, signs, and landscaping) from substantially blocking views to or along the shoreline from coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

LUP Policy 8.16 (Landscaping) states:

a. Use plant materials to integrate the manmade and natural environments and to soften the visual impact of new development.
b. Protect existing desirable vegetation. Encourage, where feasible, that new planting be common to the area.

LUP Policy 8.18 (Development Design) 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.
b. 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.
c. Require that all non-agricultural development minimize noise, light, dust, odors and other interference with persons and property off the development site.

LUP Policy 8.19 (Colors and Materials) states:

a. Employ colors and materials in new development which blend, rather than contrast, with the surrounding physical conditions of the site.
b. Prohibit highly reflective surfaces and colors except those of solar energy devices.

LUP Policy 8.20 (Scale) states:

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

LUP Policy 8.23 (Utilities in County Scenic Corridors) states:

a. Install new distribution lines underground, except as provided in b.
b. For all development, exceptions may be approved by the Planning Commission when: (1) it is not physically practicable due to topographic features, (2) there are agricultural land use conflicts or (3) development is for farm labor housing. In addition, for building permits, exceptions may be approved by the Planning Commission for financial hardships. In each case, however, utilities shall not be substantially visible from any public road or developed public trail.

LUP Policy 8.29 (State Scenic Roads and Corridors) states:

Recognize officially adopted State Scenic Roads and Corridors as shown on the Scenic Roads and Corridors Map for the Coastal Zone. These are: Coast Highway south of Half Moon Bay city limits (State Route 1) and Skyline Boulevard (State Route 35).

LUP Policy 8.31 (Regulation of Scenic Corridors in Rural Areas) states:

a. Apply the policies of the Scenic Road Element of the County General Plan.
b. Apply Section 6325.1 (Primary Scenic Resources Areas Criteria) of the Resource Management (RM) Zoning District as specific regulations protecting scenic corridors in the Coastal Zone.
c. Apply the Rural Design Policies of the LCP.
d. Apply the Policies for Landforms and Vegetative Forms of the LCP.
e. Require a minimum setback of 100 feet from the right-of-way line, and greater where possible; however, permit a 50-foot setback when sufficient screening is provided to shield the structure from public view.
f. Continue applying special regulations for the Skyline Boulevard and Cabrillo Highway State Scenic Corridors.
g. Enforce specific regulations of the Timber Harvest Ordinance which prohibits the removal of more than 50% of timber volume in scenic corridors.

Section 6324.2 (Site Design Criteria) of the certified zoning regulations for the Resource Management District states:

(a) Development shall be located, sited and designed to carefully fit its environment so that its presence is subordinate to the pre-existing character of the site and its surrounding is maintained to the maximum extent practicable.
(b) All roads, buildings and other structural improvements or land coverage shall be located, sited and designed to fit the natural topography and shall minimize grading and modification of existing land forms and natural characteristics. Primary Designated Landscape Features defined in the Open Space and Conservation Elements of the San Mateo County General Plan shall not be damaged.
(c) Small, separate parking areas are preferred to single large parking lots.

(d) No use, development or alteration shall: 1) create uniform, geometrically terraced building sites which are contrary to the natural land forms; 2) substantially detract from the scenic and visual quality of the County; or 3) substantially detract from the natural characteristics of existing major water courses, established and mature trees and other woody vegetation, dominant vegetative communities or primary wildlife habitats.

(e) All development shall be sited and designed to minimize the impacts of noise, light, glare and odors on adjacent properties and the community-at-large.

(f) The applicant shall demonstrate that the development will not contribute to the instability of the parcel or adjoining lands and that all structural proposals including excavation, and proposed roads and other pavement have adequately compensated for adverse soil engineering characteristics and other subsurface conditions…

(h) The development shall employ colors and materials which blend in with, rather than contrast with, the surrounding soil and vegetative cover of the site. In forested areas, all exterior construction materials shall be of deep earth hues such as dark browns, greens and rusts. Materials shall absorb light (i.e., dark, rough textured materials). Exterior lighting shall be minimized, and earth-tone colors of lights used (e.g., yellow, brown toned lights, rather than blue toned fluorescents). In grassland, or grassland/forest areas, all exterior materials shall be of the same earth and vegetative tones as the predominant colors of the site (as determined by on-site inspections). Highly reflective surfaces and colors are discouraged.

(i) Wherever possible, vegetation removed during construction shall be replaced. Vegetation for the stabilization of graded areas or for replacement of existing vegetation shall be selected and located to be compatible with surrounding vegetation, and should recognize climatic, soil and ecological characteristics of the region.

(j) Removal of living trees with trunk circumference of more than 55 inches measured 4-1/2 feet above the average surface of the ground is prohibited, except as may be required for development permitted under this Ordinance, or permitted under the timber harvesting ordinance, or for reason of actual or potential danger to life or property.

Section 6325.1 (Primary Scenic Resources Areas Criteria States):

The following criteria shall apply within Scenic Corridors and other Primary Scenic Resources Areas as defined or designated in the Open Space and Conservation Element of the San Mateo County General Plan:

(a) Public views within and from Scenic Corridors shall be protected and enhanced, and development shall not be allowed to significantly obscure, detract from, or negatively affect the quality of these views. Vegetative screening or setbacks may be used to mitigate such impacts. Development visible from Scenic Corridors shall be so located and designed as to minimize interference with ridgeline silhouettes…

(g) Colors and plant materials shall be selected as necessary to minimize visual impact of development upon Scenic Corridors.

Discussion

The development as approved by the County includes the demolition of an approximately 1,000-square-foot 26-foot-high existing A-frame house and construction of a new 5,936-square-foot, 33-foot-high house including two attached garages. This new structure is roughly five times the size of the existing residence and would be in roughly the same location as the existing house, approximately 60-feet from the bluff edge. In addition, an additional 960-square-foot barn for the keeping of four horses would be constructed on the property, east of the house towards Highway One. The project site is located on a blufftop parcel, within a State Scenic Corridor in rural southern San Mateo County, adjacent to Bean Hollow State Beach.

LCP Chapter 8 includes policies for the protection of coastal visual resources (see above). LUP Policies 8.5 and 8.15 require that development be located and designed so as to avoid obstruction of coastal views from coastal roads and recreation areas. In addition LUP Policy 8.18 requires that development blend with and be subordinate to the surrounding environment, and requires adequate screening when necessary to minimize the visibility of the development. Further LUP Policy 8.20 requires structures to relate in size and scale to adjacent buildings and landforms.

The County approved the construction of a significantly larger home than currently exists as well as a barn/horse stable on the site, and the removal of five trees that are in various states of advanced decline. The County found that the house is located as far away from Highway One (Cabrillo Highway) as possible, and that due to intervening topography and vegetation, the house "should not be readily visible from the highway." The County further found that when traveling northbound, the building site is difficult to view due to intervening, mature groups of trees, and that when traveling southbound the site is not clearly visible from the Highway due to the small knoll to the north of the project parcel on Bean Hollow State Beach land.

The County did not require nor analyze visual simulations depicting the development's potential visual impacts from Highway One and the blufftop paths of the nearby state beach, nor were story poles erected or other staking to aid in the visual analysis. Instead, the Planning Commission relied upon the elevation drawings with silhouettes of the trees and a scale model of the development that was presented at the hearing. These elevations and models were not designed to evaluate visual impacts from public vantage points as required by the certified LCP, however. Additionally, upon review of County documents in the local record, it appears that the County did not evaluate the project's impacts from the blufftop trails at Bean Hollow State Beach, nor did it evaluate the project's size and scale in relation to adjacent buildings, or whether it would be subordinate to the surrounding environment.

Commission staff conducted a site visit in May 2007 and walked on the trails to the north of the property on the blufftop. The existing house was visible from this public vantage point, and few existing trees were shielding it from this northern view. A home five times the size would be much more visually prominent and that the existing trees would shield only a small portion leaving the remainder visible to the naked eye. The existing home appeared to be well screened from eastern highway view, however it was unclear how the construction of a new barn on the eastern portion of the property would impact the visual environment, and without the aid of story poles to view the main house and barn, it was not possible to ascertain the visual impacts of the development's size and scale.

In addition, it is unclear from County documents or the arborist report where the trees approved for removed are located, what the health and life expectancy of the remaining trees on the site are, and whether they will be able to adequately screen the development to protect views from Highway One and nearby beaches presently and in the future. According to the arborist's report, the site contains approximately 50 Monterey Cypress and Monterey Pine trees. Commission staff was unable to locate a site plan depicting these trees or the trees to be removed within the local administrative record. The arborist report conducted by McClenahan Consulting does assess the present condition of the trees, and provides recommendations for tree preservation (e.g. pruning) to improve their life expectancy. The County CDP includes a special condition requiring the applicant to submit a tree replacement plan for those five trees that are removed, but does not include a condition that the existing trees be maintained as suggested, that additional trees be planted to increase screening from northern (State Park viewpoints), and that trees be replaced as they die. As the appellant points out, it appears that the Monterey Pines throughout this area of the coast are suffering from disease, and the County's approval only considered the impacts of the removal of five trees that are in advanced decline or have fallen over. The applicant has indicated to Commission staff that she has recently planted many Monterey Cypress trees along the border of her property. However, it appears that the County did not evaluate the adequacy of this planting as a screening mechanism for purposes of consistency with the LCP, and no site plan of this planting is contained in the County local record. Without this information, there is insufficient evidence to find that these plantings will adequately screen the development from public viewpoints, consistent with LCP visual resources policies.

Therefore, due to the size and scale of the approved development, the lack of an adequate visual analysis from all vantage points, including the State Beach trails, and the lack of special conditions to ensure that the development is adequately sited and screened to ensure that coastal views are protected and the development is subordinate to the character of the area, the appeal raises a substantial issue of conformance of the County's approval with visual resources policies of the LCP, including LUP Policies 8.15, 8.15, 8.18, and 8.20 and certified zoning regulations sections 6325.1 and 6324.2.

5.1.2 Hazards

Contention

The appellant contends that there is insufficient evidence to determine whether the location and design of the approved development, including the house, septic systems drainfields, landscape irrigation, and drainage facilities are in compliance with the hazards policies of the certified LCP. The appellant further contends that the County approval is not appropriately conditioned to eliminate the need for bluff protection work to protect this development in the future.

Applicable Policies

LUP Policy 9.7 (Definition of Coastal Bluff or Cliff) states:

> *Define coastal bluff or cliff as a scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass and exceeding 10 feet in height.*

LUP Policy 9.8 (Regulation of Development on Coastal Bluff Tops) states:

a. Permit bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected economic life span of the development (at least 50 years) and if the development (including storm runoff, foot traffic, grading, irrigation, and septic tanks) will neither create nor contribute significantly to erosion problems or geologic instability of the site or surrounding area.

b. Require the submittal of a site stability evaluation report for an area of stability demonstration prepared by a soils engineer or a certified engineering geologist, as appropriate, acting within their areas of expertise, based on an on-site evaluation. The report shall consider:

(1) Historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs where available, and possible changes in shore configuration and transport.

(2) Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site and the proposed development.

(3) Geologic conditions, including soil, sediment and rock types and characteristics in addition to structural features such as bedding, joints, and faults.

(4) Evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity.

(5) Wave and tidal action, including effects of marine erosion on seacliffs.

(6) Ground and surface water conditions and variations, including hydrologic changes caused by the development (e.g., introduction of sewage effluent and irrigation water to the groundwater system; alterations in surface drainage).

(7) Potential effects of seismic forces resulting from a maximum credible earthquake.

(8) Effects of the proposed development including siting and design of structures, septic system, landscaping, drainage, and grading, and impacts of construction activity on the stability of the site and adjacent area.

(9) Any other factors that may affect slope stability.

(10) Potential erodibility of site and mitigating measures to be used to ensure minimized erosion problems during and after construction (i.e., landscaping and drainage design).

c. The area of demonstration of stability includes the base, face, and top of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined a 201 angle from the horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater.

d. Prohibit land divisions or new structures that would require the need for bluff protection work.

Discussion

The development as approved by the County includes the demolition of an approximately 1,000-square-foot house and the construction of a new 5,936-square-foot house on a blufftop parcel. LUP Policy 9.8 permits blufftop development only if it is designed and setback an appropriate distance from the bluff edge to assure that it is stable for the expected 50-year economic life span of the development, as determined by a site stability evaluation report. Additionally, this policy requires that the development neither create nor contribute significantly to erosion problems or geologic instability (such as through appropriate drainage control), and prohibits new structures that would require the need for bluff protection work.

GeoForensics, Inc. conducted a geotechnical investigation for the approved development in August 2003. This report concluded that the improvements can be safely constructed, and that the geotechnical development of the site is controlled by the presence of gentle slopes and non-expansive soils, so the house foundations may consist of conventional spread footings. The report also concluded that slow erosion of the ocean bluffs must be anticipated, and that development should be placed behind a 50-year set back line to limit the potential for damage to the development. Figure 5 of the report depicts this 50 year bluff retreat setback line (Exhibit 4), which varies from 0-feet from the bluff edge on the northern and southern sides of the lot, to approximately 50-feet at its widest point. This figure does not depict the approved development in relation to the setback line, but the applicant's site plan incorporates the "line of bluff retreat" and locates the development behind this line. The County staff report states that the new house would be located within the same approximate footprint of the existing house, and that this would be approximately 60-feet from the bluff edge. Based on this report, the County concludes that the development is set back an adequate distance from the bluff edge consistent with Policy 9.8, and included a Special Condition No. 17, which requires that prior to pouring of the foundation a licensed surveyor make written confirmation that the setbacks, as shown on approved plans, have been maintained.

Notwithstanding the conclusions reached by the County and the applicant's geotechnical consultants, it is important to examine the methodology used to determine the 50-year setback line to ensure that the development is setback an appropriate distance from the bluff edge, consistent with the LCP. GeoForensics analyzed historical aerial photos of the site to estimate the historic rate of bluff retreat. This analysis predicted a retreat line that follows the existing points in the bluff and retreats back in a southeasterly fashion. The Commission's staff geologist reviewed this analysis and opined that it would be unusual for the bluff to retreat in this manner, as erosion often attacks the points in the bluffs rather than the coves, so the points would erode in a faster manner. In addition, this retreat line implies a prediction that the bluff edge will not retreat perpendicular to the shoreline. This is highly unusual based on staff's experience with coastal erosion, and additional evidence (described below) is needed to substantiate that this retreat line and development setback line is sufficient.

A setback adequate to protect development over the economic life of a development should account both for the expected bluff retreat during that time period and the existing slope stability. Long-term bluff retreat is measured by examining historic data including vertical aerial photographs and any surveys conducted that identified the bluff edge. Slope stability is a measure of the resistance of a slope to land sliding, and is assessed by a quantitative slope stability analysis. In such an analysis, the forces resisting a potential landslide are first

determined. These are essentially the strength of the rocks or soils making up the bluff. Next, the forces driving a potential landslide are determined. These forces are the weight of the rocks as projected along a potential slide surface. The resisting forces are divided by the driving forces to determine the "factor of safety." The process involves determining a setback from the bluff edge where a factor of safety of 1.5 is achieved. The Commission generally defines "stable" with respect to slope stability as a minimum factor of safety of 1.5 against landsliding. Because GeoForensics, Inc. did not conduct a quantitative slope stability analysis, it is unknown where on the bluff top a 1.5 factor of safety is attained, nor what parts of the bluff top will have a 1.5 factor of safety at the end of 50 years of bluff retreat. Since there is insufficient evidence to make the finding that the development is stable for the expected 50-year economic life span of the development, the appeal raises a substantial issue of conformance of the approved development with LUP Policy 9.8.

Thus, because based on the existing geotechnical investigation one cannot find that (a) the approved project site will be stable over the life of the project, (b) the development neither creates nor contributes significantly to erosion problems or geologic instability, and (c) and the structure would not require the need for bluff protection work, the degree of legal and factual support for the local government's decision is low. Therefore, the Commission finds that the project as approved raises a substantial issue of conformance with the provisions of LUP Policy 9.8.

5.1.3 Conclusion

All of the various foregoing contentions raised by the appellants have been evaluated against the claim that they raise a substantial issue in regard to conformance of the local approval with the certified LCP. The Commission finds that the appeal raises a substantial issue of conformance of the approved project with the certified LCP with respect to contentions raised concerning geologic stability and visual resources.

5.1.4 Information Needed for De Novo Review of Application

As stated above, Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which an appeal has been filed. Section 30621 of the Coastal Act instructs the Commission to provide for a *de novo* hearing on all appeals where it has determined that a substantial issue exists with respect to the grounds on which an appeal has been filed. If the Commission finds substantial issue as recommended above, staff also recommends that the Commission continue the *de novo* portion of the appeal to a subsequent date. The *de novo* portion of the appeal must be continued because the Commission does not have sufficient information to determine what, if any, development can be approved, consistent with the certified LCP.

Given that the project the Commission will be considering *de novo* has come to the Commission after an appeal of a local government action, the Commission has not previously been in the position to request information from the applicant needed to determine if the project can be found to be consistent with the certified LCP. Following is a discussion of the information needed to evaluate the development. This information includes, but is not limited to:

1. Visual Impacts and Alternative Siting Analysis

As discussed in Section 5.1.1, it is difficult to determine from existing County documents the extent of the visual impacts of the proposed development and the value of the existing and planted trees (Monterey Pines and Monterey Cypress) in screening the proposed development from public views. Therefore, the following items and actions are needed to evaluate the proposal:

a. The erection of story poles depicting the currently proposed development (house and barn) footprint and height;

b. A revised site plan depicting the proposed development, all existing trees, and all trees proposed to be removed. This plan should differentiate between mature trees and those trees that have been newly planted. The plan should also indicate the height of mature trees and the expected height of recently planted trees.

c. An alternative development siting analysis that evaluates the visual impacts from different building sites on the property, including the currently proposed site, and three other locations setback further from the bluff edge towards the eastern portion of the property. Particular attention should be paid to those sites that would shield the development from public viewpoints, including Highway One (northbound and southbound) and State Park lands. Alternative locations for the barn, paddock area, and leachfield should also be considered to accommodate this analysis.

d. For each location visual simulations should be conducted depicting the elevations of the proposed developments (including house and barn) and the surrounding trees (mature and recently planted). These elevations should show the views of the proposed development from all public vantage points, including but not limited to the Bean Hollow State Beach property (blufftop paths) and Cabrillo Highway (northbound and southbound), and accurately depict the height of the trees. Silhouettes are not acceptable. If recently planted trees are proposed to shield the development in the future, or more landscaping and tree planting is proposed for this purpose, additional simulations depicting the future expected screening from these trees and the expected height of the trees at maturity, taking into account environmental factors such as wind and disease, and the length of time to maturity, should be provided.

e. Color samples for the proposed exterior house and barn

2. Geotechnical Analysis

As discussed above, authorization of the placement of the proposed structures on a bluff top lot is contingent on making findings that the approved project site will be stable over the life of the project, the development neither creates nor contributes significantly to erosion problems or geologic instability, and the structure would not require the need for bluff protection work.

Because the existing geotechnical report does not have sufficient information with which to make these findings, additional geotechnical analysis is needed, including:

a. A “quantitative slope stability analysis” that determines:

i. The static minimum factor of safety against landsliding of the bluff in its current configuration;

ii. Assuming that factor of safety obtained in (a) is less than 1.5, the location on the bluff top where a factor of safety of 1.5 is obtained;

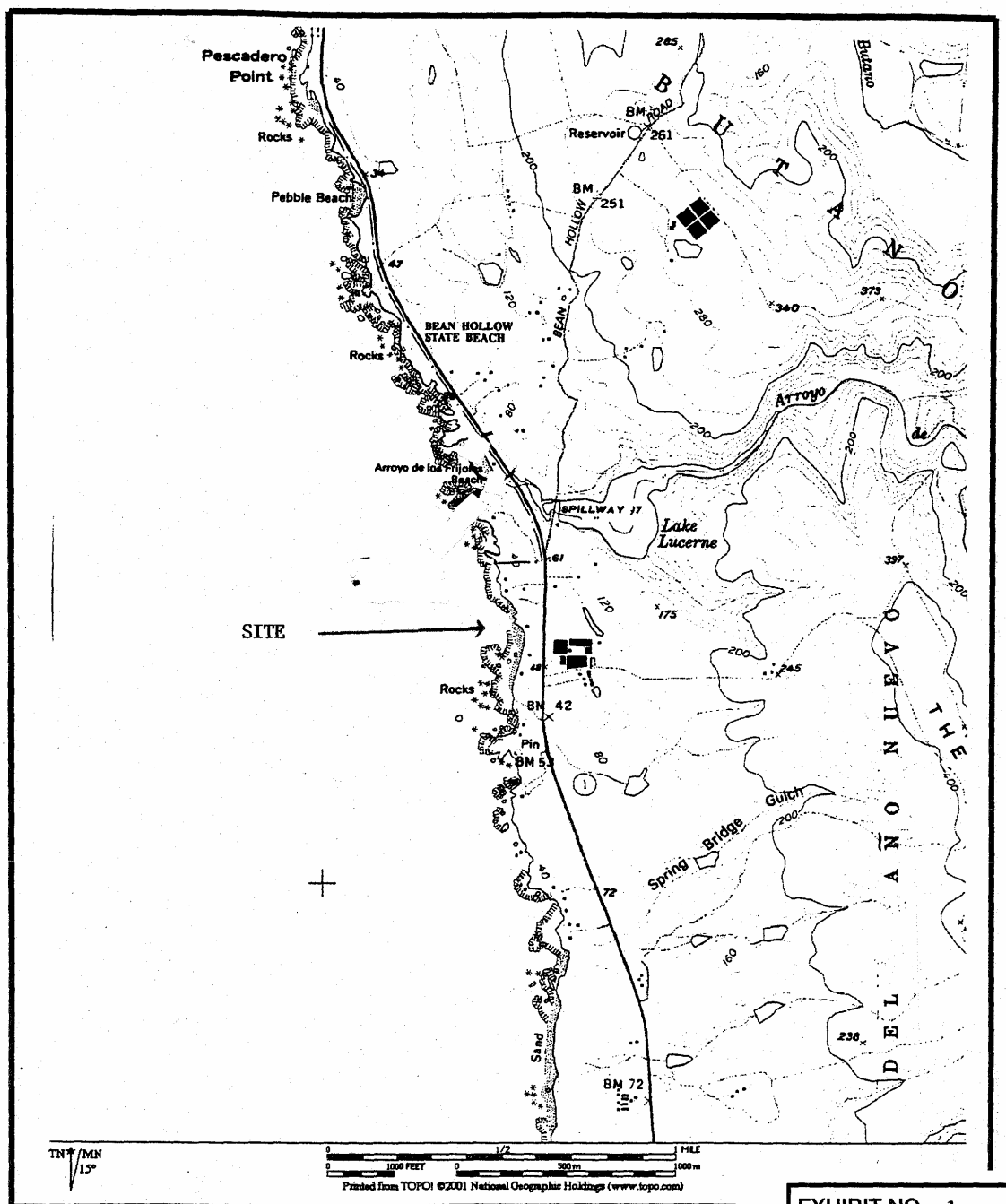
iii. The pseudostatic minimum factor of safety of the bluff, using a horizontal seismic coefficient of 0.15g; and

iv. Assuming that the factor of safety in (c) is less than 1.1, the location on the bluff top where a factor of safety of 1.1 is obtained.

b. An assessment of the effect of rising sea level on future erosion rates of the bluff.

Exhibits:

1. Vicinity Map
2. Appeal by Committee for Green Foothills
3. Project Plans
4. Geotechnical Investigation
5. San Mateo County Notice of Final Local Decision
6. San Mateo County Staff Report



GeoForensics Inc.
561-D Pilgrim Drive Foster City, CA 94404
Tel: (650) 349-3369 Fax: (650) 571-1878

Figure 2 - Vicinit

EXHIBIT NO. 1
APPLICATION NO. A-2-SMC-07-026
CHRISTOFFERS Vicinity Map

STATE OF CALIFORNIA —THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260 FAX (415) 904-5400
www.coastal.ca.gov

COMMISSION NOTIFICATION OF APPEAL

DATE: June 8, 2007

TO: Michael Schaller, Project Planner
County of San Mateo, Building & Planning
455 County Center
Redwood City, CA 94063

FROM: Ruby Pap, Coastal Program Analyst

RE: **Commission Appeal No. A-2-SMC-07-026**

Please be advised that the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Sections 30603 and 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to Public Resources Code Section 30623.

Local Permit #:	**PLN2005-00192**
Applicant(s):	**Debra Sue Christoffers; Jon Jang**
Description:	**Demolish an existing house and construct a new 5,936 square foot single-family dwelling with 2-car attached garage and new 960 square foot stable. Project includes removal of six (6) living and two (2) dead trees.**
Location:	**10721 Cabrillo Highway, Pescadero (San Mateo County) (APN(s) 086-211-140)**
Local Decision:	**Approved w/ Conditions**
Appellant(s):	**Committee For Green Foothills, Attn: Lennie Roberts**
Date Appeal Filed:	**6/8/2007**

The Commission appeal number assigned to this appeal is A-2-SMC-07-026. The Commission hearing date has not yet been established for this appeal. 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 Ruby Pap at the North Central Coast District office.

cc: Debra Sue Christoffers; Jon Jang

EXHIBIT NO. 2
APPLICATION NO. A-2-SMC-07-026
CHRISTOFFERS Appeal by Committee for Green Foothills (Page 1 of 9 pages)

STATE OF CALIFORNIA – THE RESOURCES AGENCY
CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5260 FAX (415) 904-5400

RECEIVED
JUN 08 2007
CALIFORNIA
COASTAL COMMISSION

ARNOLD SCHWARZENEGGER, *Governor*

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Lennie Roberts - Committee for Green Foothills

Mailing Address: 339 La Cuesta

City: Portola Valley CA Zip Code: 94028 Phone: 650 - 854 - 0449

SECTION II. Decision Being Appealed

1. Name of local/port government:
   San Mateo County
2. Brief description of development being appealed:
3. Development's location (street address, assessor's parcel no., cross street, etc.):
   10721 Cabrillo Highway, Pescadero, CA
   APN: 086 - 211 - 140
4. Description of decision being appealed (check one.):

☐ Approval; no special conditions

☒ Approval with special conditions:

☐ 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-07-026

DATE FILED: June 8, 2007

DISTRICT: North Central Coast District

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

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

☐ Planning Director/Zoning Administrator

☐ City Council/Board of Supervisors

☒ Planning Commission

☐ Other

6. Date of local government's decision: May 9, 2007

7. Local government's file number (if any): PLN 2005-00192

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:

Debra Christoffers (owner)
Jon Jang (applicant)
1049 Whipple Ave.
Redwood City, CA 94063

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)

SECTION IV. Reasons Supporting This Appeal

PLEASE 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.
- 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.)
- This 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.

(please see attached)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

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

Committee for Green Foothills
Lennie Roberts, Legislative Advocate

Signature of Appellant(s) or Authorized Agent

Date: 6/7/07

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: _____

Summary of Reasons for Appeal

San Mateo County File No. PLN 2005--00192
Owner: Debra Christoffers, Applicant: Jon Jang
Location: 10721 Cabrillo Highway, Pescadero
Appellant: Lennie Roberts, Committee for Green Foothills

The project, as approved by San Mateo County, does not comply with the Visual Resources and Hazards Components of the County's certified Local Coastal Program.

The proposed project is located on a 2.6 acre parcel, adjacent to Bean Hollow State Beach. The applicant proposes to demolish a 1,000 sq ft, 26 ft high A-frame house and replace it with a 5,936 sq ft, 33 ft high two story house, expanded and upgraded septic system and drainfields, paved terrace, barbecue and spa areas of undetermined square footage, and a 960 sq ft horse stable.

Visual Resources

The proposed project is located between Highway One and the sea. The site is adjacent to Bean Hollow State Park Beach, located to the north. The existing A frame house is mostly screened by Monterey pines and Monterey cypress trees, as viewed from Highway One, however, approximately 2/3 of the A frame house is visible from bluffs and trails on the adjacent State Park lands. The proposed house would be much larger in size, scale, and mass than the existing A frame. The 1,526 sq ft second story will create a much greater visual impact, particularly in its mass, bulk, and height, than a single story house would in this visually sensitive location.

There has been inadequate analysis of the proposed project's compliance with the LUP Visual Resources Policies in order for the visual impacts of the project to be properly evaluated, and alternatives to be considered. This analysis, at a minimum, must be based upon first staking in the field to delineate the perimeter walls and roof of the proposed house and using photo simulations to depict the house as viewed from public viewpoints along Cabrillo Highway and adjacent State Park bluffs and trails. Alternative designs such as a one-story house should be evaluated, if the photo-simulations indicate that the house would create visual impacts.

The Monterey pines throughout this area of the coast are suffering from disease, and many in the immediate vicinity of the project site are dead or dying. The County's approval only considered the impacts of the removal of five trees (and replacement on a one to one ratio) that are in advanced decline or have fallen over. No conditions are included in the CDP that address the loss of Monterey pines that currently screen the house from public views, but will inevitably die in the near future. The proposed surface water retention pond on the north side of the house will likely require the removal of additional trees that currently screen part of the house, this has not been evaluated.

The County did not evaluate the project's compliance with LUP Policy 8.20 which requires structures to relate in size and scale to adjacent buildings. The proposed house would be 4-5 times larger than neighboring residential structures (west of Highway One) in the vicinity, all of which appear to be single story structures, as documented on the California Coastal Records Project website.

The proposed beige/taupe color of the rough stucco plaster and gray roof of the house may contrast rather than blend well with the darker forest tones, depending upon the color tone. Photo-simulations showing the color of the house walls and roof and their relationship to tree and

other vegetation color would provide the basis for determination the project's compliance with LUP Policy 8.18 a.

There is no analysis of the project's compliance with Policy 8.22 regarding undergrounding of overhead utility distribution lines to serve the new house.

Absent an adequate visual analysis based on field staking and photo-simulations, it is not possible to determine the visual impacts, and therefore the conclusions that the project is in compliance with the LUP Visual Policies are merely speculative.

LUP Visual Resources Policies include (in relevant part):

8.4 (Cliffs and Bluffs)

b. Set back bluff top development and landscaping from the bluff edge (i.e., decks, patios, structures, trees, shrubs, etc.) sufficiently far to ensure it is not visually obtrusive when viewed from the shoreline…"

8.5 (Location of Development)

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.

8.18 (Development Design)

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 as to confine direct rays to the parcel where the lighting is located.

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

8.20 Scale

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

8.22 Utilities in State Scenic Corridors

Install new distribution lines underground.

Hazards

The August 16, 2003 Geotechnical Investigation Report, by GeoForensics, Inc.. does not contain adequate information and analysis to determine whether the location and design of the proposed house, expanded and upgraded septic system drainfields, landscape irrigation, and drainage facilities are in compliance with the LUP Hazards policies. The map depicting the historic and projected bluff retreat (Figure 5 – 50 Year Bluff Retreat Setback) is inadequate in that it only shows "approximate edge of water", and unidentified lines that must be inferred as the historic top of bluff, current top of bluff, and 50 year projected top of bluff. There was apparently no in-field survey of the existing top of bluff, nor are topographic lines except for 70 and 80 foot elevations indicated on the map. Cliff geometry, site topography, extension of the survey work beyond the site, are required by LUP Policy 9.8.b.(2).

The Site Location, Vicinity Topography, and Geotechnical Hazards Maps (Figures 1-3) erroneously identify the subject property as being in a different location that is approximately a half-mile north of the project site.

The proposed location of the new residence and paved terrace, spa, and barbecue areas are not indicated on the 50 Year Bluff Retreat Setback map. The report does not provide information as to how the project is in compliance with LUP Policy 9.8.c.regarding demonstration of stability.

It is unclear how the increased runoff from the significantly increased impervious surfaces resulting from the project will be addressed. The report recommends that surface waters should be encouraged to disperse across the site as evenly as practical to limit concentrations of surface waters flowing over the ocean bluffs. The report allows roof runoff to drip onto the soil surface, or into gutters that may discharge to splash blocks or tie to an underground pipe system. The report does not address increased runoff from the terrace, spa, and barbecue areas, or other impervious surfaces. There is no discussion or analysis of the relationship between the site's shallow bedrock (13 feet below the surface) and the potential for the drainage from the house, expanded septic system drainfield, and impervious surfaces to daylight at the cliff/bluff face which could increase the hazards from the natural erosional processes. The Site Plan (Attachment C) indicates retention ponds - to the north and south-west of the house. The northern pond would likely damage the roots of several mature trees that partially screen the current house, and/or require their removal. The southern pond would be located partially underneath the planter and terrace, and is in close proximity to the projected 50 year cliff retreat line, which could further exacerbate the cliff retreat in this area.

There is no Condition of Approval that would require acknowledgement and agreement by the applicant that LUP Policy 9.8 d prohibits structures that would require bluff protection work in the future.

LUP Hazards Policies include (in relevant part):

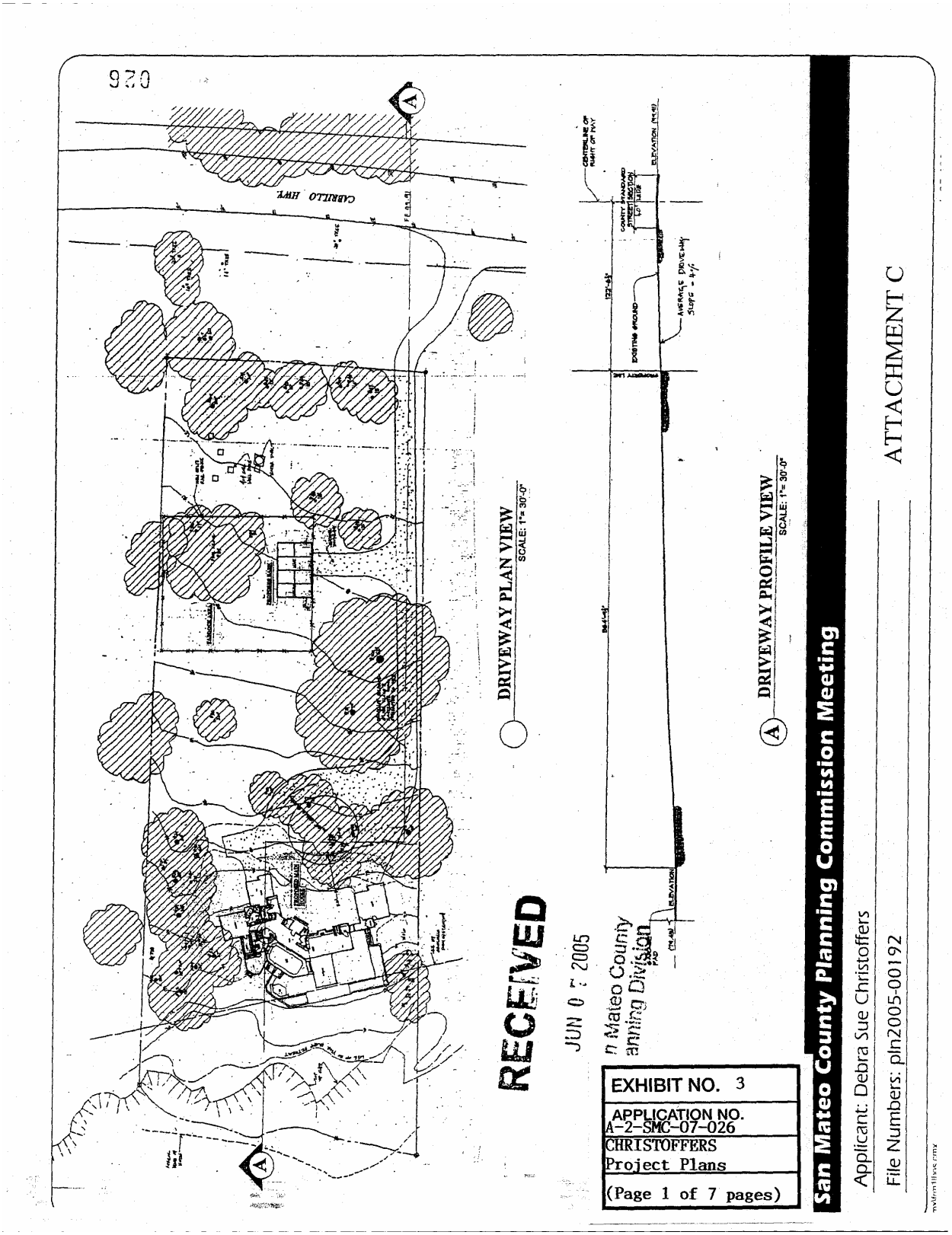
9.8 Regulation of Development on Coastal Bluff Tops

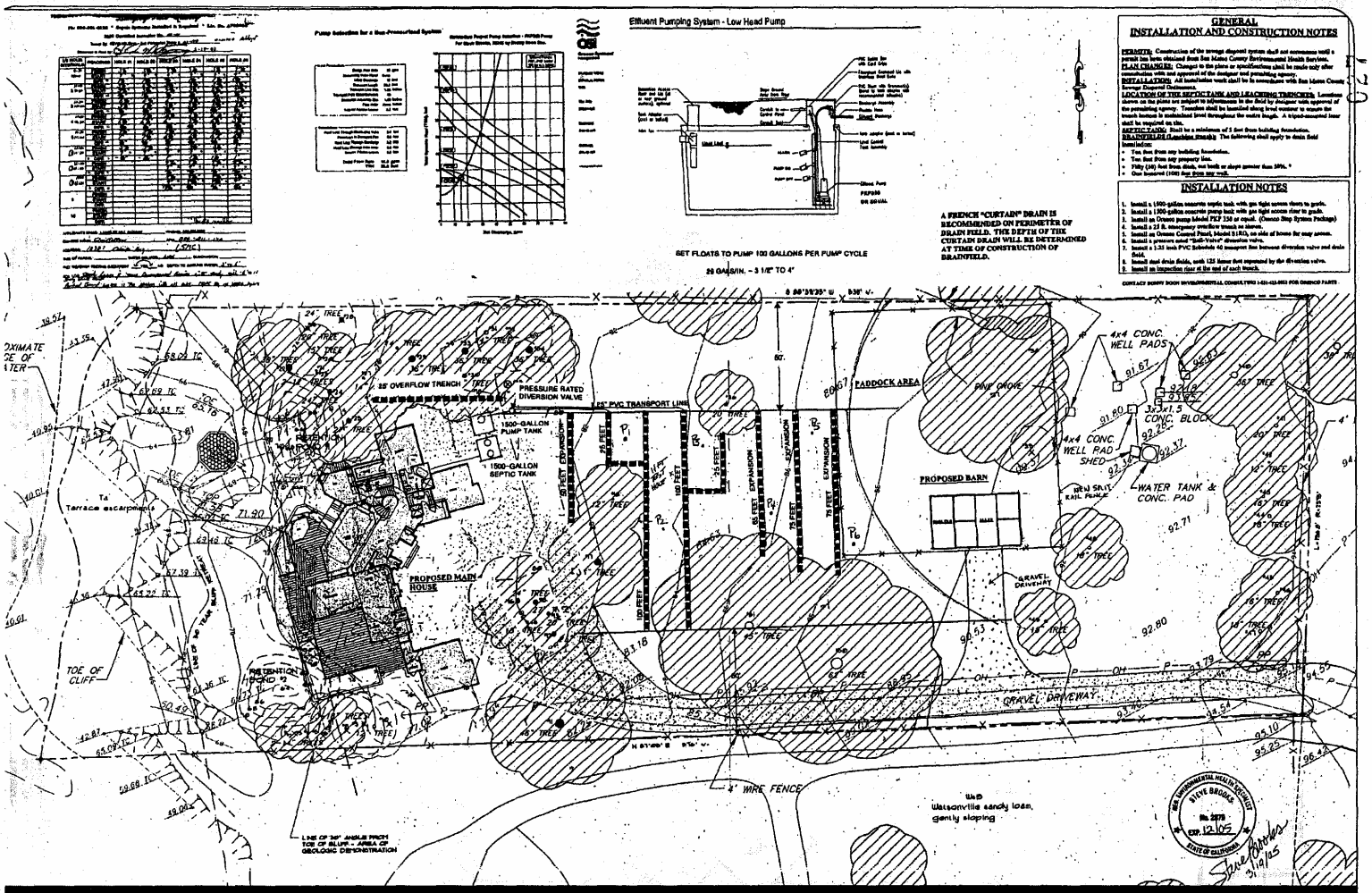
a. Permit bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected economic life span of the development (at least 50 years) and if the development (including storm runoff, foot traffic, grading, irrigation,

and septic tanks) will neither create nor contribute significantly to erosion problems or geologic instability of the site or surrounding area.

b. Require the submittal of a site stability evaluation report for an area of stability demonstration prepared by a soils engineer or a certified engineering geologist, as appropriate, acting within their areas of expertise, based on an on-site evaluation. The report shall consider:

(1) Historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs where available, and possible changes in shore configuration and transport.
(2) Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site and the proposed development.
(3) Geologic conditions, including soil, sediment and rock types and characteristics in addition to structural features such as bedding, joints, and faults.
(5) Wave and tidal action, including effects of marine erosion on seacliffs.
(6) Ground and surface water conditions and variations, including hydrologic changes caused by the development (e.g., introduction of sewage effluent and irrigation water to the groundwater system; alternations in surface drainage).
(7) Potential effects of seismic forces resulting from a maximum credible earthquake.
(8) Effects of the proposed development including siting and design of structures, septic system, landscaping, drainage, and grading, and impacts of construction activity on the stability of the site and adjacent area.
c. The area of demonstration of stability includes the base, face, and top of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined a 20 degree angle from the horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater.
d. Prohibit land divisions or new structures that would require the need for bluff protection work.


CABRILLO HWY
DRIVEWAY PLAN VIEW
SCALE: 1"= 30'-0"
DRIVEWAY PROFILE VIEW
SCALE: 1"= 30'-0"
RECEIVED
JUN 07 2005
n Mateo County
anning Division
EXHIBIT NO. 3
APPLICATION NO.
A-2-SMC-07-026
CHRISTOFFERS
Project Plans
(Page 1 of 7 pages)
San Mateo County Planning Commission Meeting
Applicant: Debra Sue Christoffers
File Numbers: pln2005-00192
ATTACHMENT C

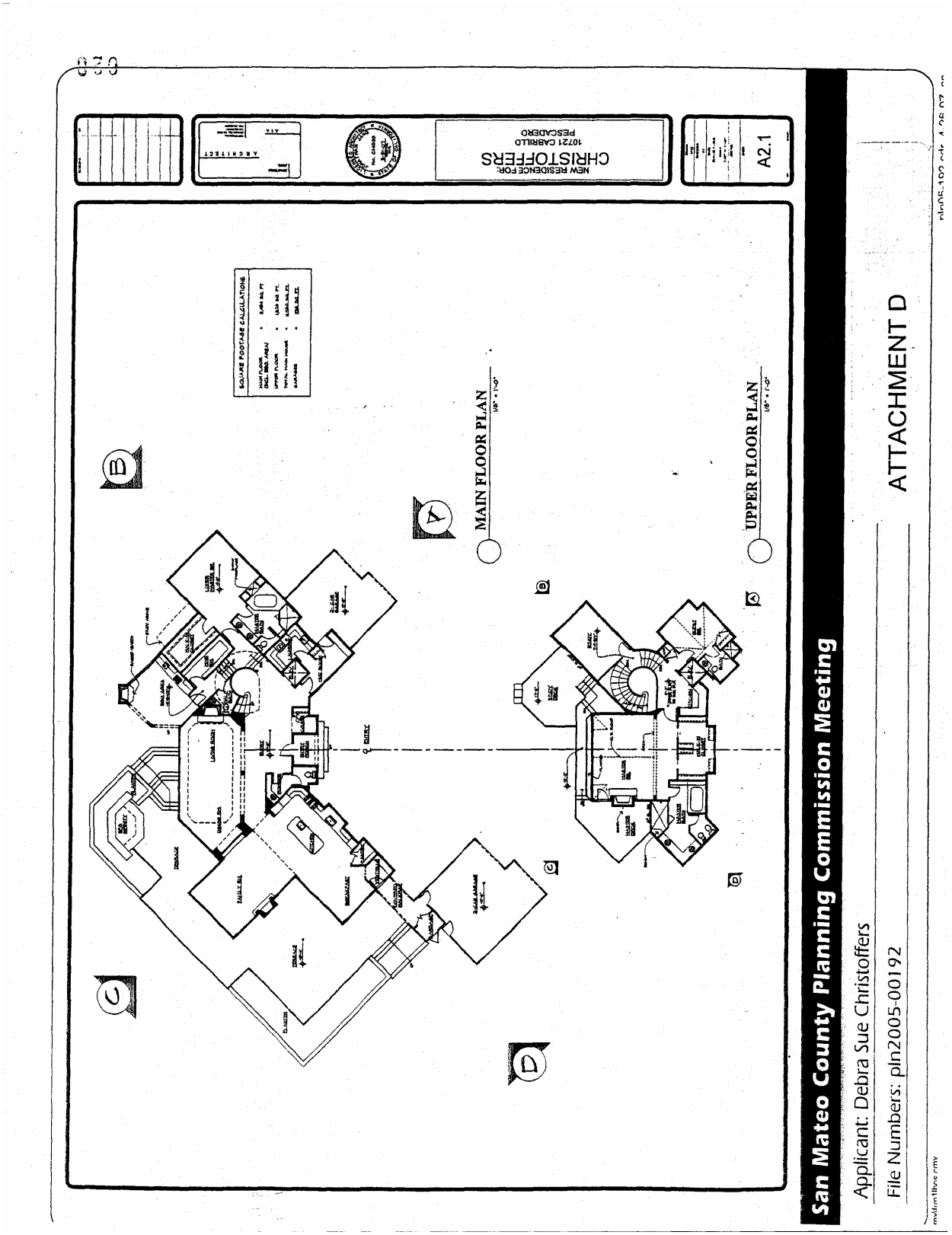


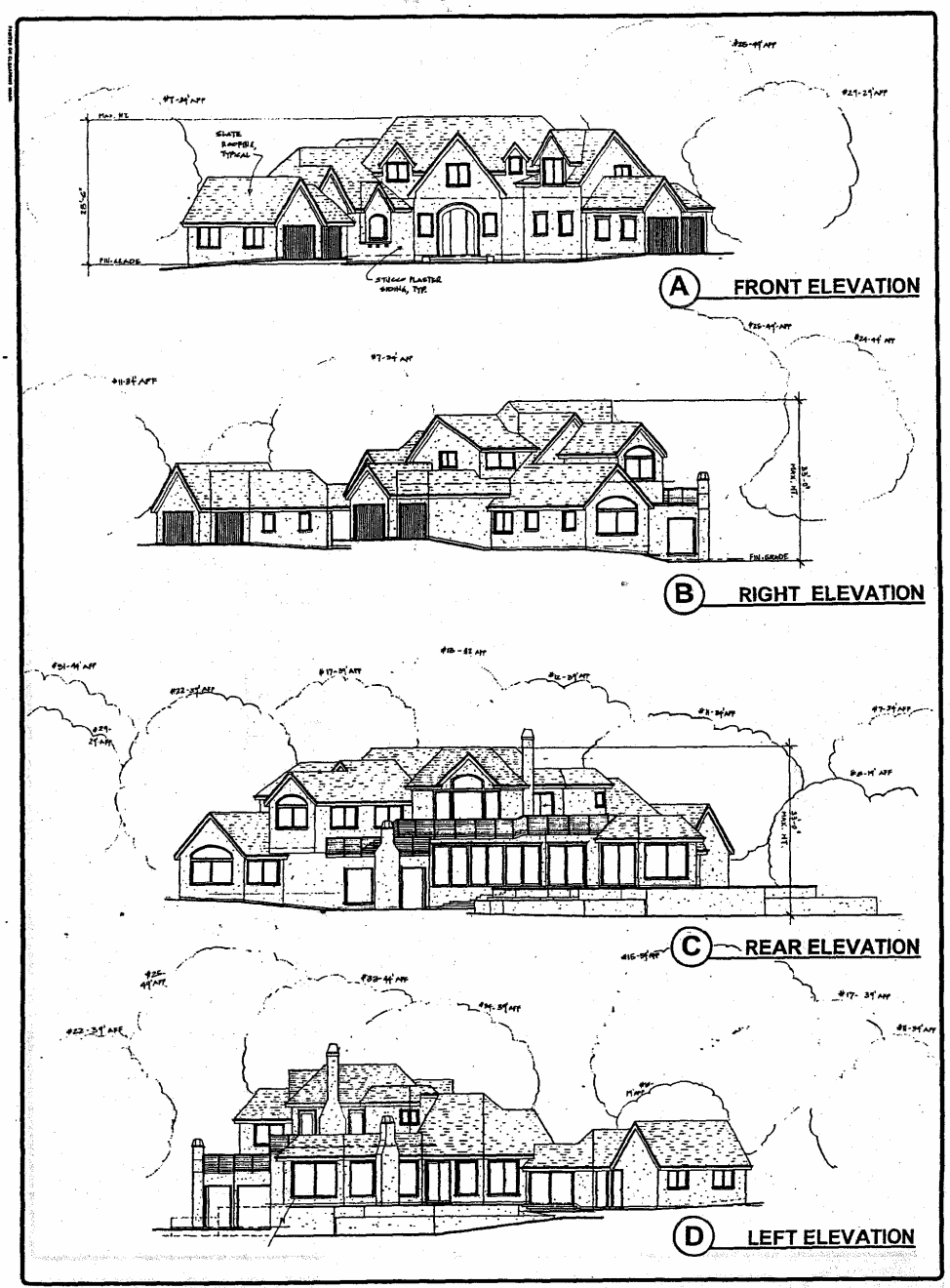
San Mateo County Planning Commission Meeting

Applicant: Debra Sue Christoffers

File Numbers: pln2005-00192

ATTACHMENT C


NEW RESIDENCE FOR:
CHRISTOFFERS
10721 CABRILLO
PESCADERO
A2.1
MAIN FLOOR PLAN
UPPER FLOOR PLAN
San Mateo County Planning Commission Meeting
Applicant: Debra Sue Christoffers
File Numbers: pln2005-00192
ATTACHMENT D



A2.2

NEW RESIDENCE FOR:
CHRISTOFFERS
10721 CABRILLO
PESCADERO

ARCHITECT

San Mateo County Planning Commission Meeting

Applicant: Debra Sue Christoffers

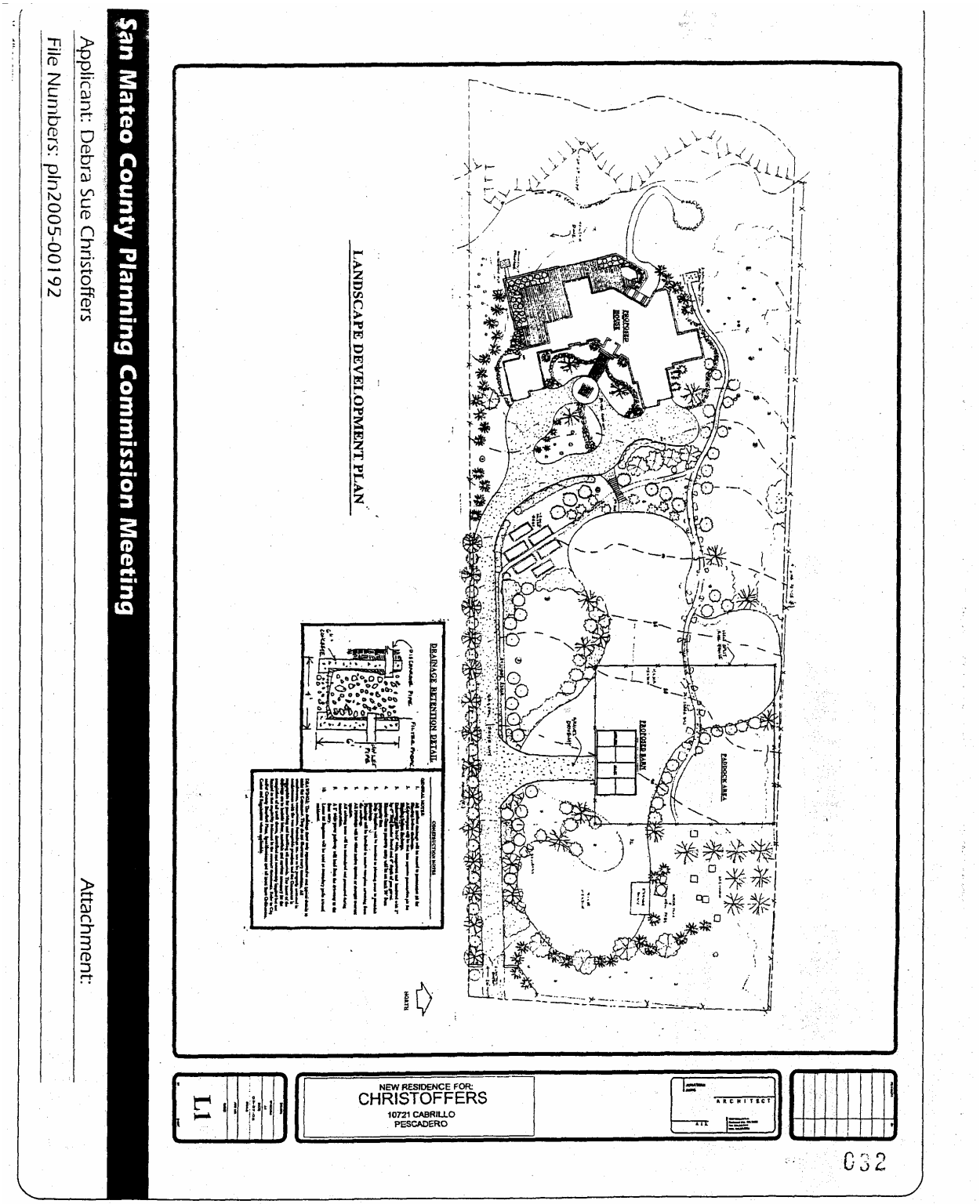
File Numbers: pln2005-00192

ATTACHMENT E

cmxform11bos.cmx

San Mateo County Planning Commission Meeting
Applicant: Debra Sue Christoffers
File Numbers: pln2005-00192
Attachment:
STABLE - FLOOR PLAN
NEW RESIDENCE FOR:
CHRISTOFFERS
10721 CABRILLO
PESCADERO
A2.4
ARCHITECT
STALL
STALL
STALL
ALLEY/BROOKSIDE
SHED ROOF
RIDGE
VALLEY

RIGHT-SIDE ELEVATION
LEFT-SIDE ELEVATION
FRONT ELEVATION
REAR ELEVATION
NEW RESIDENCE FOR:
CHRISTOFFERS
10721 CABRILLO
PESCADERO
A2.5
ARCHITECT
San Mateo County Planning Commission Meeting
Applicant: Debra Sue Christoffers
Attachment:
File Numbers: pln2005-00192


San Mateo County Planning Commission Meeting
Applicant: Debra Sue Christoffers
File Numbers: pln2005-00192
Attachment:
LANDSCAPE DEVELOPMENT PLAN
DRAINAGE RETENTION DETAIL
PROPOSED BARN
PADDOCK AREA
NORTH
NEW RESIDENCE FOR:
CHRISTOFFERS
10721 CABRILLO
PESCADERO
L1
ARCHITECT
032

ATTACHMENT G

GEOTECHNICAL INVESTIGATION
FOR PROPOSED NEW RESIDENCE
at the 2JC-19
Christoffers Property
10721 Cabrillo Highway
Pescadero, California

Report Prepared for:

Ms. Debra Christoffers

Report Prepared by:

GeoForensics, Inc.

August 2003

EXHIBIT NO. 4
APPLICATION NO. A-2-SMC-07-026
CHRISTOFFERS GeoForensics, Inc. Geotechnical Investigation
(Page 1 of 24 pages)

GEOFORENSICS INC. Consulting Soil Engineering
561 Pilgrim Dr., Suite D, Foster City, California 94404 Phone: (650) 349-3369 Fax: (650) 571-1878

File: 203110
August 16, 2003

Ms. Debra Christoffers
10721 Cabrillo Highway
Pescadero, CA 94060

Subject: **Christoffers Property**
10721 Cabrillo Highway
Pescadero, California
GEOTECHNICAL INVESTIGATION
FOR PROPOSED NEW RESIDENCE

Dear Ms. Christoffers:

In accordance with your authorization, we have performed a subsurface investigation into the geotechnical conditions present at the location of the proposed improvements. This report summarizes the conditions we measured and observed, and presents our opinions and recommendations for the design and construction of the proposed new residence.

Site Description

The subject site is a gently sloping, flag lot located on the west side of Cabrillo Highway (at the approximate location shown on Figure 1) along the Pacific Ocean bluffs. For purposes of description in this report, it is assumed that the property faces east towards the street. The property is bounded by other developed single family residential lots to the north and south, the bluffs of the Pacific Ocean to the west, and Cabrillo Highway to the east.

The site is currently occupied by a single-story, A-frame residence situated approximately 60 feet away from the ocean bluff. There is a detached garage off the southeast corner of the house. The wooden house floors are supported above crawlspace areas, while the garage has a concrete slab-on-grade floor. A dirt and gravel driveway leads from Cabrillo Highway to the garage.

The ground surface in the site vicinity has an overall slope gently down towards the west (as shown on Figure 2). At the site, the ground also slopes gently down towards the west, until they reach the ocean bluff where the ground slopes steeply (to near vertically) down to the ocean. Non-bluff surface gradients range from 15:1 to 20:1 (horizontal:vertical, H:V). There are roughly 25 foot tall bluffs along the coast, that range from having a 2:1 slope to a near vertical face. During the original development of the property, it appears that little or no grading work was required to create the existing level building pad.

The grounds around the residence have been landscaped with a variety of small to medium sized bushes and shrubs, ice plants to the rear of the house, and numerous small to large trees. Wood decks were installed along both sides of the house.

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Proposed Construction

We understand that the current development for the site proposes the demolition of the existing residence, and the subsequent construction of a new single family residence and associated improvements. No basement is planned for the house. New foundation loads are expected to be typical for this type of structure (i.e. light).

Excavation work at the site is expected to be limited to crawlspace and foundation excavations. No significant fill placement is anticipated as part of this work. No significant retaining walls are anticipated for this scope of work.

INVESTIGATION

Scope and Purpose

The purpose of our investigation was to determine the nature of the subsurface soil conditions so that we could provide geotechnical recommendations for the construction of the proposed new residence and associated improvements. In order to achieve this purpose, we have performed the following scope of work:

1 - visited the property to observe the geotechnical setting of the area to be developed;

2 - reviewed relevant published aerial photos;

3 - reviewed relevant published geotechnical maps;

4 - drilled two borings near the location of the proposed improvements;

5 - performed laboratory testing on the collected soil samples;

6 - performed a cliff retreat study;

7 - assessed the collected information and prepared this report.

The findings of these work items are discussed in the following sections of this report.

Site Observations

We visited the site on July 17, 2003 to observe the geotechnically relevant site conditions. During our visit, we noted the following conditions:

A - The existing house appears to be supported by isolated perimeter and interior wooden posts resting on concrete pedestals. The foundation system appeared to be in good condition.

B - The exterior house walls were covered with wood shingles from the roof down to the floor elevation. The wood shingles were generally in good condition.

C - We consider the drainage around the house to be good. The ground surface near the house, and over much of the lot, has sufficient slope away from the house to adequately carry water away from the house.

Geologic Map Review

We reviewed the *Geotechnical Hazards Synthesis Map for San Mateo County*, by Leighton and Associates (1976). The relevant portion of the Leighton map has been reproduced in Figure 3.

The Leighton map indicates that the site is underlain by Marine Terrace Deposits (map symbol "4"). Leighton describes these materials as consisting of "weakly consolidated, slightly weathered sand and gravel deposits. They are generally less than 30 feet thick, and occur on flat gently sloping, wave eroded platforms along Pacific coast between sea level and 500 feet above sea level. Slopes are from 5% to 15%.

The Leighton map also maps Pigeon Point Formation (map symbol "12") nearby. Leighton describes these materials as consisting of "sandstones with abundant interbedded mudstone, siltstone, and shale. These units are hard, locally soft where weathered, and distinctly bedded.

Our subsurface exploration (see below) encountered sand and sandstone materials similar to those described to be Pigeon Point Formation.

The active San Gregorio Fault is mapped approximately 3.2 miles southwest of the site.

Subsurface Exploration

On July 17, 2003 we drilled two borings at the site at the locations shown on Figure 4. The borings were drilled using a Mobile B-24 truck-mounted drilling rig equipped with 4.0 inch diameter, helical flight augers. Logs of the soils encountered during drilling record our observations of the cuttings traveling up the augers and of relatively undisturbed samples collected from the base of the advancing holes. The final boring logs are based upon the field logs with occasional modifications made upon further laboratory examinations of the recovered samples and laboratory test results. The final logs are attached in Appendix A.

The relatively undisturbed samples were obtained by driving a 3.0 inch (outer diameter) Modified California Sampler and a Standard Penetration Sampler (as noted on logs) into the base of the advancing hole by repeated blows from a 140 pound hammer lifted 30 inches. On the logs, the number of blows required to drive the sampler the final 12 inches of the 18 inch drive, have been recorded as the Blow Counts. These blows have not been adjusted to reflect equivalent blows of any other type of sampler or hammer, or to account for the different samplers used.

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Subsurface Conditions

The borings encountered similar subsurface soil and rock conditions.

Boring 1 first penetrated 8 feet of medium dense to very dense sand with varying amounts of clay and decomposed granite. This sand graded to very dense sandstone by a depth of 13 feet. The boring was terminated in the sandstone bedrock at 13.5 feet.

Boring 2 penetrated 13 feet of dense sand with varying amounts of clay and decomposed granite. Below this was very dense sandstone bedrock down to the terminated boring depth of 13.5 feet.

Please refer to Appendix A for a more detailed description of each boring.

Groundwater was encountered at a depth of 13 feet during the drilling of boring 1.

Laboratory Testing

The relatively undisturbed samples collected during the drilling process were returned to the laboratory for testing of engineering properties. In the lab, selected soil samples were tested for moisture content, density, expansion potential, plasticity, collapse potential, and strength. The results of the laboratory tests are attached to this report in Appendix B.

Plasticity Index (PI) testing done on the near surface soil produced a PI of 0, indicating that the near surface soil is not plastic and is non-expansive.

Strength testing was conducted on a sample of the native soil (Sample 2-1 @ 2.5 feet). The testing showed that this material has moderate to high strength parameters (cohesion = 142 psf, friction angle = 30 degrees). The other deeper soils at the site were judged to have higher strengths based upon the blow counts obtained during the sampling process.

Cliff Retreat Study

We used historic aerial photographs of the subject site to determine the rate of ocean bluff retreat in the past. Photos spanning from 1958 (SF-AREA 1-128; 3/01/58; 1:36000, B/W) to 2000 (AV6600-206-9/10; 8/15/00; 1:12000; B/W) were reviewed in our analysis. Portions of the 1958 and 2000 photographs were then enlarged to a scale of 1 inch equals 100 feet so that we could measure the rate of bluff retreat over this 40+ year interval.

The photographs indicated that the erosion along this portion of the ocean bluff is heavily influenced by the structure of the underlying bedrock, with erosion developing in a southeasterly direction, rather than orthogonal to the bluff face. The structure of the bedrock and its tendency to provide a "deflecting" blow to the force of wave action was confirmed during our site observations.

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Using the enlarged historic aerial photographs, we plotted the position of the ocean bluff in 1958 and again in 2000. The shape of the bluff and distance between bluff positions was measured to establish a rate of retreat. A new anticipated bluff position was then plotted for 50 years from now based upon the historic rate of retreat. This new bluff position is indicated on Figure 5. The 50 year retreat line should be used as a basis for limiting the proximity of the new house to the ocean bluff. No "permanent" structure should be constructed to the west of the 50 year retreat line.

CONCLUSIONS AND RECOMMENDATIONS

General

Based upon our investigation, we believe that the proposed improvements can be safely constructed. Geotechnical development of the site is controlled by the presence of gentle slopes and non-expansive soils, so the house foundations may consist of conventional spread footings. However, the continued slow erosion of the ocean bluffs must be anticipated, and therefore we have provided a set back line (50 year retreat line) to limit the potential for damage to the improvements as the ocean bluff retreats.

The recommendations in this report should be incorporated into the design and construction of the proposed new residence and associated improvements.

Seismicity

The greater San Francisco Bay Area is recognized by Geologists and Seismologists as one of the most active seismic regions in the United States. Three major fault zones pass through the Bay Area in a northwest direction which have produced approximately 12 earthquakes per century strong enough to cause structural damage. The faults causing such earthquakes are part of the San Andreas Fault System, a major rift in the earth's crust that extends for at least 700 miles along western California. The San Andreas Fault System includes the San Andreas, Hayward, Calaveras Fault Zones, and other faults.

During 1990, the U.S. Geological Survey cited a 67 percent probability that a Richter magnitude 7 earthquake, similar to the 1989 Loma Prieta Earthquake, would occur on one of the active faults in the San Francisco Bay Region in the following 30 years. Recently, this probability was increased to 70 percent, as a result of studies in the vicinity of the Hayward Fault. A 23 percent probability is still attributed specifically to the potential for a magnitude 7 earthquake to occur along the San Andreas fault by the year 2020.

Ground Rupture - The lack of mapped active fault traces through the site, suggests that the potential for primary rupture due to fault offset on the property is low.

Ground Shaking - The subject site is likely to be subject to very strong to violent ground shaking during its life span due to a major earthquake in one of the above-listed fault zones. Current building code design should be followed by the structural engineer to minimize damages due to seismic

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shaking. The *Maps of Known Active Fault Near-Source Zones in California and Adjacent Portions of Nevada* (1998) indicates the site is located approximately 4.2 km from the San Gregorio Fault (Seismic Source Type A). The site should be considered to have a UBC Soil Type SD. Alternatively, site-specific accelerations may be utilized by the structural engineer for the design of the proposed improvements. The following accelerations were obtained by utilizing the EQFAULT computer program by T.F. Blake. The program provides a deterministic prediction of horizontal ground accelerations from more than 100 digitized faults. Then utilizing an attenuation relationship by Idriss (1994), a maximum-credible site acceleration of 0.52 g, and a maximum-probable site acceleration of 0.43 g, were predicted for the property (50% probability of excedence). These site accelerations were determined assuming a maximum-credible event of magnitude 8.0, and a maximum-probable event of magnitude 7.3 (100 year return), on the San Andreas fault. We note that the repeatable accelerations typically used for seismic design are generally considered to be on the order of 67% of the aforementioned peak values.

Landsliding - The site where the house is proposed is level, but is bordered to the west by ocean bluffs. From our investigation, it is apparent that these slopes will be attacked by wave erosion in the future, but the rate of ground loss should be relatively slow, occurring as periodic episodes of mass wasting (cliff slides) occurring during heavy surf, heavy rains, or earthquake shaking. The use of the proposed 50 year erosion line is considered to be adequate to protect the residence from seismic slope failure for the next several decades.

Liquefaction - Liquefaction most commonly occurs during earthquake shaking in loose fine sands and silty sands associated with a high ground water table. Based upon the subsurface investigation, the proposed building site is underlain by resistant materials at shallow depths. Additionally, shallow ground water was not encountered under the proposed building site. Therefore, it is our opinion that liquefaction is unlikely to affect the subject property.

Ground Subsidence - Ground subsidence may occur when poorly consolidated soils densify as a result of earthquake shaking. Since the proposed building site is underlain at shallow depths by resistant materials, the hazard due to ground subsidence is, in our opinion, considered to be low.

Lateral Spreading - Lateral spreading may occur when a weak layer of material, such as a sensitive silt or clay, loses its shear strength as a result of earthquake shaking. Overlying blocks of competent material may be translated laterally towards a free face. Such conditions were not encountered on the proposed building site, therefore, the hazard due to lateral spreading is, in our opinion, considered very low.

Seich/Tsunami - As with all coastal property, the subject property could be affected by any seismic wave exceeding a crest height of over 25 feet. Such waves are very rare, but devastating when they occur. There is no mitigation measures which can be designed into this property to economically mitigate this threat. ***This is a risk the owner must accept.***

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Site Preparation and Grading

All debris resulting from the demolition of existing improvements should be removed from the site and may not be used as fill. Any existing underground utility lines to be abandoned, should be removed from within the proposed building envelope and their ends capped outside of the building envelope.

Any vegetation and organically contaminated soils should be cleared from the building area. All holes resulting from removal of tree stumps and roots, or other buried objects, should be overexcavated into firm materials and then backfilled and compacted with native materials.

The placement of fills at the site is expected to include: utility trench backfill, slab subgrade materials, and finished drainage and landscaping grading. These and all other fills should be placed in conformance with the following guidelines:

Fills may use organic-free soils available at the site or import materials. Import soils should be free of construction debris or other deleterious materials and be non-expansive. *A minimum of 3 days prior to the placement of any fill, our office should be supplied with a 30 pound sample (approximately a full 5 gallon bucket) of any soil or baserock to be used as fill (including native and import materials) for testing and approval.*

All areas to receive fills should be stripped of organics and loose or soft near-surface soils. Fills should be placed on level benches in lifts no greater than 6 inches thick (loose) and be compacted to at least 90 percent of their Maximum Dry Density (MDD), as determined by ASTM D-1557. In pavement (concrete or asphalt) areas to receive vehicular traffic, all baserock materials should be compacted to at least 95 percent of their MDD. Also, the upper 6 inches of soil subgrade beneath any pavements should be compacted to at least 95 percent of its MDD.

Temporary, dry-weather, vertical excavations should remain stable for short periods of time to heights of 5 feet. All excavations should be shored in accordance with OSHA standards.

Permanent cut and/or fill slopes should be no steeper than 2:1 (H:V). However, even at this gradient, minor sloughing of slopes may still occur in the future. Positive drainage improvements (e.g. drainage swales, catch basins, etc.) should be provided to prevent water from flowing over the tops of cut and/or fill slopes, or in a concentrated form over the ocean bluffs.

Foundations

Due to the relatively non-expansive nature and high strength of the site soils, the foundations for the proposed building may consist of conventional spread footings. All footings should be a minimum of 12 inches wide. Strip footings should be embedded a minimum of 18 inches below exterior grade and 12 inches below interior grade, *whichever is deeper*. Isolated footings (e.g. interior pads or exterior post supports) should be embedded at least 18 inches below lowest adjacent grade.

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All footings should bear on stiff soils, as verified by our office in the field. Localized deepening of footings may be required if variable conditions are encountered during construction.

The footings should be founded below an imaginary line projecting at a 1:1 slope from the base any adjacent, parallel utility trenches.

The footings should be designed to exert pressures on the ground which do not exceed 2000 psf for Dead plus Live Loads. The weight of the embedded portion of the footings may be neglected when determining bearing pressures. Lateral pressures may be resisted by friction between the base of the footings and the ground surface. A friction coefficient of 0.40 may be assumed. These values may be increased ⅓ for transient loads (i.e. seismic and wind).

Footings should be nominally reinforced with four #4 bars (two at top and two at bottom). The designer should determine actual width, embedment and reinforcement for the footings.

If the above recommendations are followed, total foundation settlements should be less than 1 inch, while differential settlements should be less than ¾ inches.

Retaining Walls

No new retaining walls are planned for this scope of work. If plans should change to include retaining walls, then our office should be notified for additional recommendations.

Slabs-on-Grade

New house floors may consist of slabs on grade, as may the driveway, any sidewalks or patios, and garage floor. We have provided guidelines to help reduce post-construction movements, however, it is nearly impossible to economically eliminate all shifting.

To help reduce cracking, we recommend slabs be a minimum of 4 inches thick and be nominally reinforced with #4 bars at 24 inches on center, each way. House floor slabs should be a minimum of 5 inches thick, and reinforced with #4 bars at 12 inches on center. Slabs which are thinner or more lightly reinforced may experience undesirable cosmetic cracking. However, actual reinforcement and thickness should be determined by the structural engineer based upon anticipated usage and loading.

In large non-interior slabs (e.g. patios, garage, etc.), score joints should be placed at a maximum of 10 feet on center. In sidewalks, score joints should be placed at a maximum of 5 feet on center. All slabs should be separated from adjacent improvements (e.g. footings, porches, columns, etc.) with expansion joints.

Slabs through which moisture transmission is undesirable, should be underlain by 2 inches of sand over 4 inches of ¾ inch drain rock. The sand and drain rock should be separated by a vapor barrier (e.g. visqueen). Slabs which will be subject to light vehicular loads and through which moisture

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transmission is not a concern (e.g. driveway) should be underlain by at least 6 inches of compacted baserock, in lieu of the sand and gravel. Exterior landscaping flatwork (e.g. patios and sidewalks) may be placed directly on proof-rolled soil subgrade materials (e.g. no granular subgrade), however, they will be potentially subject to shifting and moisture transmission. If the house floors will be concrete, then we recommend that a system of perforated pipes be placed at the base of the gravel layer under the house to preclude any build up of moisture under the residence granular section. This drain should discharge independently of any other site drain.

As stated previously, in pavement (concrete or asphalt) areas to receive vehicular traffic, all baserock materials should be compacted to at least 95 percent of their MDD. Also, the upper 6 inches of native soil subgrade beneath any pavements should be compacted to at least 95 percent of its MDD.

Drainage

Surface Drainage - Adjacent to any buildings, the ground surface should slope at least 4 percent away from the foundations within 5 feet of the perimeter. Impervious surfaces should have a minimum gradient of 2 percent away from the foundation.

Surface water should be directed away from all buildings. "Trapped" planting areas should not be created next to any buildings without providing means for drainage.

All roof eaves may drip onto the soil surface around the house, or be lined with gutters. If gutters are used, they may discharge to splash blocks or tie to an underground pipe system. It will be important to limit concentrations of surface waters flowing over the ocean bluffs. Surface waters should be encouraged to disperse across the site as evenly as practical.

Footing Drain - Due to the potential for changes to surface drainage provisions, it would be wise (though not required) to install a perimeter footing drain to intercept water attempting to enter the crawlspace. If a footing drain is not installed, some infiltration of moisture into the crawlspace may occur. Such penetration should not be detrimental to the performance of the structure, but can possibly cause humidity and mildew problems within the house.

The footing drain system, if installed, should consist of a 12 inch wide gravel-filled trench, *dug at least 12 inches below the elevation of the adjacent crawlspace*. The trench should be lined with a layer of filter fabric (Mirafi 140N or equivalent) to prevent migration of silts and clays into the gravel, but still permit the flow of water. Then 1 to 2 inches of drain rock (clean crushed rock or pea gravel) should be placed in the base of the lined trench. Next a perforated pipe (minimum 3 inch diameter) should be placed on top of the thin rock layer. The perforations in the pipe should be face down. The trench should then be backfilled with more rock to within 6 inches of finished grade. The filter fabric should be wrapped over the top of the rock. Above the filter fabric 6 inches of native soils should be used to cap the drain. If concrete slabs are to directly overlay the drain, then the gravel should continue to the base of the slab, without the 6 inch soil cap. This drain should not be connected to any surface drainage system.

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Drainage Discharge - The footing drain (if installed) and any back-of-wall drain lines should discharge independently from the surface drainage system. A sump pump may be required for the footing drain discharge system. The surface and subsurface drain systems should not be connected to one another.

Drainage Materials - Drain lines should consist of hard-walled pipes (e.g. Schedule 40 PVC or SDR 35). In areas where vehicle loading is not a possibility, SDR 38 or HDPE pipes may be used. Corrugated, flexible pipes may not be used in any drain system installed at the property.

Surface drain lines (e.g. downspouts, area drains, etc.) should be laid with a minimum 2 percent gradient (¼ inch of fall per foot of pipe). Any subsurface drain systems (e.g. footing drains) should be laid with a minimum 1 percent gradient (⅛ inch of fall per foot of pipe).

Utility Lines

All utility trenches should be backfilled with compacted native clay-rich materials within 5 feet of any buildings. This will help to prevent migration of surface water into trenches and then underneath the structures' perimeter. The rest of the trenches may be compacted with other native soils or clean imported fill. Only mechanical means of compaction of trench backfill will be allowed. Jetting of sands is not acceptable. Trench backfill should be compacted to at least 90 percent of its MDD. However, under pavements, concrete flatwork, and footings the upper 12 inches of trench backfill must be compacted to at least 95 percent of its MDD.

Plan Review and Construction Observations

The use of the recommendations contained within this report are contingent upon our being contracted to review the plans, and to observe geotechnically relevant aspects of the construction.

We should be provided with a full set of plans to review at the same time the plans are submitted to the building/planning department for review. A minimum of one working week should be provided for review of the plans.

At a minimum, our observations should include: footing excavations; slab subgrade preparation; installation of any drainage system (e.g. footing and surface), and final grading. A minimum of 48 hours notice should be provided for all construction observations.

LIMITATIONS

This report has been prepared for the exclusive use of the addressee, and their architects and engineers for aiding in the design and construction of the proposed development. It is the addressee's responsibility to provide this report to the appropriate design professionals, building officials, and contractors to ensure correct implementation of the recommendations.

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The opinions, comments and conclusions presented in this report were based upon information derived from our field investigation and laboratory testing. Conditions between, or beyond, our borings may vary from those encountered. Such variations may result in changes to our recommendations and possibly variations in project costs. Should any additional information become available, or should there be changes in the proposed scope of work as outlined above, then we should be supplied with that information so as to make any necessary changes to our opinions and recommendations. Such changes may require additional investigation or analyses, and hence additional costs may be incurred.

Our work has been conducted in general conformance with the standard of care in the field of geotechnical engineering currently in practice in the San Francisco Bay Area for projects of this nature and magnitude. We make no other warranty either expressed or implied. By utilizing the design recommendations within this report, the addressee acknowledges and accepts the risks and limitations of development at the site, as outlined within the report.

Respectfully Submitted;
GeoForensics, Inc.

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

Bernard A. Atendido
Field Engineer

cc: 1 to addressee
4 to Sampson Construction (P.O. Box 12, San Gregorio, CA 94074)

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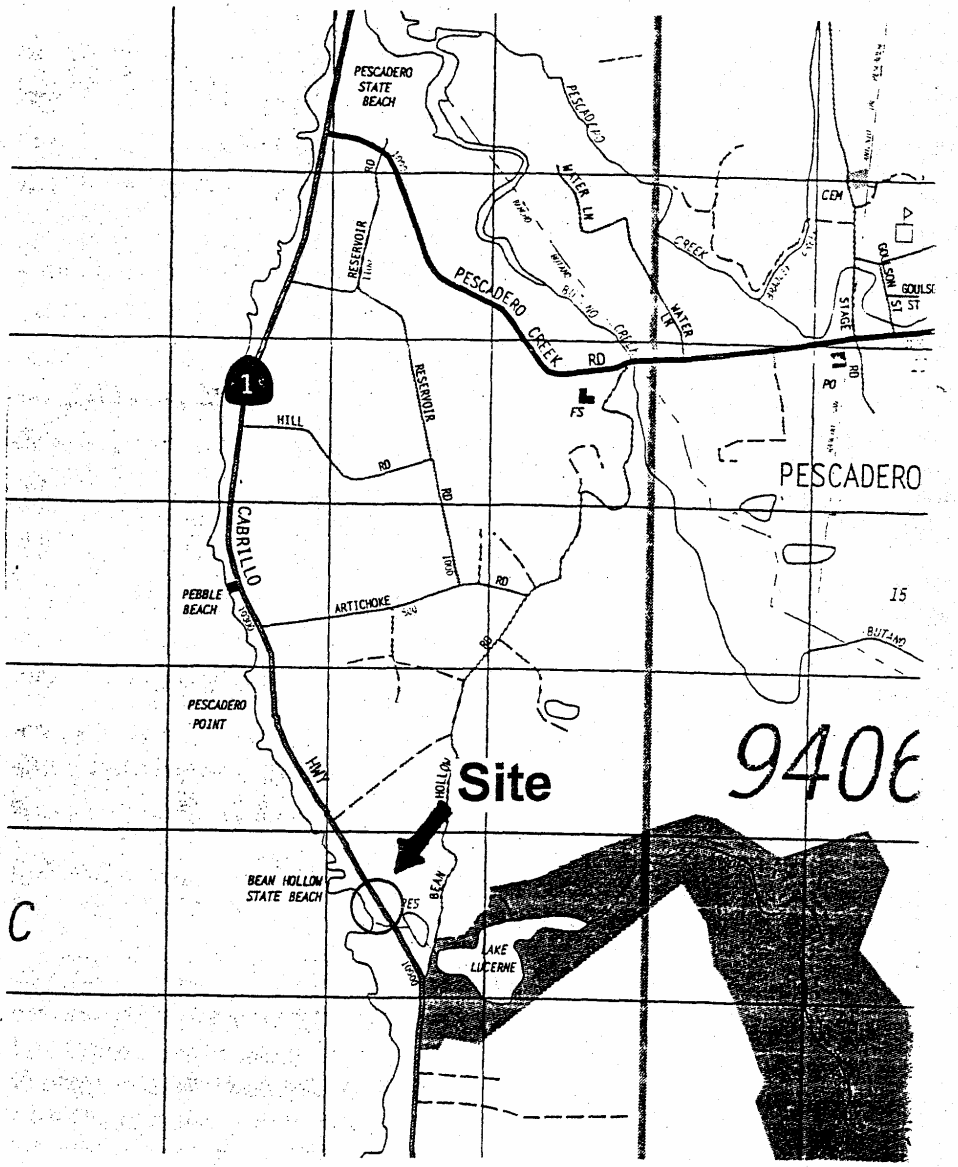

Source: Thomas Bros. Guide

GeoForensics Inc.
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Figure 1 - Site Location

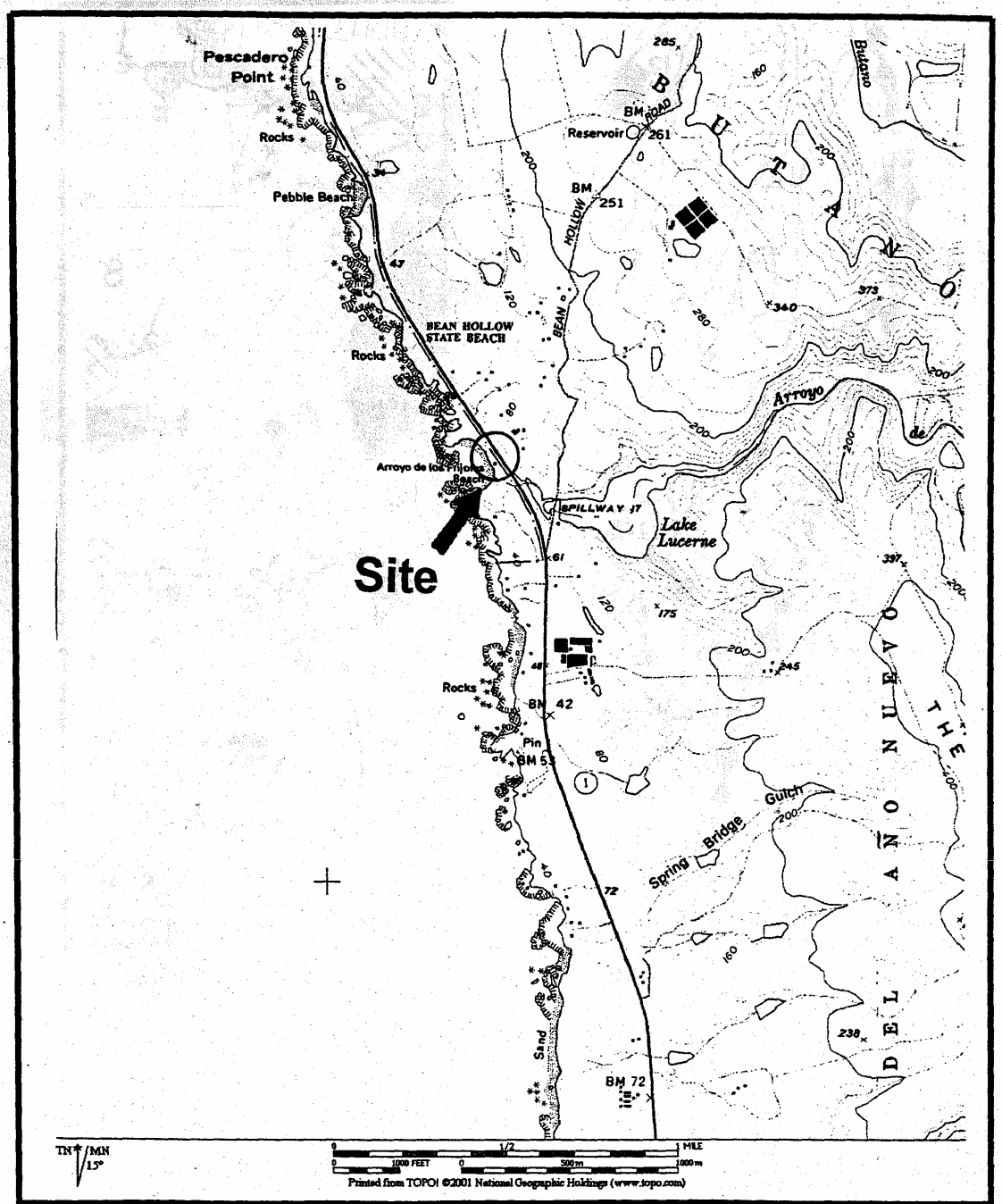

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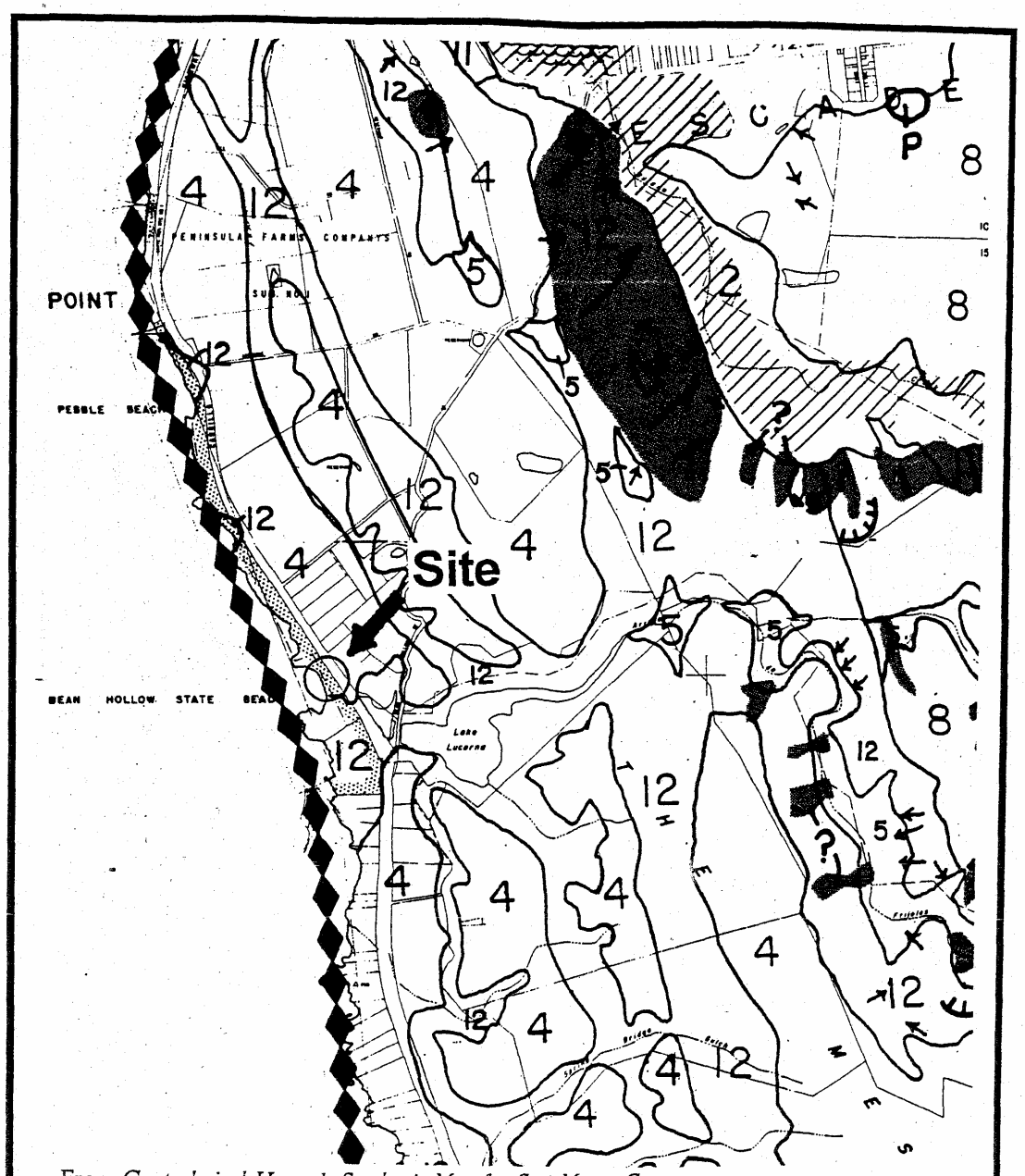
Figure 2 - Vicinity Topography



From *Geotechnical Hazards Synthesis Map for San Mateo County*, by Leighton and Associates Geotechnical Engineers and the San Mateo County Planning Department, 1976.

Scale: 1" = 2000'

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Figure 3 - Geotechnical Hazards Map

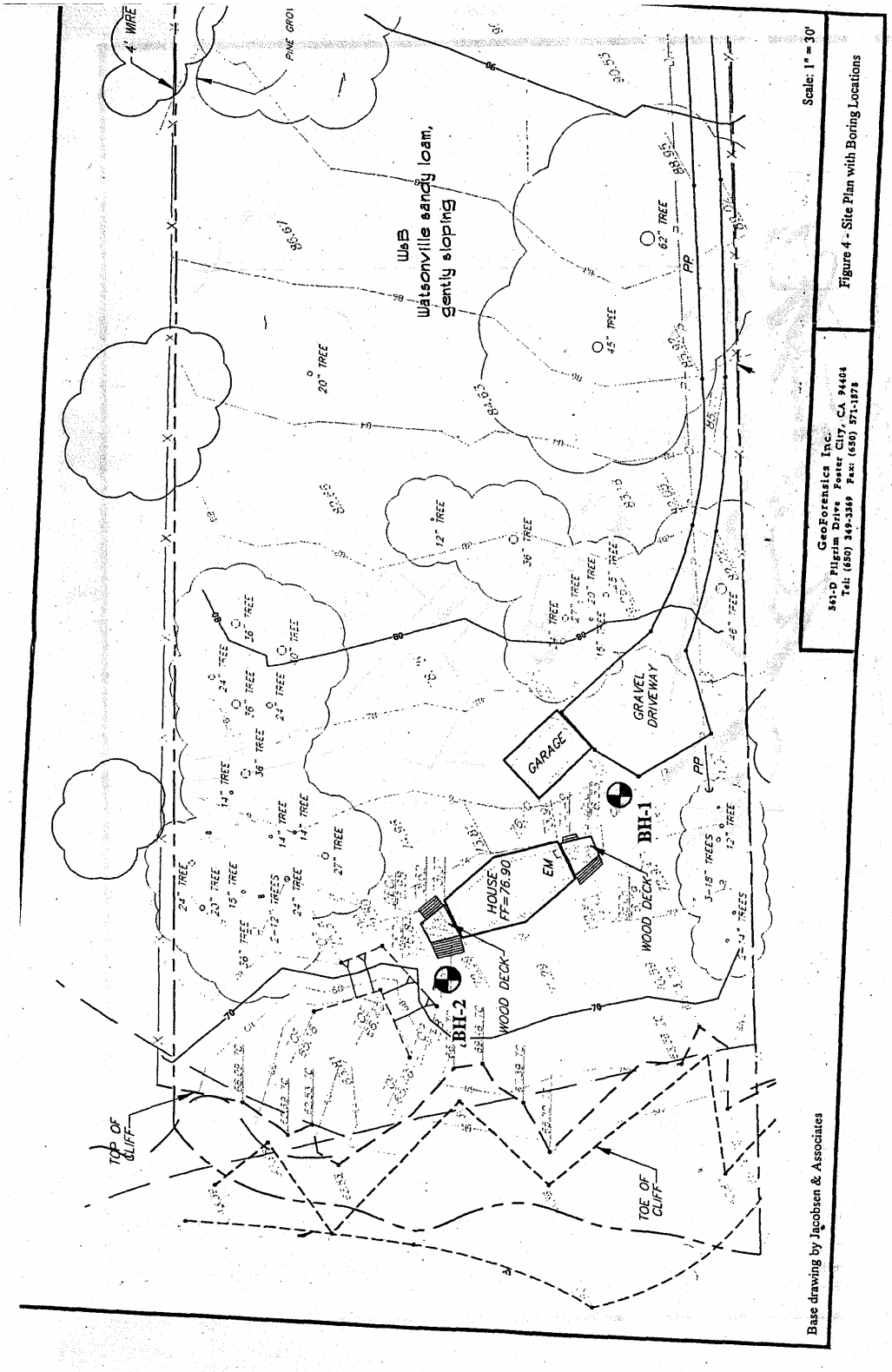
WaB
Watsonville sandy loam,
gently sloping
GRAVEL DRIVEWAY
GARAGE
HOUSE FF=76.90
WOOD DECK
WOOD DECK
BH-1
BH-2
TOP OF CLIFF
TOE OF CLIFF
PP
EM
Scale: 1" = 30'
GeoForensics Inc.
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Figure 4 - Site Plan with Boring Locations
Base drawing by Jacobsen & Associates

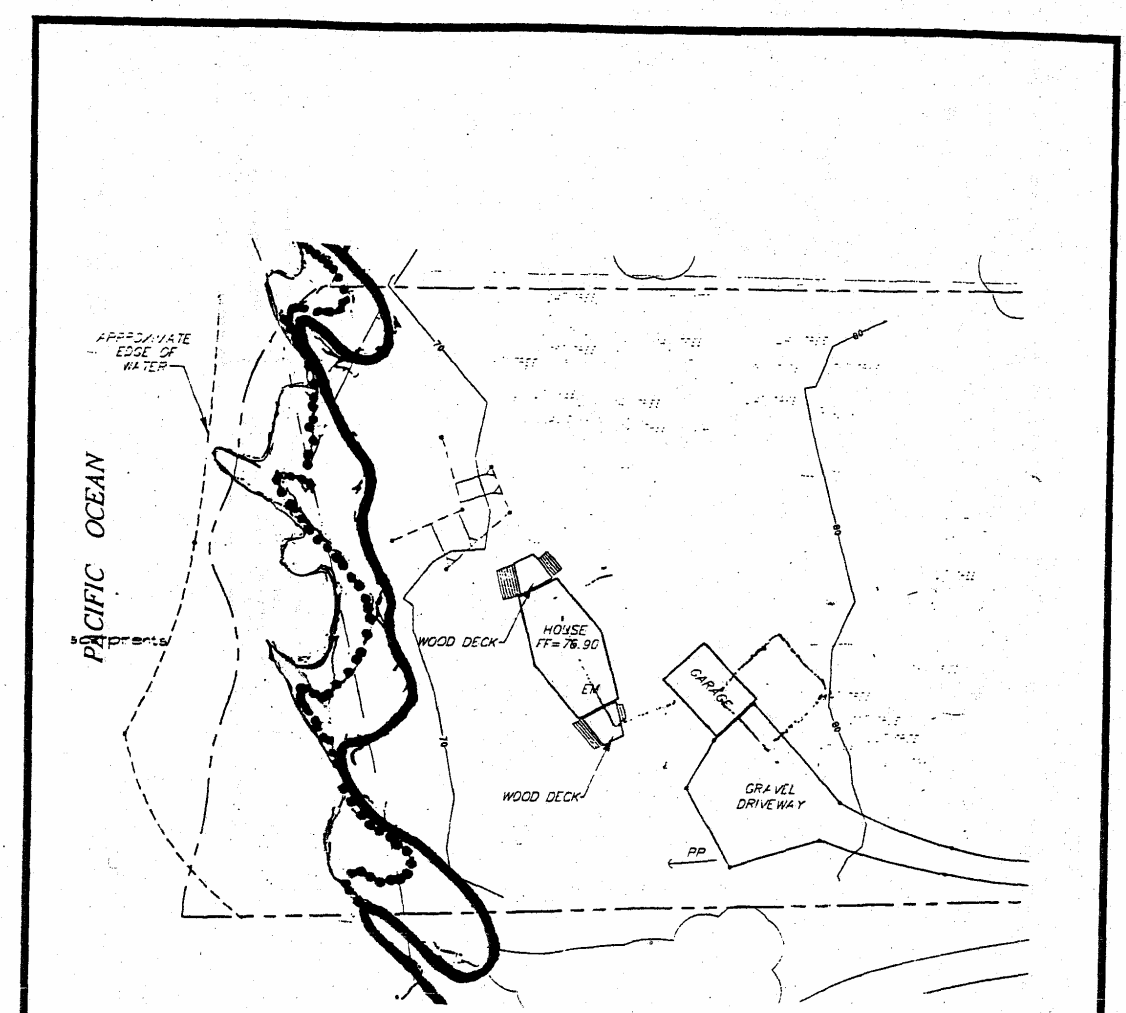

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Figure 5 - 50 Year Bluff Retreat Setback

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APPENDIX A - BORING LOGS

LOG OF BORING

DEPTH (ft)	SAMPLE NO.	SAMPLE LOC.	BLOW COUNTS (12 inches)	DESCRIPTION	DRY DENSITY (pcf)	MOISTURE CONTENT (%)
	1 - 1		37	clayey SAND with decomposed granite & some gravels - brown; slightly moist; medium dense (topsoil)		
5				clayey SAND with decomposed granite - orange-brown; slightly moist (native)		
	1 - 2		50/3"	SAND with decomposed granite - slightly moist; red & orange-brown; very dense	106.7	14.8
10	SPT 1 - 3		50/5"	cemented SANDSTONE - dark reddish brown; slightly moist; very dense (bedrock)	-	17.4
15						
20						
25				Groundwater encountered at 13 feet. Bottom of boring at 13.5 feet Drilled on 07/17/03 Logged by ba Mobile B-24 drilling rig Modified California & Split Spoon samplers 140# hammer		
30						
35						

GeoForensics Inc.
561-D Pilgrim Drive Foster City, CA 94404
Tel: (650) 349-3369 Fax: (650) 571-1878

Figure A1 - Log of Boring 1

LOG OF BORING

DEPTH (ft)	SAMPLE NO.	SAMPLE LOC.	BLOW COUNTS (12 inches)	DESCRIPTION	DRY DENSITY (pcf)	MOISTURE CONTENT (%)
	2 - 1		52	SAND with some clay & rootlets - brown; slightly moist; dense	101.7	5.2
5						
	2 - 2		55	SAND with decomposed granite - orange-brown; slightly moist; dense	101.1	8.2
10						
	2 - 3		72	as above	120.9	13.5
	2 - 4 SPT		54/6"	highly cemented SANDSTONE - yellow-brown; slightly moist; very dense (bedrock)	-	11.6
15						
20						
25				No groundwater encountered. Bottom of boring at 13.5 feet Drilled on 07/17/03 Logged by ba Mobile B-24 drilling rig Modified California & Split Spoon samplers 140# hammer		
30						
35						

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Figure A2 - Log of Boring 2

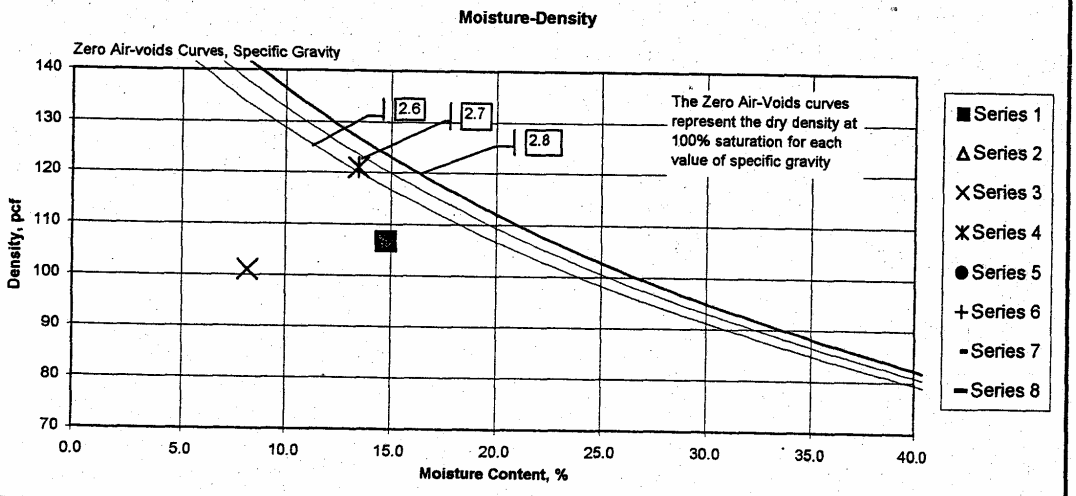
APPENDIX B - LABORATORY TEST RESULTS

COOPER

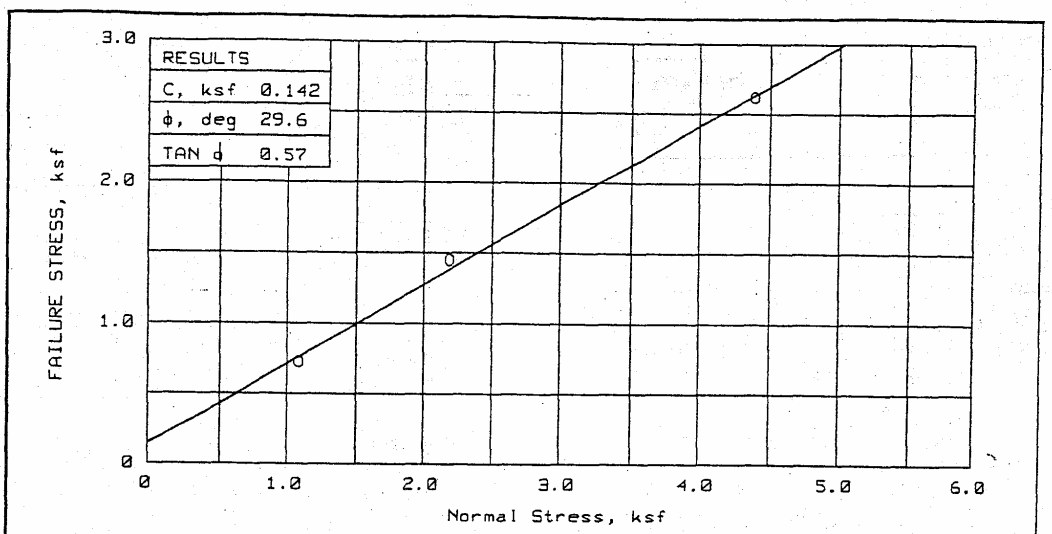
Moisture-Density-Porosity Report
Cooper Testing Labs, Inc.

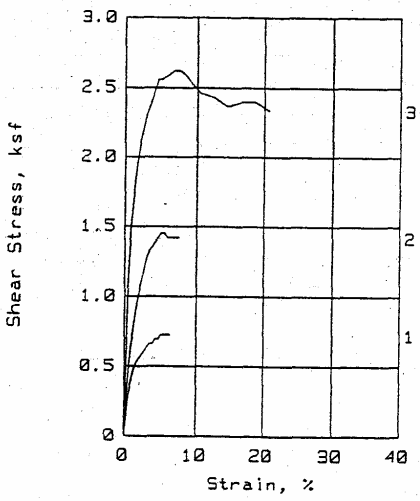
Job No:	060-1525	**Date:**	07/28/03
Client:	Geoforensics	**By:**	MJ
Project:	Christopher - 203110	**Remarks:**	1-3 @ 13' disturbed - MC only.

Boring:	1-2	1-3	2-2	2-3	2-4			
Sample:								
Depth, ft:	8	13	8	12.5	13			
Description	Brown silty SAND	brown silty SAND with clayey pockets	Brown SAND, trace silt, slightly cemented	Brown SAND with clay	Brown SAND with silt and sandstone fragments			
Actual G_s								
Assumed G_s	2.70		2.70	2.70				
Total Vol cc	148.87		148.87	150.87				
Vol Solids,cc	94.18		89.20	108.16				
Vol Voids,cc	54.70		59.67	42.71				
Moisture, %	14.8	17.4	8.2	13.5	11.6			
Wet Unit, pcf	122.5		109.4	137.2				
Dry Unit, pcf	106.7		101.1	120.9				
Saturation, %	68.8		33.3	92.2				
Porosity, %	36.7		40.1	28.3				
Void Ratio	0.581		0.669	0.395				
Series	1	2	3	4	5	6	7	8



086





SAMPLE NO.:		1	2	3
INITIAL	WATER CONTENT, %	5.9	5.5	4.3
	DRY DENSITY, pcf	98.5	101.1	105.5
	SATURATION, %	22.2	22.4	19.3
	VOID RATIO	0.712	0.668	0.598
	DIAMETER, in	2.410	2.410	2.410
	HEIGHT, in	1.000	1.000	1.000
AT TEST	WATER CONTENT, %	20.4	18.7	15.5
	DRY DENSITY, pcf	101.6	105.6	111.5
	SATURATION, %	83.4	84.6	81.9
	VOID RATIO	0.659	0.596	0.512
	DIAMETER, in	2.410	2.410	2.410
	HEIGHT, in	0.969	0.957	0.946
NORMAL STRESS, ksf		1.100	2.200	4.400
FAILURE STRESS, ksf		0.726	1.452	2.620
STRAIN, %		5.0	5.0	6.6
ULTIMATE STRESS, ksf				
STRAIN, %				
Strain rate, %/min		1.00	1.00	1.00

SAMPLE TYPE: Undisturbed
DESCRIPTION: Brown Silty SAND with roots

ASSUMED SPECIFIC GRAVITY= 2.7
REMARKS: *DS-CU* A fully undrained condition may not be attained in this test.

Fig. No.: _____

CLIENT: Geoforensics

PROJECT: Christopher - 203110

SAMPLE LOCATION: 2-1 @ 2.5'

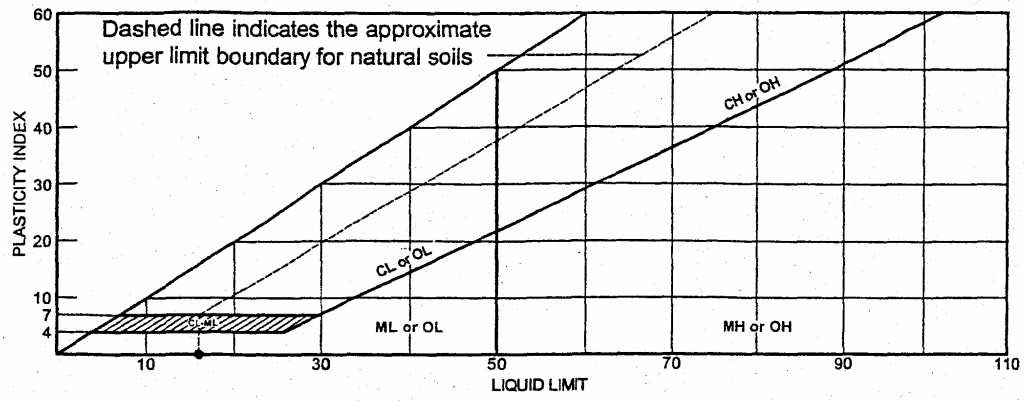
PROJ. NO.: 060-1525 DATE: 7/28/03

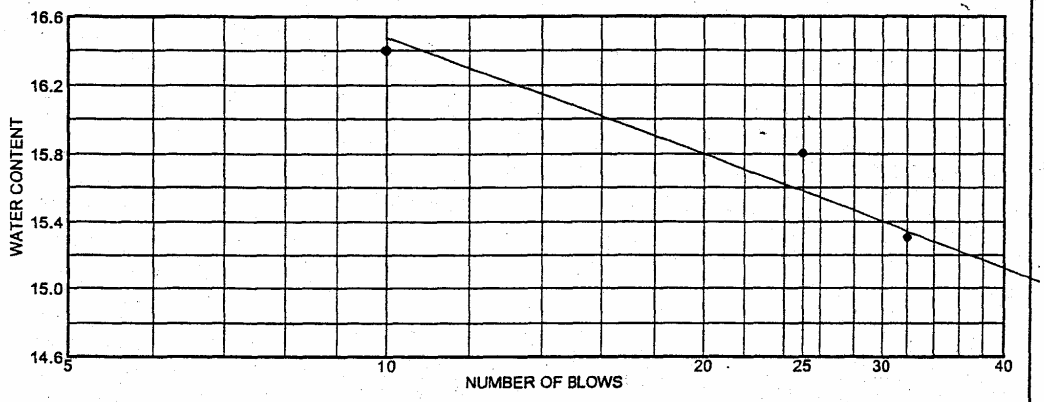
DIRECT SHEAR TEST REPORT

COOPER TESTING LABORATORY

687

LIQUID AND PLASTIC LIMITS TEST REPORT





	MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
●	Dark Brown Silty SAND	16	16	NP			

Project No. 060-1525 **Client:** Geoforensics

Project: Christopher - 203110

● **Source:** 1-1 **Elev./Depth:** 3.5'

Remarks:

●

LIQUID AND PLASTIC LIMITS TEST REPORT

COOPER TESTING LABORATORY

Figure

San Mateo County
Planning and Building Department ▪ 455 County Center ▪ Redwood City
California 94063 ▪ Planning: 650/363-4161 ▪ Building: 650/599-7311 ▪ Fax: 650/363-4849

May 24, 2007

NOTICE OF FINAL LOCAL DECISION
Pursuant to Section 6328.11.1(f) of the San Mateo County Zoning Regulations

2-SMC-06-021

CERTIFIED MAIL

California Coastal Commission
Nr. Central Coast District Office
Attn: Ruby Pap Coastal Planner
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

County File No. : PLN2005-00192

Applicant Name: JON JANG
Owner Name: CHRISTOFFERS DEBRA SUE

The above listed Coastal Development Permit was conditionally approved by the County of San Mateo on **May 9, 2007**. The County appeal period ended on **May 23, 2007**. Local review is now complete.

This pemit IS appealable to the California Coastal Commission; please initiate the California Coastal Commission appeal period.

If you have any questions about this project, please contact M. SCHALLER at (650) 363-4161.

Michael C. Schaller

M. SCHALLER

Project Planner

EXHIBIT NO. 5
APPLICATION NO. A-2-SMC-07-026
CHRISTOFFERS
San Mateo Co. Notice of Fical Local Decision (Page 1 of 12 pages)

fplnfinlocdcsn

County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

Please reply to: **Michael Schaller**
(650) 363-1849

May 14, 2007

PROJECT FILE

Debra Christoffers
P. O. Box 724
Pescadero, CA 94060

Dear Ms. Christoffers

Subject:	**File Number PLN2005-00192**
Location:	10721 Cabrillo Highway
APN:	086-211-140

On May May, 2007, the San Mateo County Planning Commission considered Consideration of a Coastal Development Permit and Resource Management-Coastal Zone Permit, pursuant to Sections 6328.4 and 6911 of the San Mateo County Zoning Regulations, respectively; an Architectural Review Permit, pursuant to the State Streets and Highways Code; and a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA), to construct a new single-family dwelling with attached garage and a stable at 10721 Cabrillo Highway in the unincorporated Bean Hollow area of San Mateo County. This project is appealable to the California Coastal Commission.

Based on information provided by staff and evidence presented at the hearing the Planning Commission certified the Negative Declaration, approved the project, made the findings and adopt conditions of approval as follows as attached. The Commission suggested using solar energy and green building principles as attached.

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 May 23, 2007.

A Board of Supervisors' approval is appealable to the California Coastal Commission. Any aggrieved person who has exhausted local appeals may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the Board decision. Please contact the Coastal Commission's North Central Coast District Office at (415) 904-5260 for further information concerning the Commission's appeal process.

The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

If you have questions regarding this matter, please contact the Project Planner listed above.

Sincerely,

Rosario Fernandez
Planning Commission Secretary
Pcd0509R_7rf_Jong_doc

cc: Department of Public Works
Building Inspection
Environmental Health
CDF
Assessor
Jon Jong

Attachment

County of San Mateo
Environmental Services Agency
Planning and Building Division

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2005-00192 Hearing Date: May 9, 2007

Prepared By: Michael Schaller Adopted By: Planning Commission

Regarding the Mitigated Negative Declaration, Found:

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

2. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.

3. That the Mitigated Negative Declaration reflects the independent judgment 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 Coastal Development Permit, Found:

5. 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 to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. The project is a conditionally allowed use in the rural areas of the coast, in accordance with the Land Use Component of the LCP. The project, as discussed in the staff report and as conditioned, will not impact biological or visual resources within the Coastal Zone.

6. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program. As discussed above, the applicant has agreed to implement the mitigation

measures identified in both the environmental review document and this staff report in order to minimize any potential impact to biological resources to a less than significant level.

7. Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). As discussed in the staff report, there is no rational nexus (as required by the Nollan case) to require the dedication of public access across the project parcel. There is no evidence of historical public use across the parcel, nor is there evidence to suggest that construction of this house will impact existing public access and recreation on adjacent public lands.

Regarding the Resource Management Permit, Found:

8. That the proposed house is in conformance with the Development Review criteria for the Resource Management District indicated in Section 6912 of the Zoning Regulations. Specifically, the proposal complies with the Site Design Criteria by minimizing grading and vegetation removal, and siting the new house where it is least visible from public viewing points. In addition, the project conforms with the Scenic Resources and Ocean Shoreline criteria. The locations of the proposed house and barn are screened from public view by existing trees and topography. As discussed previously, the nexus for public access to the ocean shoreline cannot be established based upon historical use of this parcel.

Regarding the Architectural Review Permit, Found:

9. That the proposed new house and barn are in compliance with the architectural design standards for the Cabrillo Highway State Scenic Corridor. The architectural standards for the Cabrillo Highway Scenic Corridor are articulated within the General Plan's Visual Resources policies. As discussed in the staff report, the proposed buildings will not detract from the existing rural character of the site or obstruct public views from Cabrillo Highway.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval is for the project as described on the plans and documents submitted for consideration by the Planning Commission on May 9, 2007. Any revisions to the approved plans must be submitted to the Planning Department for review and approval prior to implementation. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of, and are in substantial conformance with, this approval. Any other development on the property will be subject to a separate permitting process.

2. These permits shall be valid for one year from the date of this approval. If a building permit has not been applied for and issued within this time period, these permits will expire. An extension to these permits will be considered upon written request and payment of applicable permit extension fees 60

days prior to expiration.

3. Prior to the beginning of any construction activities, the applicant shall submit to the Current Planning Section for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

   a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.

   b. Minimize the area of bare soil exposed at one time (phased grading).
   c. Clear only areas essential for construction.

   d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative BMPs, such as mulching or vegetative erosion control methods, such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.

   e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.

   f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.

   g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.

   h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.

   i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.

   j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.

k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.

m. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.

4. Prior to the issuance of a building permit for the proposed house, the applicant shall submit to the Current Planning Section a tree replacement plan for review and approval. Said plan shall be implemented and verified by Current Planning staff prior to a final sign off on the building permit. Only the five (5) trees discussed in the staff report and the arborist report may be removed. All removed trees shall be replaced at a 1:1 ratio with species *common* to the San Mateo County Coastal Zone. *The plan shall not utilize Monterey pine or eucalyptus as replacement species.* Any additional tree removal will require a separate tree removal permit and process.

5. If any construction-related activities (including tree trimming) are proposed to take place during the monarch butterfly winter roosting season (October-February), a pre-construction survey shall be conducted by a qualified biologist to ensure that a roosting colony is not present. If a roosting colony is not detected, construction may commence and no further surveys are required. However, if a roosting colony is detected, the California Department of Fish and Game (CDFG) shall be contacted to determine how to proceed. If construction has already begun prior to the onset of the winter roosting season, no surveys are required.

6. Prior to any construction-related activities, a qualified biologist shall conduct one daytime pre-construction survey within 48 hours of the beginning of construction. During this time, all woodpiles within the property shall be dismantled and rodent burrows inspected to ensure that CRLF and SFGS are not aestivating in these structures. If CRLF or SFGS are detected, the U.S. Fish and Wildlife Service shall be contacted on how to proceed. If no CRLF or SFGS are detected, woodpiles shall be either moved off-site or covered to prevent CRLF or SFGS from becoming trapped on the construction site.

7. The proposed work area (house site, construction parking and staging/storage areas) shall be surrounded by a gated snake fence. This fence shall consist of sheets of 4x8 plywood embedded into the ground a minimum of 6 inches and glued together to eliminate gaps. The fence shall be supported by steel poles. The fence shall have one-way escape funnels to allow any snakes or frogs that find their way into the enclosure to escape. A sealing gate shall be included and the gate only opened for vehicles to pass in and out. The fence shall be installed under the supervision of a

qualified biologist who has experience with this type of fence. No building permits (including demolition permits) shall be issued until said biologist confirms, in writing, that the required fencing has been erected.

8. The project biologist shall train a crew member and/or property owner how to recognize CRLF and SFGS and train them how to inspect the gate area and open and shut the gate. This (or these) individual(s) shall then be the designated individual(s) to open and close the gate. The trained individual shall also inspect the fence daily for areas that need repair. The biologist shall check the condition of the fence once every three weeks. If the fence is breached or the gate left open, work shall cease until the project biologist has inspected the work site to ensure CRLF and SFGS have not entered the enclosure. No building permits (including demolition permits) shall be issued until said biologist confirms, in writing, that the required training has occurred.

9. If construction-related activities (including tree trimming) will take place during the raptor-breeding season (February-August), then a qualified biologist shall conduct a pre-construction survey for all migrating birds, including nesting raptors, on the project parcel. If migrating birds or nesting raptors are detected, then the CDFG and the Current Planning Section shall be contacted on how to proceed.

10. Noise levels produced by 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.

11. Prior to the issuance of a building permit for the new house, the applicant shall submit a post-construction, permanent drainage plan which shows how project generated stormwater shall be contained on-site.

12. Prior to the issuance of a building permit for the new house, the applicant shall submit exterior color samples, material samples and a roofing sample for review and approval by the Community Development Director. The materials for the new building shall be the same color on all sides of the structure. The new house shall be painted in earth tones compatible with existing vegetation on the site. Reflective surfaces and colors are prohibited. These approved colors and materials shall be verified by the Planning and Building Department prior to a final inspection for the building permit.

13. All proposed exterior lighting shall be the minimum required to illuminate that area of the house exterior for safety purposes, and the lighting shall be shielded in conformance with Policy 4.59 of the San Mateo County General Plan. The applicant shall submit the manufacturer's "cut sheets" for review and approval prior to the issuance of a building permit.

14. Any new water storage tank(s), for fire or domestic use, shall be buried underground.

15. Prior to the issuance of any building permit for this project, the applicant shall pay the following outstanding fees: (a) Environmental Health review fees: $393, and (b) Geotechnical Review fees: $99.

Building Inspection Section

16. A building permit is required and shall be issued prior to any construction.

17. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.

18. An automatic fire sprinkler system will be required. This permit must be issued prior to, or in conjunction with the building permit.

19. A site drainage plan will be required that will demonstrate how roof drainage and site runoff will be directed to an approved location.

20. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.

21. Two separate building permits will be required: one for the house and one for the stable.

22. No wood burning fireplaces allowed.

Environmental Health Division

23. Prior to the issuance of a building permit, the applicant shall submit health review fees of $393.

24. Prior to the issuance of a building permit, the applicant shall submit an application for well abandonment and meet all requirements of the Environmental Health Division.

Department of Public Works

25. Prior to the issuance of a building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.

26. The provision of San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.

27. As part of their building permit application, the applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing the driveway access to the parcel (garage slab) 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.

When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.

28. Prior to the issuance of a building permit, the applicant shall have prepared by a registered civil engineer a drainage analysis and plan for the proposed development in accordance with the County Drainage Guidelines and NPDES permit, and submit it to the Department of Public Works for review and approval. The drainage analysis shall include a written narrative and a map detailing the drainage basin. The flow of the stormwater onto, over, and off the property being developed shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

County Fire Marshal

29. An approved automatic fire sprinkler system meeting the requirements of NFPA-13D is required to be installed in the new house. Plans shall include attached garages and detached garages at or above 1,000 sq. ft. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Building plans will not be reviewed until the required sprinkler plans are received and approved.

30. A site plan showing all required components of the water system is required to be submitted with the building plans to the San Mateo County Building Inspection Section. Plans shall show the location, elevation and size of required water storage tanks, and the associated piping layout from the tank(s) to the building structures, the location of the standpipe and the location of any required pumps and their size and specifications.

31. A minimum of 9,500 gallons of fire protection water is required for this project. Fire protection water is in addition to the required domestic water storage. Plans showing the tank(s) type, size, location and elevation are to be submitted to the San Mateo County Fire Department for review and approval. Plan shall be submitted prior to fire approval of the planning plan.

32. The water storage tank(s) shall be so located as to provide gravity flow to a standpipe/hydrant, or an approved pump/pressure system shall be provided to produce a minimum of 20 pounds per square inch (psi) residual pressure. Plans and specifications shall be submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department.

33. An iron standpipe/hydrant with a 2 1/2" National Hose Thread Outlet with a valve shall be mounted not less than 2 feet above ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building, nor more than 150 feet from the main residence or building. Location of hydrant location shall be shown on the planning plan.

34. The standpipe/hydrant shall be capable of a minimum fire flow of 200 gpm at 20-psi residual pressure. Fire flow shall be indicated on the building plans.

35. Smoke detectors are required to be installed in accordance with Section 310.9 of the Uniform Building Code. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placed in each sleeping room in addition to the corridors and on each level of the residence. Smoke detector location shall be shown on the building plans.

36. Address numbers shall be posted at the driveway entrance prior to construction. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.

37. a. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrester of a mesh with an opening no larger than 1/2 inch in size, or an approved spark arresting device.

    b. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 100 feet around the perimeter of all structures or to the property line. This is neither a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures.

    c. Remove that dead or dying portion of any tree which extends over the roofline of any structure. NOTE: Contact the Planning Department if area to be cleared is considered sensitive habitat.

38. The building plans shall show the location of all propane storage tanks. The tanks shall be located with respect to buildings or adjoining property lines. The placement and orientation of tanks shall be so that the ends of the tank do not point in the direction of surrounding structures. Minimum setback distances from property lines or structures will be determined by the size of tank(s) that are being installed: less than 125 gallons - 5 feet; 125 gallons to less than 500 gallons - 10 feet; 500 gallons to less than 2,000 gallons - 25 feet; and 2,000 gallons or more - 50 feet. The minimum distance a LPG tank may be installed from a flammable liquid fuel tank is 20 feet.

39. A Knox box or Knox padlock shall be required on all gates used as emergency access. The Knox lock shall be required at the building phase. For an application or further information, please contact the County Fire Department at 650/573-3846.

40. An approved automatic fire sprinkler system meeting the requirements of NFPA-13 is required for the proposed stable. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Building plans will not be reviewed until the San Mateo County Building Inspection Section receives the required sprinkler plans. All commercial automatic sprinkler systems are required to be installed by a licensed sprinkler contractor and will be required to be monitored for water flow and tamper as outlined in NFPA-72.

41. Certain areas as designated by the San Mateo County Fire Department must be designated and maintained as Fire Lanes.

42. The San Mateo County Fire Department requires that overhead obstructions such as tree limbs be removed to provide a minimum of 15 feet vertical clearance. This comment is aimed at identifying the areas of the fire engine turnaround, and the fire hydrants.

43. The San Mateo County Fire Department requires "No Parking" signage to be posted and curbs to be painted red in the areas where fire engine access and turnarounds have been identified. This is to be done at owner's expense.

California Department of Fish and Game

44. Please be advised that this project will require the filing of a Notice of Determination in compliance with the California Environmental Quality Act. Per Fish and Game Code Section 711.4, the Department of Fish and Game charges a filing fee of $1,850 (includes County Clerk processing fee) for all Negative Declarations unless they can be found to have no effect on wildlife. If the project will have any effect on fish and wildlife resources, even a minimal effect, the fee is required. The filing fee must be paid before the project can become operative, vested, or final. Said fee shall be paid by check, made out to the County of San Mateo and shall be submitted to the project planner for recordation of the Notice of Determination.

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Item#7/Debra Christoffers/Jon Jong
Regular Agenda

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: May 9, 2007

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit, Resource Management-Coastal Zone Permit, Architectural Review Permit, and Mitigated Negative Declaration to construct a new single-family dwelling with attached garage and a stable at 10721 Cabrillo Highway in the unincorporated Bean Hollow area of San Mateo County. This project is appealable to the California Coastal Commission.

PROPOSAL

The applicant is requesting the issuance of the necessary permits to demolish an existing house at 10721 Cabrillo Highway and construct a new 5,936 sq. ft. house (includes attached garages) on roughly the same footprint as the existing 1,000 sq. ft. house. The applicant is also proposing to construct a 960 sq. ft. barn for the keeping of four horses. Water will be provided via an existing well. An existing 200 sq. ft. utility shed will remain on the parcel, adjacent to the existing well. The existing septic system will be upgraded and expanded to accommodate the larger house. Some minor widening and reorientation of the existing driveway will be required to provide access to the new house and the barn. The applicant is proposing the removal of five living and two dead trees to accommodate the proposed project. Overhead utilities currently serve the site. The applicant estimates that preparation of the new foundation and improvements to the driveway will result in approximately 26 cubic yards of grading.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit, Resource Management-Coastal Zone Permit, Architectural Review Permit, and Mitigated Negative Declaration, County File Number PLN 2005-00192, by adopting the required findings and conditions of approval.

SUMMARY

The project as proposed and conditioned will comply with the biological, visual resources, and hazards policies of the General Plan, Local Coastal Program, and Zoning Regulations. The applicant has submitted a biological report, which was reviewed by staff and California Department of Fish and Game. Conditions regarding protective fencing around the construction

EXHIBIT NO. 6
APPLICATION NO. A-2-SMC-07-026
CHRISTOFFERS San Mateo County
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site have been added at the suggestion of Fish and Game. The applicant has also submitted a geotechnical report that analyzes the potential bluff retreat on the project site. The study confirms that over the economic life of the project (50-years), the bluff will not have retreated to the point of endangering the proposed house.

The project is between Cabrillo Highway and the ocean, and therefore, the coastal access policies of the LCP apply. The LCP requires some form of dedication of land or money to provide coastal access for such parcels. However, since the writing of the County's LCP, the U.S. Supreme Court has issued two rulings which limit government's power to require such exactions. The *Nollan* case requires that there be a nexus between the burdens imposed by a development and a condition requiring dedication. The *Dolan* case requires the government to establish a reasonable relationship (proportionality) between the development's impact and conditions imposed on that development. The replacement of the existing house will have no impact on any existing public access trails. Therefore, staff is not recommending that the applicant make improvements to existing access trails or create new access trails.

MJS:fc – MJSR0459_WFU.DOC

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: May 9, 2007

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit and Resource Management-Coastal Zone Permit, pursuant to Sections 6328.4 and 6911 of the San Mateo County Zoning Regulations, respectively; an Architectural Review Permit, pursuant to the State Streets and Highways Code; and a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA), to construct a new single-family dwelling with attached garage and a stable at 10721 Cabrillo Highway in the unincorporated Bean Hollow area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2005-00192 (Jang)

PROPOSAL

The applicant is requesting the issuance of the necessary permits to demolish an existing house at 10721 Cabrillo Highway and construct a new 5,936 sq. ft. house (includes attached garages) on roughly the same footprint as the existing 1,000 sq. ft. house. The applicant is also proposing to construct a 960 sq. ft. barn for the keeping of four horses. Water will be provided via an existing well. An existing 200 sq. ft. utility shed will remain on the parcel, adjacent to the existing well. The existing septic system will be upgraded and expanded to accommodate the larger house. Some minor widening and reorientation of the existing driveway will be required to provide access to the new house and the barn. The applicant is proposing the removal of five living and two dead trees on the project site. The five living trees proposed for removal are either uprooted or are in an advance state of decline and pose a threat of future failure, which could damage adjacent healthy trees. Overhead utilities currently serve the site. The applicant estimates that preparation of the new foundation and improvements to the driveway will result in approximately 26 cubic yards of grading.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit, Resource Management-Coastal Zone Permit, Architectural Review Permit, and Mitigated Negative Declaration, County File Number PLN 2005-00192, by adopting the required findings and conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Michael Schaller, Senior Planner, Telephone 650/363-1849

Applicant: Jon Jang

Owner: Debra Christoffers

Location: 10721 Cabrillo Highway

APN: 086-211-140

Parcel Size: 2.6 acres

Existing Zoning: Resource Management-Coastal Zone (RM-CZ)

General Plan Designation: General Open Space

Flood Zone: Zone C (areas of minimal or no flood hazard), FEMA Community Panel No. 060311-0400B, Date: July 5, 1984.

Existing Land Use: Single-Family Dwelling

Environmental Evaluation: Mitigated Negative Declaration published with a public review period between March 13, 2007 and April 2, 2007.

Previous Action: The Technical Advisory Committee approved a confined animal permit exemption for this parcel on March 13, 2006. The exemption was for a maximum of four (4) horses.

Setting: The project site is a gently sloping parcel located on the west side of Cabrillo Highway along the Pacific Ocean bluffs. The project parcel is approximately 2.6 acres in size. The site is bounded by developed rural residential parcels to the south, Bean Hollow State Beach to the north (with a house on it), the bluffs of the Pacific Ocean to the west, and Cabrillo Highway to the east.

The site is currently occupied by a single-story, A-frame residence situated approximately 60 feet away from the ocean bluff. There is a detached garage off the southeast corner of the house. A dirt and gravel driveway leads from Cabrillo Highway to the garage.

The site slopes gently from east to west, with an average slope of 5% from the highway to the top of the coastal bluffs. These bluffs are approximately 25 feet tall and have a slope ranging from 2:1 to a near vertical face. During the original development of the property, it appears that little or no grading work was required to create the existing level building pad.

The property has been disturbed by residential uses for many years, and the dominant vegetation on-site is non-native annual grassland. Water resources directly adjacent to the property consist of a small drainage ditch, which flows between the eastern property boundary and Cabrillo Highway. The ditch is approximately 100 feet long and varies from 4 to 10 inches deep. It collects and drains roadside runoff. Vegetation associated with this ditch includes rush and sedge species, California blackberry and California Bee-plant. An additional drainage ditch, surrounded by non-native vegetation, runs east/west through the north side of the property. During the biological reconnaissance conducted for this project, the biologist noted that this drainage ditch did not have water at the time of survey and it is unlikely to support standing water for more than a few hours at a time, even after heavy rains.

The project footprint is located on the west side of the property, and is dominated by non-native plant species such as ice plant, myoporum, cut-leaf plantain, English plantain, geranium, and sheep sorrel. Some native plants within the property boundaries are Miner's lettuce, bush lupine, California aster, beach strawberry, and snakeroot. A row of Monterey pines has been planted along the eastern fence line with some additional pines planted throughout the property. There is also a row of Monterey cypress trees growing along the north and south sides of the existing home. One California wax myrtle is growing along the northern property boundary. A tree survey was completed by McClenahan Consulting in March of 2004. A total of 26 Monterey pine trees and 25 Monterey cypress trees were documented on the property. The survey recommends the removal of seven cypress and three pine trees. Reasons for removing these trees include dead (2), fallen (3), severe breakage (2), and irreversible decline (3). However, the applicant is proposing to remove only five of the living trees. No permit is necessary to remove a dead tree.

Adjacent land to the north remains mostly undeveloped and contains typical native vegetation found in northern coastal scrub. Coyote brush, California blackberry, and California sagebrush are the dominant plant species in this area. There is potential for this habitat to support native wildlife species. Additionally, there is a grove of eucalyptus trees east of the property across Cabrillo Highway. Monarch butterflies and raptors may use this grove either as a winter roost or for nesting.

Two notable species, the Monarch butterfly (no status) and Cooper's hawk (California Species of Special Concern), were observed during the February 10, 2005, site visit. Furthermore, based on the proximity of reported occurrences, there is also some potential for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) to occur on-site. Though there are no significant wetland habitats on the property to support breeding habitat for these species, there is potential for CRLF to occur on-site, when dispersing between breeding pond habitats. For example, CRLF can move up to 1 mile over upland terrain when searching for wetland habitats. There is potential for California red-legged frog to occur in waters adjacent to the site due to the potential CRLF breeding habitat provided at the nearby Lake Lucerne. There is also some potential for raptors, as well as songbirds, to nest in the Monterey cypress and Monterey pine trees, or other vegetation on the property. As listed in the San Mateo County Soil Survey (USDA 1961), soils in the surrounding area consist of the Terrace escarpment and Watsonville sandy loam associations, 2% to 5% slopes. Runoff is slow and hazard of erosion is minimal.

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan

The project, as proposed and conditioned, conforms to the applicable General Plan policies, as discussed below.

Vegetative, Water, Fish and Wildlife Resources

Policy 1.22 (*Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources*). This policy regulates development activities to prevent, and if infeasible mitigate to the extent possible, significant adverse impacts on vegetative, water, fish and wildlife resources. The project biologist identified the potential for upland aestivation habitat for both the California red-legged frog (CRLF) and/or the San Francisco garter snake (SFGS) on the project site. Additionally, Monarch butterfly and Cooper's hawk were observed in the project area during the biologist's site visit though no roost sites were identified on the project parcel. The California Department of Fish and Game (CDFG) has also reviewed this project and pointed out that the level of activity on the project site will last a significant amount of time, thus increasing the chance an accidental take of migrating CRLF or SFGS may occur. To address potential impacts to these species, the biologist and CDFG are recommending several mitigation measures, including pre-construction surveys, the erection of a gated snake fence, and worker training. These recommendations have been included in Attachment A as Conditions 5-9.

Visual Resources Policies

Policy 4.24 (*Location of Structures*): *(a) Locate, site and design all structures and paved areas to carefully conform with the natural vegetation, landforms and topography of the site so that their presence is compatible with the pre-existing character of the site. (b) Locate and design future structures to minimize the impacts of noise, light, glare and odors on adjacent properties and roads. (c) Locate structures adjacent to or in forested areas rather than in open grasslands, wherever possible and make compatible with timber harvesting activities and use of solar energy.*

The applicant is proposing to utilize the existing driveway on the parcel and the existing building's footprint, thus minimizing to a great extent any grading necessary for this project. Also, use of these existing areas will not require any tree removal to accommodate the proposed development, though the applicant is proposing to remove several trees that are unhealthy and present a safety issue. Construction of the barn at its proposed location will also not require any extensive grading or vegetation removal. There is no reason to believe that the proposed house and barn will generate

significant levels of noise or odors, particularly if the required manure management plan for the confined animal exemption is adhered to.

To ensure that the new house will not generate unwanted light or glare off the project site, staff has included a condition requiring all external light fixtures to be shielded and directed downwards. To ensure that these types of fixtures are actually used, staff has included a condition requiring the applicant to submit a manufacturer's cut sheet for review and approval before a building permit will be issued. The proposed house and barn are both located within the clusters of trees that dot the parcel, providing necessary screening of the buildings from Cabrillo Highway.

Architectural Design Standards for Rural Scenic Corridors

Policy 4.47 *(Topography and Vegetation): Design structures which conform to the natural topography and blend rather than conflict with the natural vegetation.*

The project site has a gentle slope (approximately 5%) from the edge of Cabrillo Highway to the proposed building pad. Very little grading will be required to prepare the site for the proposed house. Based upon a review of the tree survey and the proposed plans, no trees must be removed to accommodate the house; however, the applicant is proposing to remove five living trees, as discussed above.

Policy 4.48 *(Scale): Design structures which are compatible in size and scale with their building site and surrounding environment, including adjacent manmade or natural features.*

As discussed below, the applicant has proposed a design which will not project above the adjacent trees which screen the building site. In terms of size of the structure on the parcel, the proposal (house and barn) will have a floor area ratio of 6.08%. There are no nearby adjacent residences or structures that the proposed house would overshadow or dominate.

Policy 4.49 *(Lot Coverage): Limit lot coverage for parcels 5 acres or less in size in rural areas.*

As stated previously, the project parcel is 2.6 acres in size, and thus subject to this policy. The proposed lot coverage for this project is 5,370 sq. ft. This translates into a lot coverage of 4.7%. The policy does not provide a numerical threshold to weigh projects against. However, as a point of comparison, the S-11 zoning district (which has a minimum parcel size requirement of 1-5 acres) has a maximum lot coverage ratio of 15%.

Policy 4.51 *(Colors and Materials): Depending on the design problems of the site, use colors and materials which: (1) blend with or complement the surrounding natural environment, (2) do not dominate or overpower the site, (3) are compatible*

with the size, scale, and architectural style of the structure, and (4) with the exception of greenhouses, are not highly reflective.

The proposed materials are heavily textured stucco plaster for the building's siding and slate roofing material. Proposed colors are beige/taupe for the siding, and grey for the roofing. These are materials and colors that are typical for the rural areas of the County. They are compatible with the surrounding vegetation and should not overpower the site. None of the proposed materials or colors will be reflective.

Policy 4.52 *(Height): Limit the height of structures or appurtenances in forested areas so as not to exceed the height of the forest canopy.*

On the submitted building elevations, the applicant has included the silhouettes of some of the surrounding trees to illustrate their height in comparison to the proposed house. The heights of the trees (as illustrated on the building elevations, see Attachment E) correspond with the data provided in the tree survey by McClenahan Consulting. This information confirms that the proposed house will not exceed the height of the surrounding tree canopy.

Policy 4.55 *(Building Setbacks): Prevent the obstruction of important views by setting buildings in rural scenic corridors back from the road right-of-way, unless topographic features or the size of the site makes it infeasible or unnecessary.*

The proposed house is set back approximately 480 feet from Cabrillo Highway. The project site is already covered with a large number of mature trees which obstruct motorist's views of the ocean. The proposed house is at the western end of the parcel, behind this tree canopy, on approximately the same footprint as an existing house. As stated previously, the house site, because of the sloping nature of the parcel, sits approximately 20 feet lower than Cabrillo Highway. These factors all contribute to staff's determination that the proposed house will not obstruct ocean views from Cabrillo Highway.

Policy 4.59 *(Outdoor Lighting): Minimize exterior lighting in scenic corridors and, where used, employ warm colors rather than cool tones and shield the scenic corridor from glare.*

To ensure that the new house will not generate unwanted light or glare off the project site, staff has included a condition requiring all external light fixtures to be shielded and directed downwards. To ensure that these types of fixtures are actually used, staff has included a condition requiring the applicant to submit a manufacturer's cut sheet for review and approval before a building permit will be issued.

Policy 4.60 *(Roads and Driveways): Design and construct new roads, road improvements and driveways to be sensitive to the visual qualities and character of the scenic corridor, including such factors as width, alignment, grade, slope, grading and drainage facilities.*

The applicant is proposing to use the existing driveway with minor changes at the west end, adjacent to the proposed house. The portion of the driveway directly visible to users of Cabrillo Highway will remain the same.

2. Compliance with the Local Coastal Program

The proposed project is in conformance with the Local Coastal Program (LCP). Staff has reviewed the Local Coastal Program and the following LCP components are relevant to this project:

a. Sensitive Habitats Component

Policy 7.1 *(Definition of Sensitive Habitats): Define sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable and any ... habitats containing or supporting "rare and endangered" species as defined by the State Fish and Game Commission.*

As discussed above, the project site could provide potential upland habitat for CRLF and SFGS, due to the relative proximity of Lake Lucerne and its aquatic habitat. As such, the site meets the baseline definition for a "sensitive habitat."

Policy 7.3 *(Protection of Sensitive Habitats): Prohibit any land use or development which would have significant adverse impact on sensitive habitat areas.*

The proposed house would replace an existing house in the same location on the parcel. The new house will have a somewhat larger footprint; however, no sensitive vegetation/habitat or native plants will be removed to accommodate the larger footprint (the existing house is surrounded by non-native landscape plants or gravel areas). No sensitive vegetation/habitat or native plants will be removed to accommodate the proposed barn. The vast majority of the parcel will remain in open grassland and tree stands and be available to CRLF and SFGS as upland aestivation habitat. The project biologist and the CDFG have recommended several measures to be implemented during the construction phase to avoid accidental take of the two species. These have been included as conditions of approval in Attachment A.

b. Visual Resources Component

Policy 8.4 (*Cliffs and Bluffs): Set back bluff top development and landscaping from the bluff edge (i.e., decks, patios, structures, trees, shrubs, etc.) sufficiently far to ensure it is not visually obtrusive when viewed from the shoreline.*

The proposed house will occupy roughly the same footprint as the existing structure on the parcel. This location is set back approximately 60 feet from the top of the coastal bluffs. Due to the steep nature of the bluffs, visibility from

the shoreline to the top of the bluffs is limited. Given these two facts, staff has determined that the proposed house will not be visible from the adjacent shoreline.

Policy 8.5 (*Location of Development): 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.*

As discussed previously, the proposed house location is as far away from Cabrillo Highway (a State Scenic Corridor) as is possible. Due to the intervening topography and vegetation, the house should not be readily visible from the highway. Staff conducted two separate site visits to ascertain visibility of the proposed building site from the area immediately adjacent to the subject parcel and from areas farther to the north and south. When traveling north-bound, the building site is difficult to view due to intervening, mature groups of trees. When traveling southbound on Cabrillo Highway, the site is not clearly visible due to the small knoll to the north of the project parcel, on the Bean Hollow State Beach land.

As discussed above, the house will not be visible from the pocket beaches at the base of the adjacent bluffs. By placing the house on the far western side of the parcel, a majority of the parcel has been left in open space.

Policy 8.9 *(Trees): Locate and design new development to minimize tree removal.*

As discussed above, no trees will be removed to accommodate the house; however, the applicant is proposing to remove five living trees, as discussed above. These trees are in various states of advanced decline or have actually fallen over (but are still alive). Removal of the trees in decline before they topple onto adjacent healthy trees will help protect the overall canopy on the parcel. Staff is requiring the replacement of the removed trees at a 1:1 ratio.

Policy 8.18 (*Development Design): 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 project site is covered with a large number of mature trees which obstruct motorist's views of the ocean. The proposed house is at the western end of the parcel, behind this tree canopy, on approximately the same footprint as the existing house. As stated previously, the house pad, because of the sloping nature of the parcel, sits approximately 20 feet lower than Cabrillo Highway.

Based upon the plans submitted by the applicant, and confirmed by staff's site visit, the house's roof peak will be lower than the top of the surrounding trees' canopies.

Policy 8.19 *(Colors and Materials): Employ colors and materials in new development which blend, rather than contrast, with the surrounding physical conditions of the site.*

The application materials propose the use of heavily textured stucco plaster for the building's siding and slate roofing material. Proposed colors are beige/taupe for the siding, and grey for the roofing. These are materials and colors that are typical for the rural areas of the County. They are compatible with the surrounding vegetation and should not overpower the site. None of the proposed materials or colors will be reflective.

c. Hazards Component

Policy 9.8 (*Regulation of Development on Coastal Bluff Tops): Permit bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected economic life span of the development (at least 50 years). Require the submittal of a site stability evaluation report for an area of stability demonstration.*

The applicant has submitted a geotechnical report (Attachment G) which contains a cliff retreat study. Based upon an analysis of current site conditions and historical air photos of the site, the geotechnical consultant has estimated the historic rate of bluff retreat. A 50-year retreat line was then established based upon this historic rate of retreat. This retreat line was plotted on the parcel survey and used as a basis for locating the proposed new house.

d. Shoreline Access

Policy 10.1 *(Permit Conditions for Shoreline Access): Require some provision for shoreline access as a condition of granting development permits for any public or private development permits between the sea and the nearest road.*

The project site is entirely to the west of Cabrillo Highway, and therefore this policy is applicable.

Policy 10.3 *(Definition of Shoreline Access): Define vertical access as a reasonably direct connection between the nearest public roadway and the shoreline. Define shoreline as a beach, where contact with the water's edge is possible, or a bluff, where only visual access is afforded. Define lateral access as a strip of land running along the shoreline, parallel to the water and immediately inland from the mean high tide line. Lateral access may include a beach, where contact with the water's edge is possible, or a bluff, where only*

visual access is afforded. Refer to lateral access areas as shoreline destinations.

Due to the steep nature (nearly vertical) of the coastal bluffs on the project site and the erodable nature of the subsurface geology (primarily sandstone), the construction of vertical access from the bluff top to the water's edge is impracticable. It would require the construction of a shoreline structure (a stair case) at a location that is susceptible to winter storm activity. Additionally, the mean high tide line comes up to the base of the coastal bluff, restricting its use for recreation. In this case, only lateral access along the top of the coastal bluffs is feasible in a safe manner. Direct access to the water's edge can be achieved to the north of the project site at Bean Hollow State Beach.

Policy 10.4 *(Designation of Shoreline Access): Designate vertical (trails) and lateral (shoreline destinations) access as areas to which the policies of this component apply. Such areas include, but are not limited to, those listed in the Assessment of Access Trails and Shoreline Destinations (Table 10.6).*

The project parcel is not designated in Table 10.6 as a proposed site for shoreline access. However, the State's Coastal Trail Plan has a general goal of:

> "Work with private and public landowners to design bluff top trail between San Gregorio SB and Ano Nuevo SR" (SB 908 report).

Both the State Coastal Conservancy and the California Coastal Commission have been charged by the Governor with implementing the recommendations of the SB 908 report, which includes the above goal. Regardless of whether this particular parcel was identified in Table 10.6, the policies of Chapter 10 apply.

Policy 10.7 *(Definition of Private Shoreline Access): Define private vertical (trails) and lateral (shoreline destinations) access as access on privately owned land where the public's right to use has not been legally established through permit conditioning and/or prescriptive rights.*

The existing house has been on this parcel since 1960, prior to the approval of the Coastal Act in 1976. A review of the historical air photos going back to the 1960s does not provide any evidence that there has been a historical use of this parcel by the public. There is no legally established public right of use on this parcel, nor can the case be made for prescriptive rights. Because there is no historical basis for public access on this parcel, there is no nexus between the proposed house and an impact upon established public access.

Staff has consulted with County Counsel regarding this issue and determined that any requirement under the Coastal Act for dedication of property or exactions must also meet constitutional requirements. There must be a nexus between the burdens imposed by the development and the condition requiring

dedication (Nollan v. California Coastal Commission (1987) 438 U.S. 82.5). The Planning agency must also establish a reasonable relationship (proportionality) between the development's impact and the conditions imposed on the development (Dolan v. City of Tigard (1994) 512 U.S. 374). The replacement of the existing house will have no additional impact on any existing public access trails. The applicant, therefore, is not required to make improvements to existing access trails or create new access trails.

3. Compliance with Zoning Regulations

The project site is located within the Resource Management-Coastal Zone (RM-CZ) District. Residential uses are permitted in this zoning district. The project also complies with the policies and objectives of this district as contained within Chapter 36A.2 (Development Review Criteria) of the County Zoning Regulations. Below are the development standards required and proposed for this project:

	REQUIRED	PROPOSED
Height	36 feet	30.75 feet
Front Setback	50 feet	426 feet
Side Setback	20 feet	24 feet
Rear Setback	20 feet	100 feet

The requirements of the RM-CZ zoning district necessitate a review of the proposal against criteria outlined in Chapter 36A.2 of the County Zoning Regulations. The primary criteria applicable to this project are: Site Design and Scenic Resources. The project has been found to conform with these criteria as discussed below.

Site Design Criteria

Development shall be designed to fit its environment and the natural topography; avoid uniform, terraced building sites; avoid substantially detracting from the scenic and visual quality of the County; minimize noise, light and glare impacts; not exceed the height of the forest canopy; replace vegetation removed during construction; and not impact stream areas.

As mentioned previously, very little grading will be required to construct the proposed house. The proposed building site is well screened from Cabrillo Highway and does not detract from the visual quality of the project site. The house will not exceed the height of adjacent trees and a condition has been included which requires replacement of all removed vegetation including trees.

Primary Scenic Resources Areas Criteria

Public views within and from Scenic Corridors shall be protected and enhanced, and development shall not be allowed to significantly obscure, detract from, or negatively

affect the quality of these views. Vegetative screening or setbacks may be used to mitigate such impacts.

The project site is covered with a large number of mature trees which obstruct motorist's views of the ocean. The proposed house is at the western end of the parcel, behind this tree canopy, on approximately the same footprint as the existing house. As stated previously, the house pad, because of the sloping nature of the parcel, sits approximately 20 feet lower than Cabrillo Highway. Based upon the plans submitted by the applicant, and confirmed by staff's site visit, the house's roof peak will be lower than the top of the surrounding trees' canopies.

B. ENVIRONMENTAL REVIEW

An Initial Study was completed and a Mitigated Negative Declaration issued in conformance with CEQA guidelines. The public review period for this document was March 13, 2007 through April 2, 2007. As of the publication of this report, staff had only received comments from Ms. Lenny Roberts, which are summarized and responded to as follows:

The project description does not indicate the size of the existing residence, and its location relative to the proposed new residence. Will the new residence be set back from the bluff top a greater distance than the existing A-frame? It would be helpful to have the maps show the location and dimensions of the existing house in comparison with the proposed house. Similarly, how high is the existing A-frame?

Staff's Response: Ms. Roberts is correct that the applicant's plans do not indicate the location of the existing dwelling. Staff has compared the site plan contained within the applicant's soils report (which does show the existing dwelling) and transposed the location of that building onto the proposed site plan. The existing dwelling occupies the area of the proposed family room and outside terraces. The applicant has proposed constructing the majority of the new house away from the bluff top into an existing open area to the immediate east of the existing house. According to the application materials, the existing A-frame house is 1,000 sq. ft. in size and approximately 26 feet in height.

There is an inconsistency between the answer to Question 2.b. regarding the removal of heritage or significant trees, which states that the applicant is requesting approval to remove five living trees, and the Project Description, that states that six living trees will be removed. Which living trees specifically will be removed, and what impacts will this removal have upon the visibility of the house from Cabrillo Highway?

Staff's Response: Ms. Roberts is correct. The project description (for the Mitigated Negative Declaration) incorrectly reads six living trees to be removed when in fact it is five. The application materials indicate that the applicant wishes to remove the following trees:

Tree No.	Species	Diameters	Reason
#8	Monterey cypress	19.3"	Primary scaffold split
#19	Monterey cypress	22.0"	Advanced decline/breakage
#28	Monterey cypress	28.0", 16.5"	Uprooted and fallen (2 trees)
#32	Monterey cypress	17.0"	Uprooted and fallen
#35	Monterey pine	19.0"	Primary scaffold limbs broken

None of the above trees are located between the house and Cabrillo Highway; they are all to the sides and immediately adjacent to the proposed house. All of the trees are located within groves, so their removal will not be as dramatic as the removal of a freestanding tree, as exist on the eastern half of the parcel. None of the above trees provide direct screening of the proposed house from Cabrillo Highway.

The potential visual impacts of the proposed residence are not adequately addressed. A photo simulation of the proposed house, as viewed from Cabrillo Highway, with the trees proposed for removal indicated, would provide an adequate basis for analysis of the visual impacts.

Staff's Response: The compliance of the project with visual resources policies contained in both the General Plan and the LCP was discussed extensively in the staff report. The applicant did include visual representation of the surrounding tree canopy on their building elevations to denote that the house will be below the surrounding tree canopy on the site.

The Monterey pines throughout this area of the coast are suffering from disease, and many have died. It is likely that the remaining Monterey pines on this property, some of which provide screening from Highway 1, will also die. Mitigation Measure 2 requires the removed trees to be replaced with species native to the San Mateo Coastal Zone. Although native Monterey pines are present in a very small area in the Año Nuevo uplands of the San Mateo coast, the fact that this species is not surviving in the Pescadero area where it is not native should rule out the pine as a replacement species. Monterey cypress is not a native, but does survive in close proximity to the coast, and is a better choice.

Staff's Response: Comment noted. Staff agrees with Ms. Roberts' assessment of the survivability of Monterey pines in this area. Condition 4 will be modified to read:

> Prior to the issuance of a building permit for the proposed house, the applicant shall submit to the Current Planning Section a tree replacement plan for review and approval. Said plan shall be implemented and verified by Current Planning staff prior to a final sign off on the building permit. Only the five (5) trees discussed in the staff report and the arborist report may be removed. All removed trees shall be replaced at a 1:1 ratio with species *common* to the San Mateo County Coastal Zone. *The plan shall not utilize Monterey pine or eucalyptus as replacement species.* Any additional tree removal will require a separate tree removal permit and process.

We note that the staff has determined that the project may quality for a confined animal permit exemption for the four horses requested. Given the small size of this parcel, the extent of the area devoted to driveway, house, garage(s), the area of the parcel located seaward of the ocean bluff top, and the location of the paddocks within 50 feet of at least one of the wells, this project may not qualify for an exemption. The paddock fencing appears to be closer than 30 feet from the side property line, which is not consistent with the required setback.

Staff's Response: A confined animal permit exemption for this parcel was reviewed by the Confined Animal Technical Advisory Committee on March 13, 2006, which recommended approval. This application was subsequently approved by staff the same day. With regard to setbacks of the paddock area from nearby wells and property lines, Section 7700.4.4 (Minimum Setbacks) of the Confined Animal regulations states:

> "A fence that encloses the pasture or range area, or any other area of the parcel not covered by confined animal structures would not be subject to these setback requirements."

The setback requirements noted by Ms. Roberts apply to confined animal structures, i.e., the barn, which does meet the setback requirements contained in the ordinance.

The project description states there is an existing well. Yet, it appears on the septic design plan that there are five wells. Could you confirm the number of wells and their production?

Staff's Response: The Environmental Health Division has reviewed this plan and conferred with the owner who has stated that she will be abandoning these wells. Environmental Health has included a condition (Condition 24), which requires the submittal of a well abandonment application to them, prior to the issuance of a building permit. A Certificate of Occupancy for the new house will not be issued until this abandonment has been completed and approved by the Environmental Health Division.

C. REVIEWING AGENCIES

Department of Public Works
Building Inspection Section
Geotechnical Review Section
County Fire Marshal
Environmental Health Division
California Coastal Commission

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Location Map
C. Site Plan
D. Floor Plan
E. Building Elevations
F. Initial Study and Mitigated Negative Declaration
G. Geotechnical Investigation
H. Biological Survey

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Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2005-00192 Hearing Date: May 9, 2007

Prepared By: Michael J. Schaller, Senior Planner For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Mitigated Negative Declaration, Find:

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

2. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.

3. That the Mitigated Negative Declaration reflects the independent judgment 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 Coastal Development Permit, Find:

5. 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 to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. The project is a conditionally allowed use in the rural areas of the coast, in accordance with the Land Use Component of the LCP. The project, as discussed in the staff report and as conditioned, will not impact biological or visual resources within the Coastal Zone.

6. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program. As discussed above, the applicant has agreed to implement

the mitigation measures identified in both the environmental review document and this staff report in order to minimize any potential impact to biological resources to a less than significant level.

7. Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). As discussed in the staff report, there is no rational nexus (as required by the Nollan case) to require the dedication of public access across the project parcel. There is no evidence of historical public use across the parcel, nor is there evidence to suggest that construction of this house will impact existing public access and recreation on adjacent public lands.

Regarding the Resource Management Permit, Find:

8. That the proposed house is in conformance with the Development Review criteria for the Resource Management District indicated in Section 6912 of the Zoning Regulations. Specifically, the proposal complies with the Site Design Criteria by minimizing grading and vegetation removal, and siting the new house where it is least visible from public viewing points. In addition, the project conforms with the Scenic Resources and Ocean Shoreline criteria. The locations of the proposed house and barn are screened from public view by existing trees and topography. As discussed previously, the nexus for public access to the ocean shoreline cannot be established based upon historical use of this parcel.

Regarding the Architectural Review Permit, Find:

9. That the proposed new house and barn are in compliance with the architectural design standards for the Cabrillo Highway State Scenic Corridor. The architectural standards for the Cabrillo Highway Scenic Corridor are articulated within the General Plan's Visual Resources policies. As discussed in the staff report, the proposed buildings will not detract from the existing rural character of the site or obstruct public views from Cabrillo Highway.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval is for the project as described on the plans and documents submitted for consideration by the Planning Commission on May 9, 2007. Any revisions to the approved plans must be submitted to the Planning Department for review and approval prior to implementation. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of, and are in substantial conformance with, this approval. Any other development on the property will be subject to a separate permitting process.

2. These permits shall be valid for one year from the date of this approval. If a building permit has not been applied for and issued within this time period, these permits will expire. An extension to these permits will be considered upon written request and payment of applicable permit extension fees 60 days prior to expiration.

3. Prior to the beginning of any construction activities, the applicant shall submit to the Current Planning Section for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

   a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.

   b. Minimize the area of bare soil exposed at one time (phased grading).

   c. Clear only areas essential for construction.

   d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative BMPs, such as mulching or vegetative erosion control methods, such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.

   e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.

   f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.

   g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.

   h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.

i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.

j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.

k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.

m. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.

4. Prior to the issuance of a building permit for the proposed house, the applicant shall submit to the Current Planning Section a tree replacement plan for review and approval. Said plan shall be implemented and verified by Current Planning staff prior to a final sign off on the building permit. Only the five (5) trees discussed in the staff report and the arborist report may be removed. All removed trees shall be replaced at a 1:1 ratio with species *common* to the San Mateo County Coastal Zone. *The plan shall not utilize Monterey pine or eucalyptus as replacement species.* Any additional tree removal will require a separate tree removal permit and process.

5. If any construction-related activities (including tree trimming) are proposed to take place during the monarch butterfly winter roosting season (October-February), a pre-construction survey shall be conducted by a qualified biologist to ensure that a roosting colony is not present. If a roosting colony is not detected, construction may commence and no further surveys are required. However, if a roosting colony is detected, the California Department of Fish and Game (CDFG) shall be contacted to determine how to proceed. If construction has already begun prior to the onset of the winter roosting season, no surveys are required.

6. Prior to any construction-related activities, a qualified biologist shall conduct one daytime pre-construction survey within 48 hours of the beginning of construction. During this time, all woodpiles within the property shall be dismantled and rodent burrows inspected to ensure that CRLF and SFGS are not aestivating in these structures. If CRLF or SFGS are detected, the U.S. Fish and Wildlife Service shall be contacted on how to proceed. If no CRLF or SFGS are detected, woodpiles shall be either moved off-site or covered to prevent CRLF or SFGS from becoming trapped on the construction site.

7. The proposed work area (house site, construction parking and staging/storage areas) shall be surrounded by a gated snake fence. This fence shall consist of sheets of 4x8 plywood embedded into the ground a minimum of 6 inches and glued together to eliminate gaps. The fence shall be supported by steel poles. The fence shall have one-way escape funnels to allow any snakes or frogs that find their way into the enclosure to escape. A sealing gate shall be included and the gate only opened for vehicles to pass in and out. The fence shall be installed under the supervision of a qualified biologist who has experience with this type of fence. No building permits (including demolition permits) shall be issued until said biologist confirms, in writing, that the required fencing has been erected.

8. The project biologist shall train a crew member and/or property owner how to recognize CRLF and SFGS and train them how to inspect the gate area and open and shut the gate. This (or these) individual(s) shall then be the designated individual(s) to open and close the gate. The trained individual shall also inspect the fence daily for areas that need repair. The biologist shall check the condition of the fence once every three weeks. If the fence is breached or the gate left open, work shall cease until the project biologist has inspected the work site to ensure CRLF and SFGS have not entered the enclosure. No building permits (including demolition permits) shall be issued until said biologist confirms, in writing, that the required training has occurred.

9. If construction-related activities (including tree trimming) will take place during the raptor-breeding season (February-August), then a qualified biologist shall conduct a pre-construction survey for all migrating birds, including nesting raptors, on the project parcel. If migrating birds or nesting raptors are detected, then the CDFG and the Current Planning Section shall be contacted on how to proceed.

10. Noise levels produced by 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.

11. Prior to the issuance of a building permit for the new house, the applicant shall submit a post-construction, permanent drainage plan which shows how project generated stormwater shall be contained on-site.

12. Prior to the issuance of a building permit for the new house, the applicant shall submit exterior color samples, material samples and a roofing sample for review and approval by the Community Development Director. The materials for the new building shall be the same color on all sides of the structure. The new house shall be painted in earth tones compatible with existing vegetation on the site. Reflective surfaces and colors are prohibited. These approved colors and materials shall be verified by the Planning and Building Department prior to a final inspection for the building permit.

13. All proposed exterior lighting shall be the minimum required to illuminate that area of the house exterior for safety purposes, and the lighting shall be shielded in conformance with Policy 4.59 of the San Mateo County General Plan. The applicant shall submit the

manufacturer's "cut sheets" for review and approval prior to the issuance of a building permit.

14. Any new water storage tank(s), for fire or domestic use, shall be buried underground.

15. Prior to the issuance of any building permit for this project, the applicant shall pay the following outstanding fees: (a) Environmental Health review fees: $393, and (b) Geotechnical Review fees: $99.

Building Inspection Section

16. A building permit is required and shall be issued prior to any construction.

17. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.

18. An automatic fire sprinkler system will be required. This permit must be issued prior to, or in conjunction with the building permit.

19. A site drainage plan will be required that will demonstrate how roof drainage and site runoff will be directed to an approved location.

20. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.

21. Two separate building permits will be required: one for the house and one for the stable.

22. No wood burning fireplaces allowed.

Environmental Health Division

23. Prior to the issuance of a building permit, the applicant shall submit health review fees of $393.

24. Prior to the issuance of a building permit, the applicant shall submit an application for well abandonment and meet all requirements of the Environmental Health Division.

Department of Public Works

25. Prior to the issuance of a building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.

26. The provision of San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.

27. As part of their building permit application, the applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing the driveway access to the parcel (garage slab) 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. When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.

28. Prior to the issuance of a building permit, the applicant shall have prepared by a registered civil engineer a drainage analysis and plan for the proposed development in accordance with the County Drainage Guidelines and NPDES permit, and submit it to the Department of Public Works for review and approval. The drainage analysis shall include a written narrative and a map detailing the drainage basin. The flow of the stormwater onto, over, and off the property being developed shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

County Fire Marshal

29. An approved automatic fire sprinkler system meeting the requirements of NFPA-13D is required to be installed in the new house. Plans shall include attached garages and detached garages at or above 1,000 sq. ft. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Building plans will not be reviewed until the required sprinkler plans are received and approved.

30. A site plan showing all required components of the water system is required to be submitted with the building plans to the San Mateo County Building Inspection Section. Plans shall show the location, elevation and size of required water storage tanks, and the associated piping layout from the tank(s) to the building structures, the location of the standpipe and the location of any required pumps and their size and specifications.

31. A minimum of 9,500 gallons of fire protection water is required for this project. Fire protection water is in addition to the required domestic water storage. Plans showing the tank(s) type, size, location and elevation are to be submitted to the San Mateo County Fire Department for review and approval. Plan shall be submitted prior to fire approval of the planning plan.

32. The water storage tank(s) shall be so located as to provide gravity flow to a standpipe/hydrant, or an approved pump/pressure system shall be provided to produce a minimum of 20 pounds per square inch (psi) residual pressure. Plans and specifications shall be submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department.

33. An iron standpipe/hydrant with a 2 1/2" National Hose Thread Outlet with a valve shall be mounted not less than 2 feet above ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building, nor more than 150 feet from the main residence or building. Location of hydrant location shall be shown on the planning plan.

34. The standpipe/hydrant shall be capable of a minimum fire flow of 200 gpm at 20-psi residual pressure. Fire flow shall be indicated on the building plans.

35. Smoke detectors are required to be installed in accordance with Section 310.9 of the Uniform Building Code. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placed in each sleeping room in addition to the corridors and on each level of the residence. Smoke detector location shall be shown on the building plans.

36. Address numbers shall be posted at the driveway entrance prior to construction. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.

37. a. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrester of a mesh with an opening no larger than 1/2 inch in size, or an approved spark arresting device.

    b. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 100 feet around the perimeter of all structures or to the property line. This is neither a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures.

    c. Remove that dead or dying portion of any tree which extends over the roofline of any structure. NOTE: Contact the Planning Department if area to be cleared is considered sensitive habitat.

38. The building plans shall show the location of all propane storage tanks. The tanks shall be located with respect to buildings or adjoining property lines. The placement and

orientation of tanks shall be so that the ends of the tank do not point in the direction of surrounding structures. Minimum setback distances from property lines or structures will be determined by the size of tank(s) that are being installed: less than 125 gallons - 5 feet; 125 gallons to less than 500 gallons - 10 feet; 500 gallons to less than 2,000 gallons - 25 feet; and 2,000 gallons or more - 50 feet. The minimum distance a LPG tank may be installed from a flammable liquid fuel tank is 20 feet.

39. A Knox box or Knox padlock shall be required on all gates used as emergency access. The Knox lock shall be required at the building phase. For an application or further information, please contact the County Fire Department at 650/573-3846.

40. An approved automatic fire sprinkler system meeting the requirements of NFPA-13 is required for the proposed stable. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Building plans will not be reviewed until the San Mateo County Building Inspection Section receives the required sprinkler plans. All commercial automatic sprinkler systems are required to be installed by a licensed sprinkler contractor and will be required to be monitored for water flow and tamper as outlined in NFPA-72.

41. Certain areas as designated by the San Mateo County Fire Department must be designated and maintained as Fire Lanes.

42. The San Mateo County Fire Department requires that overhead obstructions such as tree limbs be removed to provide a minimum of 15 feet vertical clearance. This comment is aimed at identifying the areas of the fire engine turnaround, and the fire hydrants.

43. The San Mateo County Fire Department requires "No Parking" signage to be posted and curbs to be painted red in the areas where fire engine access and turnarounds have been identified. This is to be done at owner's expense.

California Department of Fish and Game

44. Please be advised that this project will require the filing of a Notice of Determination in compliance with the California Environmental Quality Act. Per Fish and Game Code Section 711.4, the Department of Fish and Game charges a filing fee of $1,850 (includes County Clerk processing fee) for all Negative Declarations unless they can be found to have no effect on wildlife. If the project will have any effect on fish and wildlife resources, even a minimal effect, the fee is required. The filing fee must be paid before the project can become operative, vested, or final. Said fee shall be paid by check, made out to the County of San Mateo and shall be submitted to the project planner for recordation of the Notice of Determination.

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