

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (904) 904-5260
FAX: (904) 904-5400
WEB: WWW.COASTAL.CA.GOV



Th12b

See additional correspondence received.

Appeal filed: 12/20/2011
49th day: Waived
Staff: N.Dreher-SF
Staff report: 11/29/2012
Hearing date: 12/13/2012

STAFF REPORT: SUBSTANTIAL ISSUE & DE NOVO REVIEW

Appeal Number: A-2-SMC-11-044

Applicant: Nori Gerardo-Lietz

Appellants: Commissioners Steve Blank and Mary Shallenberger; Surfrider Foundation; Casey Schaufler and Ann Forriste

Local decision: Approved by the San Mateo County Zoning Hearing Officer on November 17, 2011 (Coastal Development Permit (CDP) Application Number PLN2010-00251).

Project Location: 263 Nevada Avenue, Moss Beach, San Mateo County (APNs: 037-112-110 and 037-112-120).

Project Description: Construction of a 2,783 square-foot addition to an existing 2,912 square-foot single-family residence.

Staff Recommendation: Substantial Issue Exists; Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

San Mateo County approved a CDP for a 2,783 square-foot addition to an existing 2,912 square-foot single-family residence on a blufftop lot within a single-family residential area of the Moss Beach community in the Urban Midcoast area of unincorporated San Mateo County. Appellants contend that the County's approval is inconsistent with County Local Coastal Program (LCP) policies related to hazards, visual resources and biological resources. Staff recommends that the Commission find that the appeal raises a substantial issue of conformance with the County's LCP and that the Commission take jurisdiction over the CDP for the project. Further, Staff

recommends that the Commission approve a conditioned CDP for a modified project that addresses the LCP issues associated with the project.

In terms of the substantial issue question, the County's approval relied upon a preliminary geotechnical report and deferred the LCP-required, more detailed geotechnical review to the building permit process. Thus, potential coastal hazard issues, including in terms of the potential need for armoring to protect the approved development, were not adequately evaluated. In addition, the preliminary geotechnical information that was present in the record indicated that shoreline protection might be necessary in the future to ensure the safety of the approved development over the next 50 years. The County's approval also did not fully evaluate the potential visual impacts of the project, including impacts to public views from the nearby Fitzgerald Marine Reserve (Reserve). Similar to the hazards question, there was inadequate evaluation to conclude on this question. In addition, the approved project would be larger than surrounding residential stock, and its consistency with the character of the surrounding neighborhood was not assured. Thus, the appeals raise substantial LCP conformance issues regarding hazards and public views.¹

With respect to the CDP determination in a de novo review, issues associated with the project can be addressed via conditions of approval. First, with respect to hazards, the Applicant provided a final geotechnical evaluation in the time since the appeal, and it demonstrates that proposed house addition will actually be safely sited for its design life and will not rely on future shoreline protection. Additionally, the Applicant is now proposing to remove the patio improvement component of the project, which would have been seaward of the house foundation, and which raised questions of bluff setback consistency in this regard. In addition, the Applicant has also agreed to a condition prohibiting future shoreline armoring at the project site. With regard to visual resources, recommended conditions of approval require design modifications and landscaping to reduce the appearance of bulk and mass, and to blend with the surrounding built and natural environment. As modified, the project would blend with the community character of the area, and would not lead to significant adverse impacts to public views. Additional conditions protect against construction impacts, ensure that the property involved is treated as a single parcel of land moving forward (and not multiple parcels), require the Applicant to assume the risks for development at this location, and require future notice of the terms and conditions of this CDP via a deed restriction.

Therefore, the proposed project, as conditioned, is consistent with the LCP and with Coastal Act access and recreation requirements. As a result, Staff recommends that the Commission approve a CDP with conditions for the proposed project. The motions and resolutions to act on this recommendation follow below on page 4.

¹ The appeals do not raise substantial LCP conformance issues with respect to biological resources inasmuch as those contentions were based on shoreline armoring leading to such biological impacts. However, shoreline armoring was not approved by the County in this application.

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I. MOTIONS AND RESOLUTIONS

A. Substantial Issue Determination

Staff recommends a **NO** vote on the following motion. 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.

Motion: *I move that the Commission determine that Appeal Number A-2-SMC-11-044 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act. I recommend a no vote.*

Resolution to Find Substantial Issue: *The Commission hereby finds that Appeal Number A-2-SMC-11-044 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 Program and/or the public access and recreation policies of the Coastal Act.*

B. CDP Determination

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

Motion: *I move that the Commission approve Coastal Development Permit Number A-2-SMC-11-044 pursuant to the staff recommendation. I recommend a yes vote.*

Resolution to Approve a CDP: *The Commission hereby approves the coastal development permit on the ground that the development as conditioned will be in conformity with the policies of the San Mateo County Local Coastal Program and the public access and recreation policies of the Coastal Act. Approval of the coastal development permit complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment; or (2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse effects of the amended development on the environment.*

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Revised Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two full-size sets of Revised Project Plans (Plans) to the Executive Director for review and approval. The Revised Project Plans shall be in substantial conformance with the plans attached to the November 17, 2011 San Mateo County Zoning Hearing Officer approval report for PLN2010-00251 (received in the Commission's North Central Coast District Office on November 16, 2011) except that they shall be revised and supplemented to comply with the following requirements:
 - a. **Patio Improvements.** All development seaward of the existing footprint of the existing residence shall be eliminated (including patio improvements, bluff top pathways, wind screens and other improvements), except landscaping that will not obstruct ocean views as further described in **Special Condition 5** below.
 - b. **Design.** The Plans shall clearly identify all measures that will be applied to ensure that the project design, including all structures and including all other project elements (e.g., driveway, fencing and barriers, lighting, landscaping, etc.) reduces the appearance of bulk and mass and blends with the surrounding environment. At a minimum, the second floor area located between the garage and the main structure shall be stepped back three feet from the first floor, and exterior materials shall appear natural and non-reflective,

including through the use of wood, stone, brick, and earth tone colors. Plans shall clearly identify all structural elements, materials, and finishes (including through site plans and elevations, materials palettes and representative photos, product brochures, etc.).

- c. Landscaping.** The Plans shall include landscape and irrigation parameters that shall identify all plant materials (size, species, quantity), all irrigation systems, and all proposed maintenance measures. All plant materials shall be native and non-invasive species selected to be complimentary with the mix of native habitats in the project vicinity, prevent the spread of exotic invasive plant species, and avoid contamination of the local native plant community gene pool. Landscaping (at maturity) shall also be capable of partial/mottled screening and softening the appearance of new development as seen from the Fitzgerald Marine Reserve as much as possible. All landscaped areas on the project site shall be continuously maintained by the Permittee; all plant material shall be continuously maintained in a litter-free, weed-free, and healthy growing condition. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be so identified from time to time by the State of California, and no plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be planted.
- d. Lighting.** All exterior lights, including any lights attached to the outside of the residence, shall be the minimum necessary for the safe ingress and egress of the residence, and shall be low-wattage, non-reflective, shielded, and have a directional cast downward such that no light will shine beyond the boundaries of the subject parcel.
- e. Drainage.** All project area drainage shall be directed away from the bluff, either to undeveloped areas on the site that can provide for infiltration, or to inland drainage systems capable of handling such flows
- f. Property Lines.** All property lines for the subject property and all adjacent properties, including the Nevada Avenue right-of-way, shall be clearly and accurately identified.
- g. Utilities Underground.** All utilities shall be installed underground.

All requirements above and all requirements of the approved Revised Project Plans shall be enforceable components of this coastal development permit. The Permittee shall undertake development in accordance with the approved Revised Project Plans.

- 2. Construction Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:

- a. Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas within which construction activities and/or staging are to take place shall be minimized to the maximum extent feasible in order to have the least impact on coastal resources, including by using inland areas for staging and storing construction

equipment and materials as feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.

- b. Construction Methods and Timing.** The plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from the shoreline and public recreational use areas (including using unobtrusive fencing (or equivalent measures) to delineate construction areas). All work shall take place during daylight hours.
- c. General BMPs.** The plan shall identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following: (a) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging to coastal waters or to areas that would eventually transport such discharge to coastal waters; (b) equipment washing, refueling, and/or servicing shall take place at least 50 feet from the bluff edge; (c) all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; (d) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and (e) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each work day.
- d. Material Containment BMPs.** Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering the beach or coastal waters.
- e. Construction Site Documents.** The plan shall provide that copies of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- f. Construction Coordinator.** The plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular

inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

- g. Notification.** The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.

Minor adjustments to the above construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this coastal development permit. The Permittee shall undertake construction in accordance with the approved Construction Plan.

3. Assumption of Risk, Waiver of Liability, and Indemnity Agreement. By acceptance of this permit, the Permittee acknowledges and agrees on behalf of himself and all successors and assigns:

- a. Coastal Hazards.** That the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, coastal flooding, landslides, bluff and geologic instability, and the interaction of same;
- b. Assume Risks.** To assume the risks to the Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development;
- c. Waive Liability.** To unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards;
- d. Indemnification.** To indemnify and hold harmless the Coastal Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards;
- e. Property Owner Responsible.** That any adverse effects to property caused by the permitted project shall be fully the responsibility of the Permittee; and
- f. Future Armoring Prohibited.** That the Permittee shall not construct, now or in the future, any shoreline protective device(s) for the purpose of protecting the residential development approved pursuant to CDP A-2-SMC-11-044 including, but not limited to, the residence addition, foundations or decks in the event that these structures are threatened with imminent damage or destruction from coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean

waves, storms, tsunamis, coastal flooding, landslides, bluff and geologic instability, and the interaction of same or other natural hazards in the future, and by acceptance of this permit, the Permittee hereby waives any rights to construct such devices that may exist under Public Resources Code Section 30235 or the San Mateo County LCP.

- g. Removal Required.** If the residential development approved pursuant to CDP A-2-SMC-11-044 is threatened by coastal hazards in the future that would typically engender a shoreline armoring response (e.g., when the bluff has retreated to a point such that the residence is unsafe to occupy), the Permittee shall remove/relocate threatened elements of the development away from such danger. Such removal/relocation shall require a separate CDP authorization.
 - h. Debris.** Any debris, including that related to the approved residential development itself, that falls from the blufftop onto the beach shall be immediately removed and properly disposed of.
- 4. Lot Combination of APNs 037-112-110 and 037-112-120.** By acceptance of this CDP, the Permittee acknowledges and agrees, on behalf of herself and all successors and assigns that: (1) all portions of the parcels known as APNs 037-112-110 and 037-112-120 shall be combined and unified, and shall henceforth be considered and treated as a single parcel of land for all purposes, including but not limited to sale, conveyance, lease, development, taxation or encumbrance; and (2) the single parcel created thereby shall not be divided, and none of the parcels existing at the time of this permit approval shall be alienated from each other or from any portion of the combined and unified parcel hereby created.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction against the property described above, in a form acceptable to the Executive Director, reflecting the restrictions set forth above. The deed restriction shall include a legal description and graphic depiction of the two parcels being combined and unified. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens, including tax liens, and encumbrances that the Executive Director determines may affect the enforceability of the restriction.

- 5. Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any

part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. PROJECT SITE, DESCRIPTION AND BACKGROUND

Project Site

The project site is located at 263 Nevada Avenue² in Moss Beach, which is within the San Mateo County Midcoast urban service center. The project site is an eighth of a mile north of the Fitzgerald Marine Reserve public educational and recreational area. The project site consists of two assessor's parcels: one is a 15,526 square-foot lot (APN 037-112-110) and the other is a 2,730 square-foot lot (APN 037-112-120). The large lot contains the majority of the existing and proposed development. This property is zoned R-1/S-17/DR/CD (Single-Family Residential/Mid-Coast Combining District/Design Review/Coastal Development). The existing single-family residence on the site is served by water and sewer service provided by Montara Water and Sanitary District. See **Exhibit 1** for a project location map and **Exhibit 2** for photos of the project site.

Background

Prior to 2002, the existing residence was located approximately 30 feet from the bluff edge. In early 2002, the Coastal Commission approved the construction of a temporary emergency rock revetment limited to a 50-foot section immediately seaward of the existing single-family residence. This permit was never exercised and it subsequently expired. Also in 2002, the County approved an emergency permit (PLN 2001-00556), and subsequently approved regular CDP as follow up in 2004 (PLN2003-00048), authorizing: 1) relocation (approximately 60 feet landward of the original footprint) of the then existing 1,414 square-foot residence; 2) a 2,880 square-foot addition to the residence, and 3) merger of the 5 previously separate lots to establish the approximately 13,000 square-foot paper parcel. The Permittee at the time only improved the home to its current size of 2,912 square-foot (adding 1,498 square-foot to the home instead of the approved 2,880 square-foot).

Project Description

The County-approved project includes the addition of 2,783 square feet (first and second floor additions) to the existing 2,912 square-foot single-family residence on the site, which would result in a 5,695 square-foot two-story residence (see **Exhibit 5** for the approved project plans). Additionally, the County's approval includes improvements to the patio area seaward of the principal residential structure, including expansion of the existing 845 square-foot concrete patio area to 1,119.50 square feet (approximately 65 feet from the bluff edge), with a barbeque, fire pit and a decomposed granite path that comes within eight feet of the bluff edge, as well as landscaping.

² In the past, the site's address has been listed as 100 Beach Street, Moss Beach.

B. SAN MATEO COUNTY CDP APPROVAL

The San Mateo County Zoning Hearing Officer approved the project on November 17, 2011 (see Exhibit 3). Notice of the County Zoning Hearing Officer's decision on the CDP was received in the Coastal Commission's North Central Coast District Office on December 9, 2011. The Commission's appeal period ended at 5pm on December 23, 2011. Three valid appeals (see below) were received during the appeal period.

C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable because it involves development between the sea and the first public road.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo CDP hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under Section 30604(b), if the Commission conducts a de novo hearing and ultimately approves a CDP for a project, the Commission must find that the proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is located between the nearest public road and the sea, and thus this additional finding would need to be made if the Commission approves the project following a de novo hearing.

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

D. SUMMARY OF APPEAL CONTENTIONS

The Appellants contend that the County-approved project raises issues with respect to the project's conformance with LCP policies regarding hazards, visual resources/community character, and biological resources.

The appeal contentions focus mainly on the effects of potential hazards on site and the County-approved development. The Appellants contend that the County only preliminarily addressed the geotechnical issues on site, leaving the majority of evaluation to be done at the building permit phase of the project, rather than the CDP stage as required by the LCP. Accordingly, the Appellants contend that a complete hazard evaluation should have been conducted as part of the County's review process to demonstrate the proposed development could be safely sited on the subject property. Additionally, the Appellants state that the County's determination that the site may require some form of rock revetment in the future to stabilize this bluff is inconsistent with the LCP's hazards component. Given the County's finding indicating the potential for shoreline protection in the future, the Appellants also raised concerns over potential biological impacts due to placement of rock or other structures on the beach.

Additionally, the Appellants raised concerns regarding the visual impact of the approved additions, which would result in a residence over 5,000 square-foot in size, which is larger than most of the surrounding structures in the neighborhood, and which could have impacts on nearby public views. Finally, the Appellants contend that the visual simulations provided by the Applicant were not adequate and that the County's approval did not include a complete evaluation of visual impacts.

See **Exhibit 4** for the full text of the appeals.

E. SUBSTANTIAL ISSUE DETERMINATION

Substantial Issue Background

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

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

5. Whether the appeal raises only local issues, or those of regional or statewide significance.

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

In this case, for the reasons discussed further below, the Commission determines that the development as approved by the County presents a substantial issue. See **Exhibit 9** for Applicable LCP and Coastal Act Policies

Hazards

The LCP's Hazards Component regulates blufftop development. LCP Policy 9.8(a) requires that new blufftop development be located where it will not create or contribute to erosion problems or geologic instability. Additionally, Policies 9.8(a)-(c) require the submittal of a site stability evaluation containing specific criteria, which must be completed prior to issuance of a CDP. The LCP requires an analysis of the site stability in order to make the findings that even with projected erosion, site stability and wave action (including sea level rise), the proposed development will be stable for the economic life of the development (no less than 50 years). Policies 9.8(d) prohibits new structures that rely upon shoreline protection now or in the future, and Policy 9.11 requires new development to be located in areas where beach erosion hazards are minimal and where no additional shoreline protection will be needed.

First, the Appellants contend that the project is inconsistent with the LCP because the County approved the project without the necessary site stability evaluation. Second, the appellants contend that the project is inconsistent with the LCP because the County-approved project may not be safely sited to provide at least 50 years of stability, meaning the approved project may need shoreline armoring during its economic lifetime.

The County-approved project is located on a blufftop lot in Moss Beach and adds 2,783 square-foot (first and second floor additions) to an existing 2,912 square-foot single-family residence, resulting in a 5,695 square-foot two-story residence. The County's Geotechnical Section completed a preliminary review of the Applicant's Limited Geotechnical Report³ and found it adequate for CDP approval. However, the County indicated in its findings of approval that a more detailed review would be conducted upon submittal of a building permit application. Policy 9.8 requires that the full geotechnical review take place during the CDP process, not the building permit process, to ensure the location and scale of development is appropriate in higher hazard areas, such as on top of coastal bluffs. This review in its entirety is required to occur at the CDP stage, as mandated by the LCP. This review is critical when deciding where to allow new development that is located on a coastal bluff. Accordingly, the County's reliance on the Limited Geotechnical Report with the suggestion that the more thorough geotechnical review would be undertaken at the building permit phase is inconsistent with the LCP's Hazard Component.

Further, the Applicant's Limited Geotechnical Report found that shoreline protection may be necessary within the next 50 years. The County's findings indicated that the submitted report

³ By Murray Engineers, Inc., June 14, 2011.

“determined a low level of risk to the site within the next 50 years relative to bluff retreat, subject to implementation of construction measures recommended in the report.” The 2011 Limited Geotechnical Report concluded that while the site is suitable for the proposed improvements, “[i]t should be clearly understood that eventually some form of mitigation will be required to protect the house and proposed improvements from future bluff retreat”. As discussed above, Policy 9.11 requires that new bluff top development be located where no additional shoreline protection will be necessary. The County determined that the Limited Geotechnical Report was sufficient to conclude that the site was safe, even though the report and the County clearly stated that some form of structural shoreline protection would be required to protect the existing and new development from erosion hazards in the future. The County’s determination that the proposed new development may require shoreline protection within its economic lifetime is inconsistent with Policy 9.11.

Finally, the approved project did not include the required site stability evaluation. Thus, the County’s approval was unclear as to the extent it minimized hazards, including with respect to providing for at least 50 years of stability without the need for shoreline armoring, as required by the LCP. For these reasons, the approved project raises a substantial issue of conformance with respect to the LCP’s hazards policies.

Visual Resources and Community Character

The San Mateo County LCP’s Visual Resources Chapter requires that visual impacts to public viewpoints, including those along coastal bluffs, be minimized, and also requires that structures be designed to be consistent with community character. Policy 8.4 requires that bluff top development and landscaping be set back sufficiently from the bluff edge to ensure they are not visually obtrusive when viewed from the shoreline. Policy 8.5 requires 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, including best preserving the visual and open space qualities of the parcel overall. Under the LCP, public viewpoints include, but are not limited to, coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches. Policy 8.12 establishes general design standard policies, including requiring that development not block ocean views from scenic roads and publicly owned land. Policy 8.13 establishes certain design standards specific to coastal communities, such as Moss Beach, within the San Mateo County coastal zone. Finally, Section 6300.2 of the LCP’s Implementation Plan (IP) includes development standards for single-family residential development in the mid-coast (which includes Moss Beach) area of the County. (See **Exhibit 9** for the above policies and IP standards.) Taken together, these policies and standards are designed to ensure that visual resources are protected and that development along the bluffs in San Mateo County, including Moss Beach, is appropriately sited and designed to minimize impacts to public viewpoints.

The Appellants contend that the project is inconsistent with the LCP with respect to visual impacts and community character for the following five reasons. First, they contend that the County-approved project (including incremental increases in house size since 2004) will result in a residence that is out of scale with the surrounding smaller residential development. Second, due to erosion, the parcel is substantially smaller than the parcel size stated in the County’s staff report, and the Appellants contend that the calculations used with respect to the S-17 zoning

district development standards need to be re-calculated based only on the blufftop (developable) portion of the property. Third, the approved project will result in visual impacts from public viewpoints, including the Fitzgerald Marine Reserve (Reserve). Fourth, the County's approval states that the project conforms to the LCP's design guidelines, but did not include an analysis in this regard. And fifth, the approved roofing material is metal, which may cause a visual impact from public viewpoints, including the Reserve.

As previously mentioned, in 2004 the County approved a CDP to allow the relocation of the then existing 1,414 square-foot residence about 60 feet landward of the residence's original footprint. This 2004 CDP also approved a 2,880 square-foot addition to the structure, and with that permit, the landowner completed a project resulting in a residence of about 2,912 square feet. The currently approved project will result in a house that is 5,695 square feet in size and about 27 feet in height. However, Appellants contend that the average square-footage of the nearest 28 homes is about 1,500 square feet, and that, the approved project will result in a residence that is much larger than any other residences in the neighborhood along the bluff. Thus it is not clear if the approved project is consistent with the character of the surrounding community, as required by the LCP.

LCP Section 6300.2 (see **Exhibit 9**) sets forth the development standards for residential development in the S-17 Mid-Coast Combining District. The County used the lot size (15,526 square feet) of the Applicant's larger lot⁴ to calculate both the maximum lot coverage and the maximum building floor area allowed by LCP Section 6300.2, and determined that the subject property is allowed a maximum lot coverage of 5,434 square-foot (35%). However, due to erosion, the blufftop portion of the larger parcel, is currently only about 11,700 square feet. Appellants contend that the County should have based their calculation on the size of the blufftop portion of the parcel, not the entire parcel. Basing the calculation on the blufftop portion of the parcel, the maximum allowable parcel coverage on this parcel would be 4,095 square-foot (11,700 square feet x .35), while the County-approved project will result in parcel coverage of 4,231 square feet. Although the Appellants make a compelling argument about the most appropriate way to calculate appropriate building coverage, given the changing nature of eroding blufftop lots, the LCP's maximums are currently based on the size of the entire legal parcel, not on the size of the developable portion of the parcel. Therefore, the approved development does meet the LCP's maximum lot coverage and floor area standards, as determined by the County.

Regarding the approved project's consistency with the LCP's Mid-Coast design requirements, the approved project includes a stepping back of the second floor mass located between the garage and the main structure to reduce the apparent mass and bulk of the structure. The approved project also includes shingles, siding, stone, and trim designed to blend well with the vegetative cover of the site. The approved project also includes a color scheme to enhance the structure's visual harmony with the onsite vegetation. Taken together, these design requirements and architectural elements ensure that the approved project will harmonize with the surrounding development and vegetation. Finally, one of the Appellants contends that the metal roof will have a high reflectivity, which will create a visual impact on the surrounding area. However, the

⁴ The majority of the residential development (i.e., the existing residence and the approved additions to the existing residence) is located on this larger APN. The smaller APN contains a portion of the existing patio, as well as portions of the County-approved patio and landscaping.

County-approved project includes a gable roof made of non-reflective standing seam metal. Thus, this aspect of the project is consistent with LCP Section 6565.20(D), which requires the use of non-reflective materials on the exterior of residential structures.

With regard to the project's impact on public viewpoints, the County concluded that the project will not impact views from the beach. Following a site visit, Commission staff also concluded that the approved project will not impact views from the beach, including from the beach immediately seaward of the blufftop lot. However, although the approved project would not be visible from the beach below the project site, the County did not evaluate the project's impacts on public views from the Fitzgerald Marine Reserve. The existing residence is visible from Reserve trails, which are less than an eighth of a mile downcoast of the subject property, and the approved project increases the size of the existing residence by more than 2,000 square feet. The County did not include an analysis of LCP Policy 8.5, which requires that new development be located on a portion of a parcel where the development is least likely to significantly impact views from public viewpoints (including vista points, recreation areas, trails and coastal accessways), and also requires consistency with all other LCP requirements, to best preserve the visual and open space qualities of the parcel overall. The approved 5,695 square-foot structure will nearly double the existing structure's size, thus becoming more visible from coastal vistas at the Reserve. Therefore, because the County did not evaluate the project's impacts to the Reserve, these appeal contentions raise a substantial issue of conformity with the San Mateo County LCP.

Sensitive Habitat

The LCP contains numerous policies designed to protect sensitive habitats and resources from impacts caused by new development. LCP Policy 7.1 defines sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially viable, and any area that meets specific criteria. Policy 7.3 prohibits any land use or development which would have significant adverse impact on sensitive habitat areas, and also requires that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. Two Appellants contend the approved project could impact important sensitive resources at the Reserve. Implicit in this contention is that there could be impacts to the Reserve caused by future shoreline protection needed to ensure site stability for the approved development. However, the approved project is located on a bluff top that is about an eighth of a mile from the Reserve, and there is intervening bluff top residential development between the project site and the Reserve. Thus, the approved project will not have any direct impact on the sensitive habitat and biological resources of the Reserve. Also, the approved project does not include a shoreline armoring component. This contention therefore does not rise to the level of a substantial issue in terms of the project's conformance with the sensitive habitat and resource policies of the certified LCP.

Substantial Issue Determination Conclusion

In conclusion, the County-approved project raises substantial issues with respect to its conformance with applicable LCP provisions related to hazards and visual resources/community character. Therefore, the Commission finds that a substantial issue exists with respect to the approved project's conformance with the certified San Mateo County LCP, and takes jurisdiction over the CDP application for the proposed project.

F. COASTAL DEVELOPMENT PERMIT DETERMINATION

The standards of review for this CDP application are the San Mateo County certified LCP and the public access and recreation policies of the Coastal Act (**Exhibit 9**). All Substantial Issue Determination findings above are incorporated herein by reference.

Revised Project Description

Following discussions with Commission staff, the Applicant has proposed to remove all patio/seaward improvements from the project description, and has agreed to a requirement that no future shoreline protection be allowed to protect development on the property. Accordingly, the project description has been revised to include only additions to the single-family residence within the existing building envelope, and in no case seaward of the existing building footprint, and to include a no future shoreline protection condition. The Applicant also submitted an updated final geotechnical analysis, including a site stability evaluation, and a visual impact simulation. Lastly, the Applicant has proposed that the two separate APNs associated with this project (APNs 037-112-110 and 037-112-120) be merged as part of this application (implemented through **Special Condition 4**).

Hazards

LCP Policy 9.8(a) requires that new blufftop development be located where it will not create or contribute to erosion problems or geologic instability. Additionally, Policies 9.8(a)-(c) require the submittal of a site stability evaluation containing specific criteria, in order to make the findings that even with projected erosion, site stability and wave action (including sea level rise), the proposed development will be stable for the economic life of the development (no less than 50 years). Policy 9.8(d) prohibits new structures that rely upon shoreline protection now or in the future, and Policy 9.11 requires that new development be located in areas where beach erosion hazards are minimal and where no additional shoreline protection will be needed.

As discussed above, the Applicant submitted a Limited Geotechnical Report, which determined that certain undefined mitigating measures might be necessary to assure stability for the project – including shoreline protection – within 50 years, inconsistent with LCP Policies 9.8 and 9.11. Following the filing of the appeal, the Applicant submitted a final site stability evaluation (2012 Stability Report),⁵ which analyzed erosion rates and site stability (with sea level rise) at the project site over the 50 year period required in the LCP (see **Exhibit 6**). The 2012 Stability Report evaluated historical coastal bluff erosion rates, expected future erosion rates, slope stability and sea level rise.

Erosion Rate

With regard to erosion, the 2012 Stability Report identifies two separate erosion rate scenarios: long term (0.96 feet per year) and short term (1.26 feet per year). The 2012 Stability Report finds that if the long-term historical average annual erosion rate continues into the future, by 2062 (i.e., in 50 years) the top of the coastal bluff would erode 48 feet inland of where it is now; if the short term historical average annual erosion rate continues into the future, by 2062, the top of the coastal bluff would erode 63 feet inland of where it is now. The Commission's Senior Geologist,

⁵ Coastal Bluff Recession Study by Haro, Kasunich and Associates, Inc., dated June 12, 2012.

Dr. Mark Johnsson, has determined that it is more appropriate to use the latter scenario (i.e., the short-term erosion rate of 1.26 feet per year) to take the most precautionary approach and to account for end effects caused by the riprap that exists upcoast and downcoast of the subject site. While the 2012 Stability Report indicates that these revetments may incidentally protect the subject bluff somewhat over time, Dr. Johnsson has found the opposite to typically be true, because the ends of revetments typically result in increased wave energy being directed to adjacent unarmored bluffs, such as the bluff located directly seaward of the subject property, resulting in increased erosion of the unarmored bluff. For these reasons, the Commission finds that the appropriate erosion rate at the site is 1.26 feet per year, or 63 feet over 50 years. Accordingly, from an erosion standpoint, the necessary setback would need to be a minimum of 63 feet from the existing bluff edge.

Slope Stability

To address slope stability, the 2012 Stability Report evaluated the potential for landsliding along the coastal bluff face caused either by an undermined bluff toe or saturation of the bluff edge or face. The bluff was found to be composed primarily of relatively weak sedimentary deposits. The 2012 Stability Report recommends 6 to 12 feet of bluff retreat be considered possible over the next 50 years due to land sliding during an earthquake and based on the slope stability analysis. Again, the 2012 Stability Report assumes that the neighboring revetments will help to slow slope failures at the subject bluff, but, as discussed in the above section, Dr. Johnsson believes these revetments will have the opposite result and increase the rate of slope failures. Accordingly, Dr. Johnsson determined the more protective 12-foot figure should be used to account for potential slope stability failures. Therefore, the Commission determines that to account for erosion and slope stability, at a minimum, the setback should be 75 feet (63 feet for erosion plus 12 feet for slope stability) landward of the existing bluff edge.

Sea Level Rise

Finally, with regard to sea level rise impacts, the 2012 Stability Report used the Bruun Rule to assess the influence of sea level rise on shoreline recession. The Bruun Rule is based on the premise that sediment deposition offshore keeps pace with the rising sea level so that the ocean depth landward of the closure point remains constant. The 2012 Stability Report uses the most conservative rate projected by the State of California Interim Sea Level Rise document (1.8 feet of sea level rise by the year 2062), resulting in 5.3 feet of additional bluff top edge recession by 2062. The Dr. Johnsson has determined that while the Bruun Rule is not the best metric for determining sea level rise impacts, using the higher erosion rate (1.26 feet per year) adequately offsets and accounts any underestimation attributable to the sea level rise impact analysis.

Given all of the above, the Commission's Senior Geologist concludes that the recommended 50-year coastal blufftop setback for the project site would be 80.3 feet. This is based on using the short-term average annual erosion rate of 1.26 feet per year, which would equal 63 feet of coastal bluff erosion over 50 years. Additionally, using the more conservative slope stability analysis of 12 feet of bluff retreat, plus an additional 5.3 feet of bluff top edge recession due to sea level rise, these three numbers (63 feet plus 12 feet plus 5.3 feet) are added together to create the appropriate 50-year coastal blufftop setback of 80.3 feet. The proposed additions to the residential structure are located a minimum of 85.5 feet from the bluff edge and therefore meet the required 50-year setback requirement of 80.3 feet.

However, in addition to setback requirements, the LCP further requires that new development not lead to shoreline armoring and/or other bluff altering development should it be threatened by erosion and related coastal hazards in the future. The setback addresses this requirement, but cannot by itself assure these LCP requirements are met. Thus, this approval both prohibits future construction of a seawall, shoreline protection device, bluff retaining wall, or similar structures, and requires that the residence be moved or removed if threatened by coastal hazards for which shoreline armoring and/or other shoreline altering development might otherwise typically be considered. Also, given the project's location on a blufftop area that is subject to extreme coastal hazards, and given that the Applicant is willingly pursuing residential development nonetheless, this condition also requires that the Applicant assumes all risks for developing at this location so as to ensure that the public is not unfairly burdened by any problems that may arise here. See **Special Condition 3**.

Finally, poor drainage conditions can in some cases exacerbate geologic hazards, and therefore, **Special Condition 1** requires submission of a drainage plan that shows all drainage retained through infiltration or other means on the undeveloped portions of the project site, or directed to inland drainage systems, in such a way that does not exacerbate geologic hazards or degrade visual resources.

Therefore, as conditioned, the Commission finds that the proposed project is consistent with the LCP's hazard policies.

Visual Resources

The LCP has multiple provisions that require that visual impacts to public viewpoints, including those along coastal bluffs and from coastal recreational areas, be minimized and also requires that structures be designed to be consistent with the community character. The LCP also includes certain design standards specific to coastal communities, such as Moss Beach, and also includes development standards for single-family residential development in the Mid-Coast (which includes Moss Beach) area of the County. (See **Exhibit 9** for the applicable policies and IP standards.) Taken together, these policies and standards require visual resources to be protected and development along the bluff in San Mateo County, including Moss Beach, to be appropriately sited and designed to minimize impacts to public viewpoints.

The proposed project would not be visible from the beach below the bluff, but it would be visible from the nearby public access trail at Fitzgerald Marine Reserve, as seen from the trail looking toward the area of existing urban development. However, the existing residence is already visible from the trail, and the proposed addition does not extend any farther seaward than the existing residence does, nor does it block views to the beach or shoreline in any way. In addition, the resulting residence would only be seven feet taller than the existing residence. Therefore, the proposed project will be visible in the context of other existing residential development located along the bluff top, upcoast from the Reserve, and its impacts on coastal views would be minimal.

In addition, as previously discussed, the proposed project is consistent with the LCP's development standards including required height, setbacks, floor area and maximum parcel coverage, and it is located along an urbanized section of coast adjacent to existing residential development. Although many of the surrounding homes are smaller than the proposed project,

there are several moderately-sized homes in the vicinity, including an approximately 3,900 square-foot home located along the bluff adjacent to the Reserve (between the project site and the Reserve). Further, additional measures can be taken to reduce the appearance of bulk and mass in the proposed project, as required by the LCP. Therefore, to minimize the project's visual mass the project is conditioned to require that the second floor steps back from the first floor, to include landscaping that would soften the view from the Reserve, to require downward facing lighting that will not illuminate areas offsite, to require a non-reflective roof, and to require exterior materials and colors that blend in with surrounding built and natural environment. (see **Special Condition 1**). Accordingly, as conditioned, the Commission finds the development consistent with the LCP's requirements regarding visual resources and community character.

Public Access

Coastal Act Section 30604(c) requires that every CDP issued for any development between the nearest public road and the sea "include a specific finding that the development is in conformity with the public access and public recreation policies of [Coastal Act] Chapter 3." The proposed project is located seaward of the first through public road and thus such a finding is required for a CDP approval. Coastal Act Sections 30210 through 30213 and 30221 specifically protect public access and recreation. Coastal Act Section 30240(b) also protects parks and recreation areas, such as the adjacent beach and nearby Fitzgerald Marine Reserve (see **Exhibit 9** for these policies). These overlapping policies protect the Reserve, the beach (and access to and along it) and offshore waters for public access and recreation purposes, including lower-cost access and recreational opportunities.

The bluff top area along this section of coast is developed with single-family residences and no public access is available from the project site to the beach. Public access to the beach below the project site is provided about one-eighth mile downcoast at the Reserve. The Reserve includes a public parking lot and several trails, including a trail that leads upcoast to the beach that is located below the project site. As a result, the project site is not necessary for direct public access, and the additions to the existing residence on the project site will not impact existing public access. Thus, the Commission finds that, as conditioned, the project is consistent with the public access and recreation policies of the Coastal Act and the LCP.

Water Quality

The proposed project would require the movement of large equipment, workers, and supplies on the blufftop, adjacent to the beach and coastal waters. Such activities have the potential to adversely affect the beach and offshore resources. Fortunately, these impacts can be contained through construction parameters that limit the area of construction, limit the times when work can take place, clearly fence off the minimum construction area necessary, apply water quality BMPs, and other BMPs designed to both inform the public and protect resources (maintaining copies of the CDP and approved construction plans available for public review at the construction site, good construction housekeeping required, etc.). See **Special Condition 2**.

Future Notice

In order to ensure that this owner and future owners are aware of the CDP terms and conditions, this approval is conditioned to require future notice of the terms and conditions of this CDP via a deed restriction (see **Special Condition 5**).

Conclusion – Approval with Conditions

Accordingly, the Commission finds that the project, as conditioned, is consistent with the San Mateo County LCP and the public access and recreation policies of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The County, acting as the lead CEQA agency, certified a mitigated Negative Declaration for the project pursuant to Section 21081.6 of CEQA.

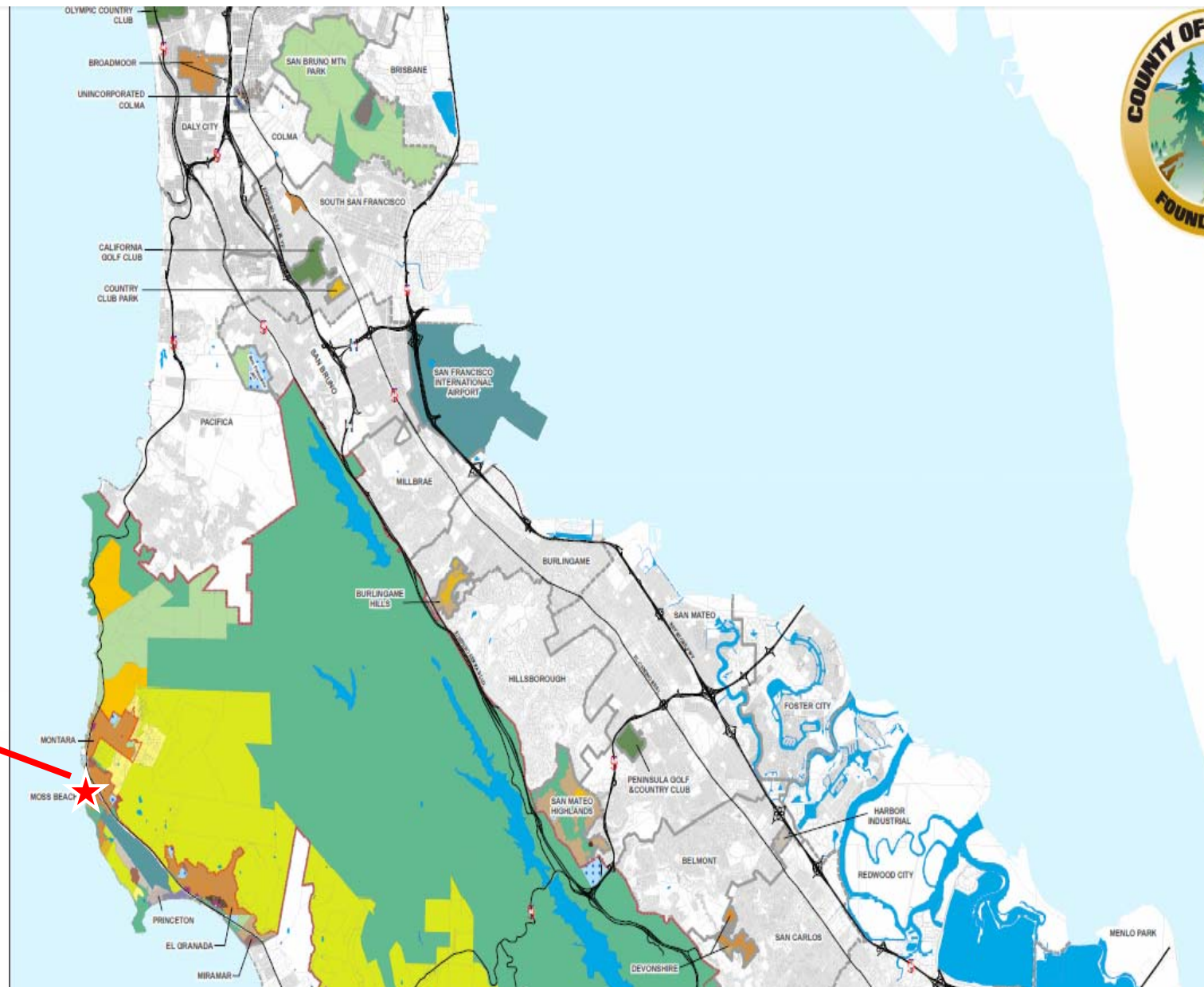
The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The Commission has reviewed the relevant coastal resource issues with the proposed project, and has identified appropriate and necessary modifications to address adverse impacts to such coastal resources. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

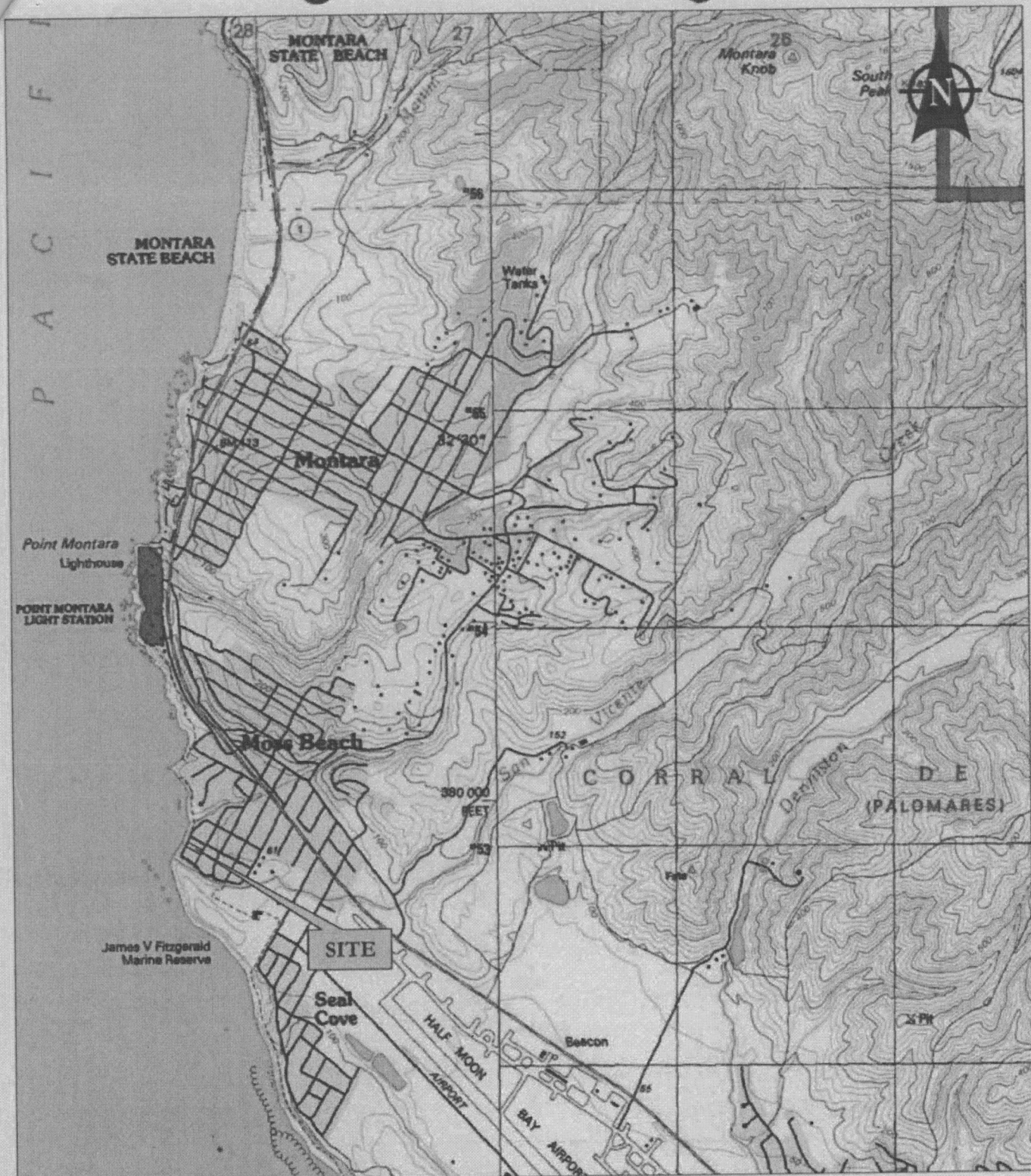
The Commission finds that only as conditioned by this permit will the proposed project avoid significant adverse effects on the environment within the meaning of CEQA. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects that approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. If so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

1. San Mateo County certified Local Coastal Program (LCP)
2. Administrative record for San Mateo County CDP Application Number PLN2010-00251

Project Location





Base: USGS Topographic Map, Montara Mountain, 7.5-Minute Quadrangles, 1993
 Approximate Scale: 1 inch = 2,000 feet

MURRAY
ENGINEERS INC
 GEOTECHNICAL SERVICES

LIETZ RESIDENCE IMPROVEMENTS
 263 NEVADA AVENUE
 MOSS BEACH, CALIFORNIA

PROJECT NO. 1255-1L1

JUNE 2011

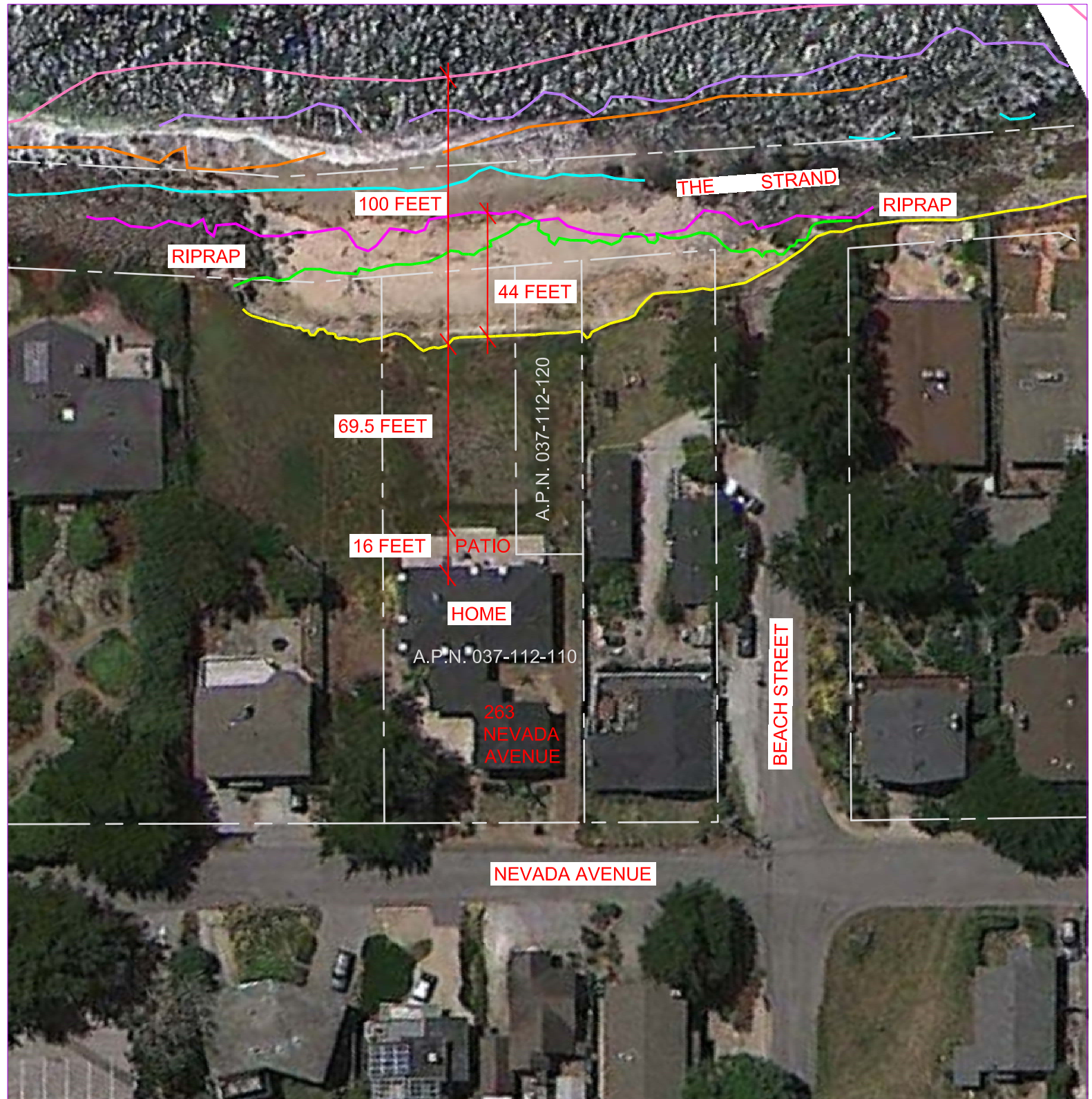
VICINITY MAP

FIGURE 1

Project Site - 263 Nevada Avenue, Moss Beach

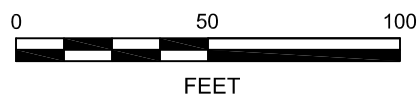


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HISTORICAL BLUFF EDGE POSITIONS

- 1908
- 1928
- 1943
- 1956
- 1977
- 1983
- 2012



**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

RECEIVED

DATE: November 17, 2011

TO: Zoning Hearing Officer

NOV 16 2011

FROM: Planning Staff

CALIFORNIA
COASTAL COMMISSION

SUBJECT: Consideration of a Coastal Development Permit and Design Review, pursuant to Sections 6328.4 and 6565.20 of the San Mateo County Zoning Regulations, and certification of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA), to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, on an existing 15,526 sq. ft. legal parcel. No trees are proposed for removal. This project is appealable to the California Coastal Commission.

County File Number: PLN 2010-00251 (Fergus Garber Group)

PROPOSAL

The applicant is requesting approval to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, on an existing 15,526 sq. ft. legal parcel located at 263 Nevada Avenue, Moss Beach. The main level of the existing home includes the living and dining rooms, 2 bedrooms/baths, rear patio, front porch and a two-car garage, while the upper level accommodates the office. The proposed addition will consist of a new TV room on the main level, while the upper level will accommodate the new master bedroom/bath, office, exterior balcony and guest bedroom/bath areas.

RECOMMENDATION

That the Zoning Hearing Officer certify the Negative Declaration and approve the Coastal Development Permit and Design Review, County File Number PLN 2010-00251, based on and subject to the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Dennis P. Aguirre, Telephone 650/363-4852

Applicant/Owner: Fergus Garber Group/Nori Gerardo-Lietz

Location: 263 Nevada Avenue, Moss Beach

APNs: 037-112-110 and 037-112-120

Parcel Size: 15,526 sq. ft.

Parcel Legality: Approved merger (PLN 2003-00048); Principal use permitted on site (BLD 2005-01047)

Existing Zoning: R-1/S-17/DR/CD (Single-Family Residential District/S-17 Combining District with 5,000 sq. ft. minimum parcel size/Design Review/Coastal Development)

General Plan Designation: Medium-Low Density Residential (2.1 to 6.0 dwelling units/acre)

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Developed parcel; single-family dwelling

Water Service: Montara Water and Sanitary District

Sewer Service: Montara Water and Sanitary District

Flood Zone: Zone C (areas of minimal flooding), Community Panel No. 060311 0094 C, effective date: July 5, 1984.

Environmental Evaluation: Negative Declaration published with a review period of August 24, 2011 to November 14, 2011.

Setting: The project site is a developed lot located at Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, within a general area of developed parcels. The site is fairly flat in topography and is situated on a coastal bluff. The Pacific Ocean westward, Nevada Avenue eastward and other developed parcels northward and southward bound the subject site.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County General Plan

Upon review of the applicable provisions of the General Plan, staff has determined that the project complies with all General Plan policies, including the following:

Visual Quality Policy 4.14(a) requires development to promote and enhance good design, site relationships, and other aesthetic considerations. The architectural elements and exterior materials proposed for the addition retain the original design integrity of the single-family residence. The current proposal is complementary to the existing neighborhood design context. The natural topography of the site remains intact as only minimal grading is proposed.

The project has received a recommendation for approval from the Design Review Committee based on the Committee's conclusion that the project conforms to the Design Standards that implement this policy as discussed below (see Attachment D).

Urban Design Concept Policy 4.35 (*Urban Area Design Concept*) calls for new development to maintain and, where possible, improve upon the appearance and visual character of development in urban areas, and ensures that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality. The design of the addition harmonizes with the other structures in this Moss Beach neighborhood area as exemplified by the use of proposed materials such as Hardie shingles and siding, stone, cedar/Hardie trims. Recommendations from the Coastsides Design Review Committee (CDRC) include adopting a darker project color scheme, preferably within the value indicated on James Hardie JH20-30 and JH40-30, and a lighter color scheme in other subordinate exterior areas to supplement the main color scheme, as conditioned.

The expansion of the rear patio and front entry porch areas add to the enhanced design upgrade of the single-family residence. Architectural elements such as brackets and the combination of Hardie shingles and trims and stonework further contribute to its visual integrity. The well proportioned gable roofs bring out the architectural character of the structure. The use of perimeter columns for the patio areas enhance the exterior elevations, including covered and exposed trellises over these areas, and curved roof overhangs that complement the straight and triangular lines of the gable roofs. Strategic placement of dormers breaks up the roof masses. Symmetrical balance is also achieved for all elevations resulting from the proper placement of fenestrations, further articulated with trims that visually frame these doors and windows.

Urban Land Use Policy 8.38 (*Height, Bulk and Setbacks*) regulates the height, bulk and setback requirements in zoning districts in order to: (1) ensure that the size and scale of development is compatible with parcel size, (2) provide sufficient light and air in and around the structures, (3) ensure that development of permitted densities is feasible, and (4) ensure public health and safety. The proposed addition meets the zoning district height standards, and includes a design, scale and size compatible with other residences located in the vicinity by virtue of the proposed lot coverage of 27% (4,231 sq. ft.), where 35% (5,434 sq. ft.) is the maximum allowed, and the total floor area proposed of 5,695 sq. ft., where 6,200 sq. ft. is the maximum allowed. The design of the new structure is complementary to the existing neighborhood context, as supported by the CDRC's recommendation of approval (Attachment D), including stepping back of the second floor mass located between the garage and main structure by three (3) feet northward, in order to further mitigate potential mass and bulk at this area of the structure, as conditioned.

Water Supply Policy 10.1 (*Coordinate Planning*) requires the coordination of water supply planning with land use and wastewater management planning to assure that the supply and quality of water is commensurate with the level of development

planned in the area. The Montara Water Sanitary District forwarded documentation to staff confirming that a joint meter shared with the adjacent property currently provides water service to the site.

Wastewater Policies 11.1 and 11.2 (*Adequate Wastewater Management, Coordinate Planning*) plans for the provision of adequate wastewater management facilities to serve development in order to protect public health and water quality. To assure that the capacity of sewerage facilities is commensurate with the level of development planned for an area, coordination of wastewater management planning with land use and water supply planning is required. The Montara Water and Sanitary District has provided staff with a project review comment letter indicating that sewer hook-ups are available and that the applicant is required to apply for a sewer permit.

2. Conformance with the Local Coastal Program

A Coastal Development Permit is required pursuant to Section 6328.4 of the County Zoning Regulations for development in the Coastal Development (CD) District. Staff has determined that the project is in compliance with applicable Local Coastal Program (LCP) Policies, elaborated as follows:

a. Visual Resources Component

Visual Resources Policy 8.12(a) (*General Regulations*) applies the Design Review Zoning District to urbanized areas of the Coastal Zone, which includes Moss Beach. As discussed in Section 3.b of this report, the Coastside Design Review Committee (CDRC) considered this project at the regularly scheduled CDRC meeting on October 14, 2010, determined it is in compliance with applicable Design Review Standards, and recommended approval (Attachment D). See further discussion in Section 3.b.

Visual Resources Policy 8.13 (*Special Design Guidelines for Coastal Communities*) establishes design guidelines for Montara, Moss Beach, El Granada and Miramar. The proposed addition to the existing structure complies with these guidelines as follows:

- (1) The structure fits the topography of the site and does not require extensive cutting, grading or filling, since the addition will not require significant expansion of the building footprint.
- (2) As previously indicated, the proposed materials such as Hardie shingles and siding, stone, cedar/Hardie trims blends well with the vegetative cover of the site. Recommendations from the CDRC include adopting a darker project color scheme, preferably within the value indicated on James Hardie JH20-30 and JH40-30, and a lighter color scheme in other subordinate exterior areas to supplement the main color scheme.

as conditioned, to further add to the structure's visual harmony with the on-site vegetation.

- (3) Gable roofs surfaced with non-reflective standing seam metal are used for the project.
- (4) The design, scale and size are compatible with other residences located in the vicinity by virtue of the proposed lot coverage of 27% (4,231 sq. ft.), where 35% (5,434 sq. ft.) is the maximum allowed, and the total floor area proposed of 5,695 sq. ft., where 6,200 sq. ft. is the maximum allowed. The design of the new structure is complementary to the existing neighborhood context, as supported by the CDRC's recommendation of approval (Attachment D), including stepping back of the second floor mass located between the garage and main structure by three (3) feet northward, in order to further mitigate potential mass and bulk at this area of the structure, as conditioned.

Visual Resources Policy 8.4 (*Cliffs and Bluffs*) requires that bluff top development is set back from the edge of bluff 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. The structure is setback 61 ft. from the edge of the bluff to mitigate any potential negative view impacts from the areas below the bluff.

b. Hazards Component

Hazards Policy 9.8 (a) and (b) (*Regulation of Development on Coastal Bluff Tops*) allows bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected life span of development (at least 50 years) and if the development will neither create or contribute significantly to erosion problems or geologic instability of the site or surrounding areas. Submittal of a site stability evaluation report is also required for an area of stability demonstration prepared by a soils engineer or a certified engineering geologist, as appropriate, based on an on-site evaluation. A geotechnical report was submitted to staff that determined a low level of risk to the site within the next 50 years relative to bluff retreat, subject to implementation of construction measures recommended in the report. The project's potential environmental impact is further discussed in Section B of this report.

The Geotechnical Section completed a preliminary review of this report and found it adequate for planning approval. A more detailed review will be conducted upon submittal of a building permit application.

c. Shoreline Access Component

Policy 10.1 (*Permit Conditions for Shoreline Access*) requires some shoreline access provision as a condition of granting development permits for any public or private development permits between the sea and the road. The subject site is located between the Pacific Ocean westward and Nevada Avenue eastward and is therefore subject to this policy.

The project complies with this policy based on the existing vertical access arteries already provided by North Lake Street, located at the southern end of Nevada Avenue, and by Beach Street located north of the site. North Lake Street serves as the access point for Fitzgerald Marine Reserve, while Beach Street terminates at the bluff's end westward that provides an area where unobstructed views of the beach below and the Pacific Ocean are available.

The existence of these access points also complies with the requirement pursuant to Section 30212 of the California Coastal Act Public Resources Code.

3. Conformance with Zoning Regulations

a. Conformance with S-17 District Development Standards

The proposal complies with the property's R-1/S-17/DR/CD zoning designation, as indicated in the following table:

	<u>S-17 Development Standards</u>	<u>Existing</u>	<u>Proposed</u>
Maximum Floor Area Ratio	6,200 sq. ft.	2,912 sq. ft.	5,695 sq. ft.
Maximum Building Site Coverage	2,400 sq. ft. (35%)	3,168 sq. ft. (20%)	4,231 sq. ft. (27%)
Minimum Front Setback	20 ft.	20 ft.	No change.
Minimum Rear Setback	20 ft.	95 ft.	87 ft.
Minimum Side Setback	5 ft.	Right Side: 16 ft - 4 1/4 in. Left Side: 5 ft.	Right Side: 16 ft - 4 1/4 in. Left Side: 5 ft.
Minimum Combined Side Setbacks	15 ft.	21 ft. - 4 1/4 in.	21 ft. - 4 1/4 in.
Maximum Building Height	28 ft.	20 ft/ - 8 3/8 in.	27 ft. - 4 in.
Minimum Parking Spaces	2	2	No change
Daylight Plane/Façade Articulation	20 ft./45 degrees on setback lines of 2 opposite façades OR façade articulation finding by CDRC	Complies with Both	Complies with Both

Conformance with Design Review District Standards

The Coastsides Design Review Committee (CDRC) considered the project at a regularly scheduled CDRC meeting on October 14, 2010, and adopted the findings and recommended conditions of approval as shown in Attachment D.

It should be noted that the CDRC used the Design Standards in effect at the time the application was submitted on August 16, 2010, in their review, and made their findings for approval of the project on that basis. However, the CDRC also used as guidelines, "The Standards for Design of One-family and Two-family Residential Development in the Midcoast" (Design Standards) as a means to formulate and supplement their findings. The "Standards for Design" which were guidelines only, have subsequently been amended and adopted, effective September 15, 2010. The CDRC findings are, therefore, cross-referenced to the applicable section of the new Design Standards to indicate consistency with both sets of standards.

B. ENVIRONMENTAL REVIEW

Due to the project's potentially sensitive location, a negative declaration has been prepared, pursuant to the California Environmental Quality Act (CEQA). The negative declaration (Attachment E) was published on October 24, 2011, with a review period ending on November 14, 2011. As of the writing of this report, no comments have been received. Mitigation measures to address the bluff retreat and preservation of special status plant species, if found on-site, and other measures to reduce impacts to a less than significant level have been included in the recommended Conditions of Approval Nos. 14-20, Attachment A.

C. REVIEW BY THE MIDCOAST COMMUNITY COUNCIL

The Midcoast Community Council did not forward a response to staff's referral for this project.

D. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

The California Coastal Commission did not forward a response to staff's referral for this project.

E. OTHER REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Geotechnical Section
Coastsides Fire Protection District
Montara Water and Sanitary District

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans
- D. CDRC Decision Letter, dated February 11, 2011
- E. Negative Declaration, including Geotechnical Report
- F. Site Photos
- G. Letter from the Coastside Fire Protection District

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2010-00251

Hearing Date: November 17, 2011

Prepared By: Dennis P. Aguirre, Senior Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, 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 and comments hereto, there is no evidence that the project, subject to the mitigation measures contained in the Mitigated 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 Mitigated 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 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 Zoning Regulations Section 6328.4 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP) for the reasons specified in Section 2 of this report.
6. That the project conforms to specific findings required by policies of the San Mateo County LCP since it complies with the Visual Resources and Hazards Policies as previously referenced in Section 2 of this report.

Regarding the Design Review, Find:

7. That with the conditions recommended by the Coastside Design Review Committee at its meeting of October 14, 2010, the project is in compliance with the Design Review Standards for the Coastside as previously elaborated in Section 3.b of this report.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Zoning Hearing Officer on November 17, 2011. Any changes or revisions to the approved plans shall be submitted to the Design Review Officer 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. Alternatively, the Community Development Director may refer consideration of the revisions to the Zoning Hearing Officer, with applicable fees to be paid (see also Mitigation Measure 13).
2. The applicant shall include this approval letter on the top pages of the building plans in order to provide the Planning approval date and its contents on the on-site plans.
3. The applicant shall submit the following items and/or indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee.
 - a. Application of darker project color scheme, preferably within the value indicated on James Hardie JH20-30 and JH40-30.
 - b. Proposal of a lighter color scheme in other subordinate exterior areas to supplement the main color scheme, subject to staff review and approval.
 - c. Stepping back of the second floor mass located between the garage and main structure by three (3) feet northward in order to further mitigate potential mass and bulk at this area of the structure.
 - d. Recessed downward exterior lighting fixtures.
 - e. Manufacturer's lighting cut sheets for said fixtures.
4. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.

- c. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing applications of pesticides and fertilizer to avoid polluting runoff.
6. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
 7. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
 8. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works and the respective Fire Authority.
 9. To reduce the impact of construction activities on neighboring properties, comply with the following:
 - a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
 - c. The applicant shall ensure that no construction related vehicles shall impede through traffic along the right-of-way on Nevada Avenue. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Nevada Avenue. There shall be no storage of construction vehicles in the public right-of-way.
 10. See Condition No. 3 regarding exterior colors. Color verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled.
 11. Noise levels produced by the proposed construction activity 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.

12. A landscape plan prepared in conformance with Section 6565.20(F) of the San Mateo County Zoning Regulations is required prior to the issuance of the building permit. Installation is required prior to final inspection.
13. **Mitigation Measure 1:** Apply the following seismic design parameters, pursuant to Chapter 16, Section 1613 of the 2010 California Building Code (California Building Standards Commission, 2010):
- Site Class D – Soil Profile Name: Stiff Soil Profile (Table 1613.5.2)
 - Mapped Spectral Accelerations for 0.2-second Period: $S_s = 2.122$ (Site Class B)
 - Mapped Spectral Accelerations for a 1-second Period: $S_1 = 1.029$ (Site Class B)
 - Design Spectral Accelerations for 0.2-second Period: $SDS = 1.415$ (Site Class D)
 - Design Spectral Accelerations for 1-second Period: $SD1 = 1.029$ (Site Class D)
14. **Mitigation Measure 2:** Refer to section of Geotechnical Investigation Report prepared by Murray Engineers, Inc., dated June 14, 2011, (Report) on "2010 CBC EARTHQUAKE DESIGN PARAMETERS" (page 7).
15. **Mitigation Measure 3:** Refer to section of Report on "FOUNDATIONS" (page 7).
16. **Mitigation Measure 4:** Refer to section of Report on "SLABS-ON-GRADE" (page 8).
17. **Mitigation Measure 5:** Refer to section of Report on "SITE DRAINAGE" (page 8).
18. **Mitigation Measure 6:** Prior to Planning sign off on the building permit, the applicant shall retain a biologist to perform a site survey to evaluate the presence of special status species on-site, including appropriate recommendations for preservation.
19. **Mitigation Measure 7:** The proposed landscaping plans shall be further reviewed by Planning and Geotechnical staff to ensure that bluff stability will not be compromised and by a biologist to ensure compatibility with special status species if found on-site.

Building Inspection Section

20. At the time of application for a building permit, the following will be required:
- a. Prior to pouring any concrete for foundations, written verification from a licensed surveyor must be submitted which will confirm that the required setbacks as shown on the approved plans have been maintained.
 - b. A pre-site report is required, add conditions for 50% with information for 75%, and an automatic fire sprinkler system may be required. This permit must be issued prior to or in conjunction with the building permit.
 - c. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy

of an agreement and contract with the water purveyor which will confirm the work will be completed prior to finalization of the building permit.

- d. A site drainage plan will be required. This plan must demonstrate how roof drainage and site runoff will be directed to an approved disposal area.
- e. 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.
- f. This project must comply with the Green Building Ordinance.
- g. All drawings must be drawn to scale and clearly define the whole project and its scope in its entirety.
- h. Please call out the right codes on the code summary: The design and or drawings shall be done according to the 2010 Editions of the California Building Standards Code. 2010 California Plumbing Code, 2010 California Mechanical Code, and the 2010 California Electrical Code.

Department of Public Works

- 21. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.

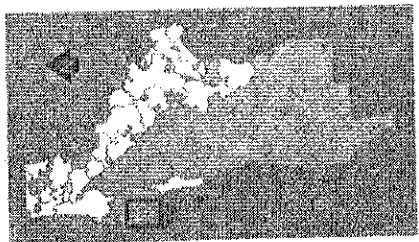
Coastside Fire Protection District

- 22. The applicant shall comply with all conditions required by the Coastside Fire Protection District (see Attachment G).

Montara Water and Sanitary District

- 23. Prior to the issuance of a building permit, the applicant shall obtain a sewer permit.

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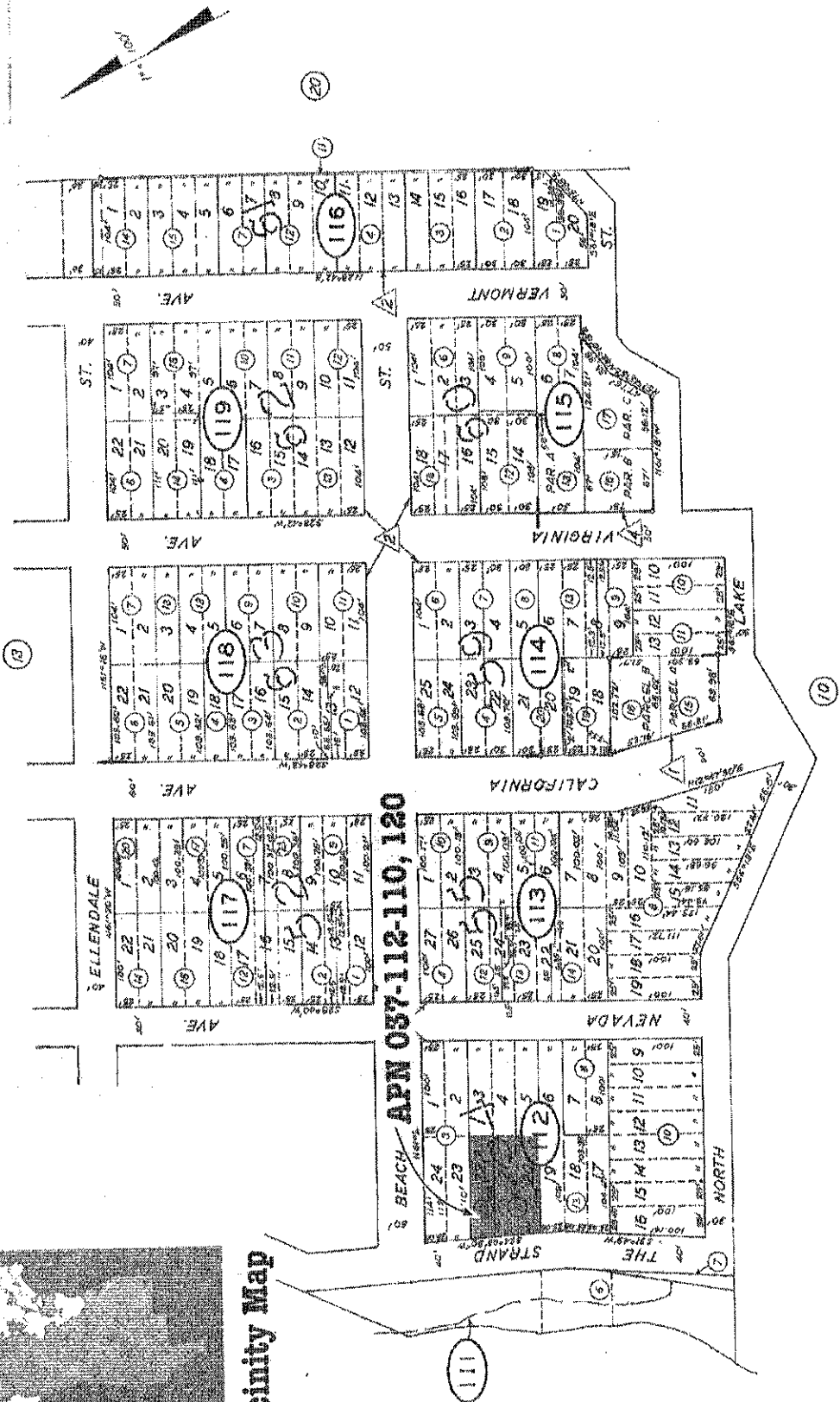


Vicinity Map

PACIFIC OCEAN

TAX CODE AREA

37-11



APN 057-112-110, 120

Attachment: B

San Mateo County Planning and Building Department

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263 Nevada, Moss Beach, California

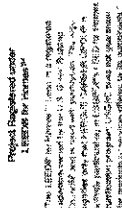
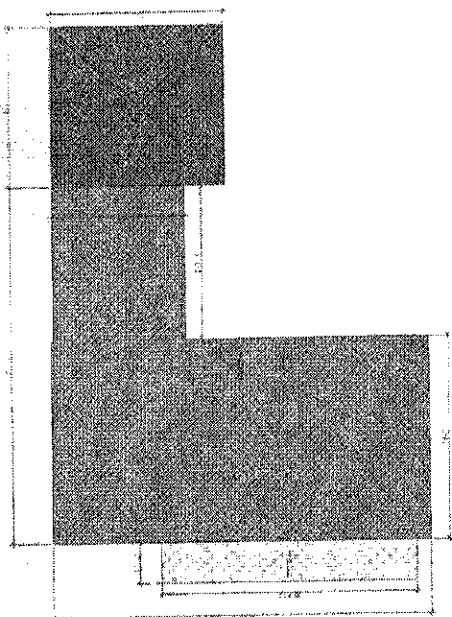
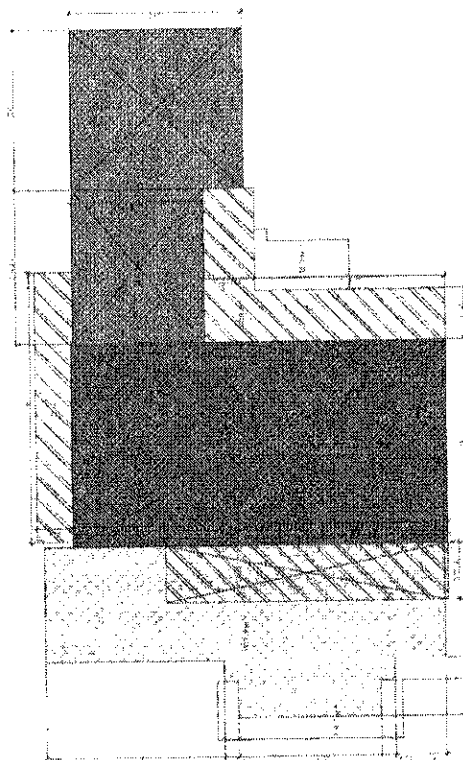


Exhibit No. 3
Gerardo-Lietz)
DP Approval
Page 16 of 86

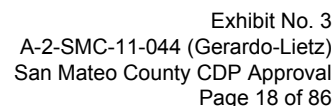
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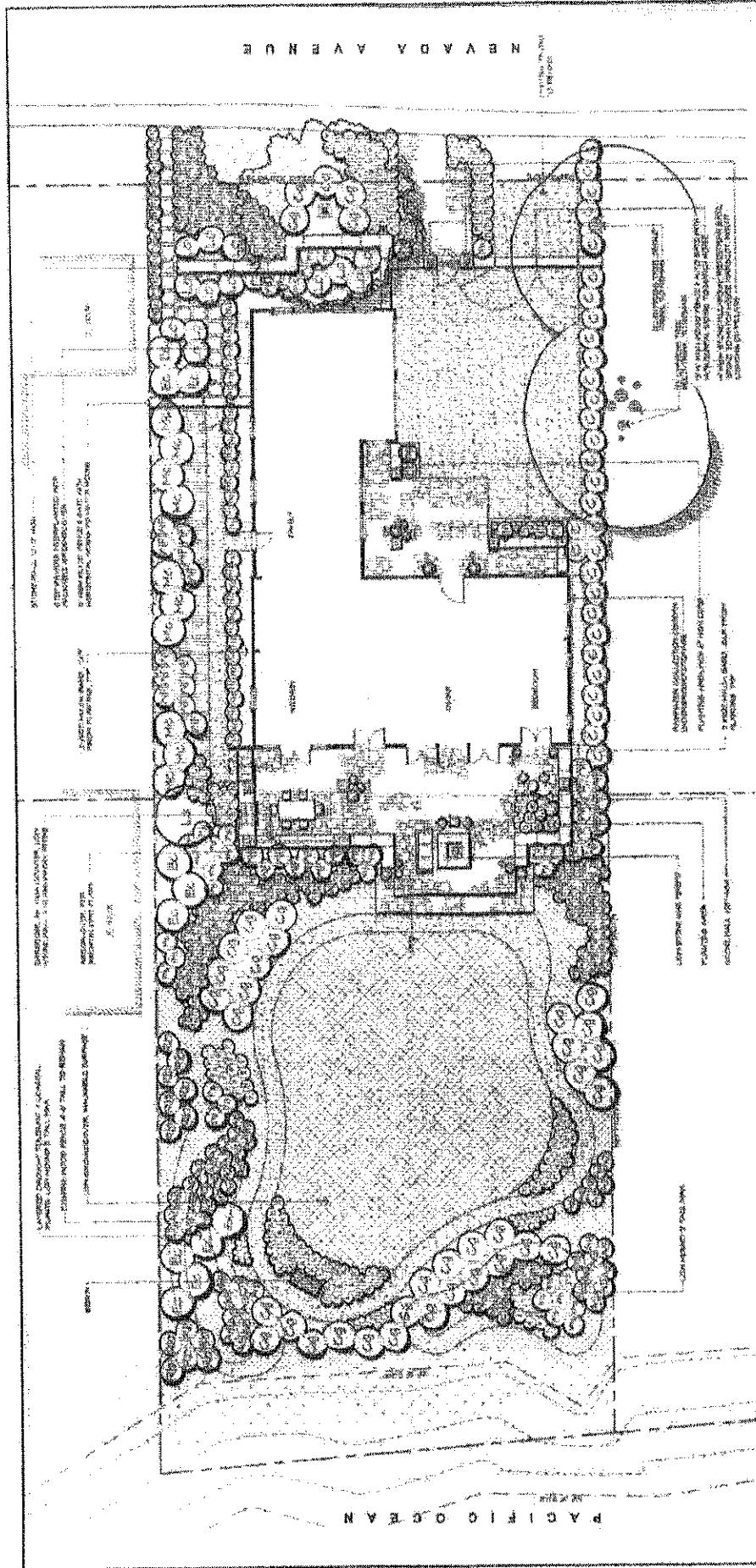


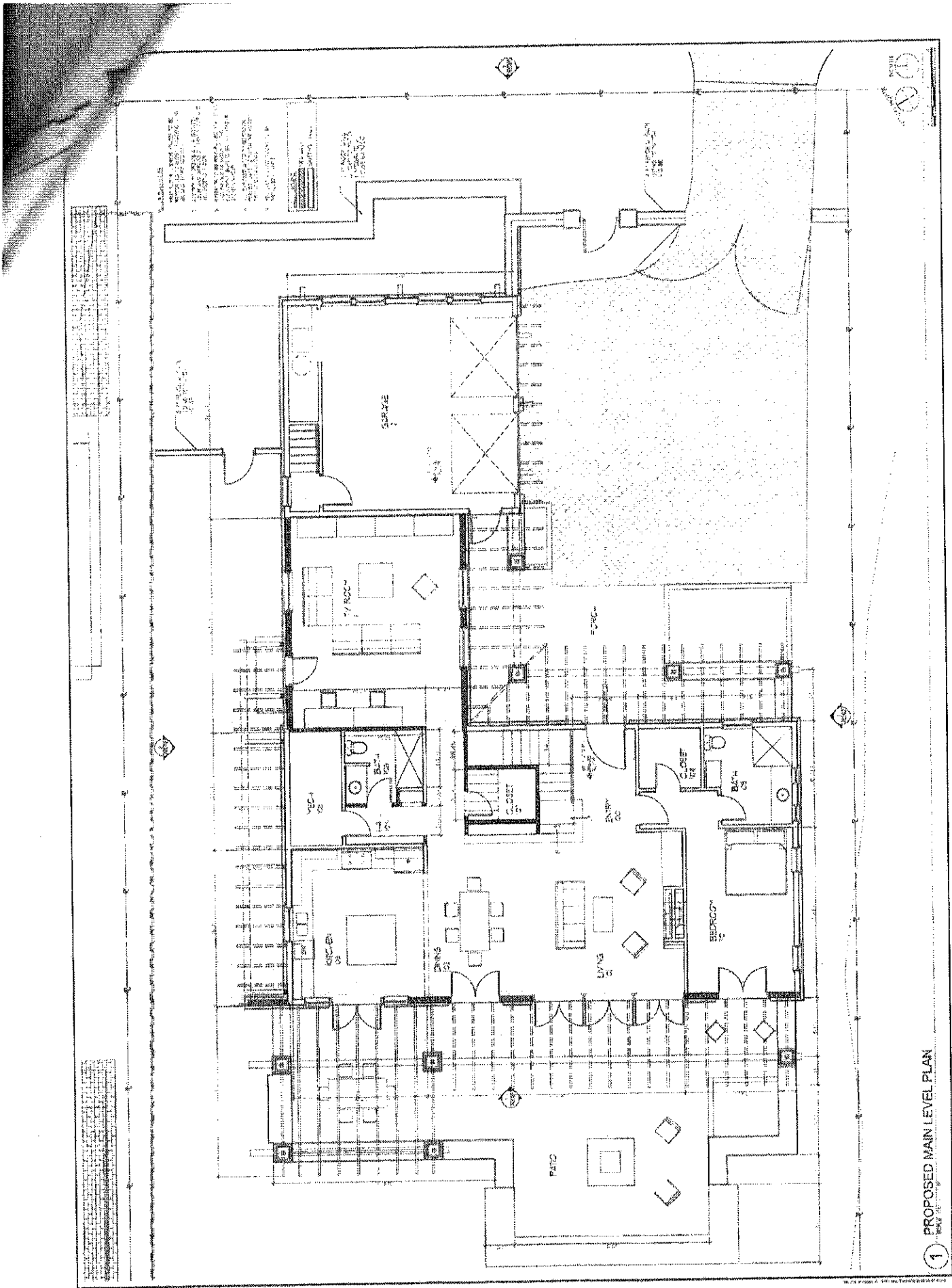
2 UPPER LEVEL - AREA PLANS



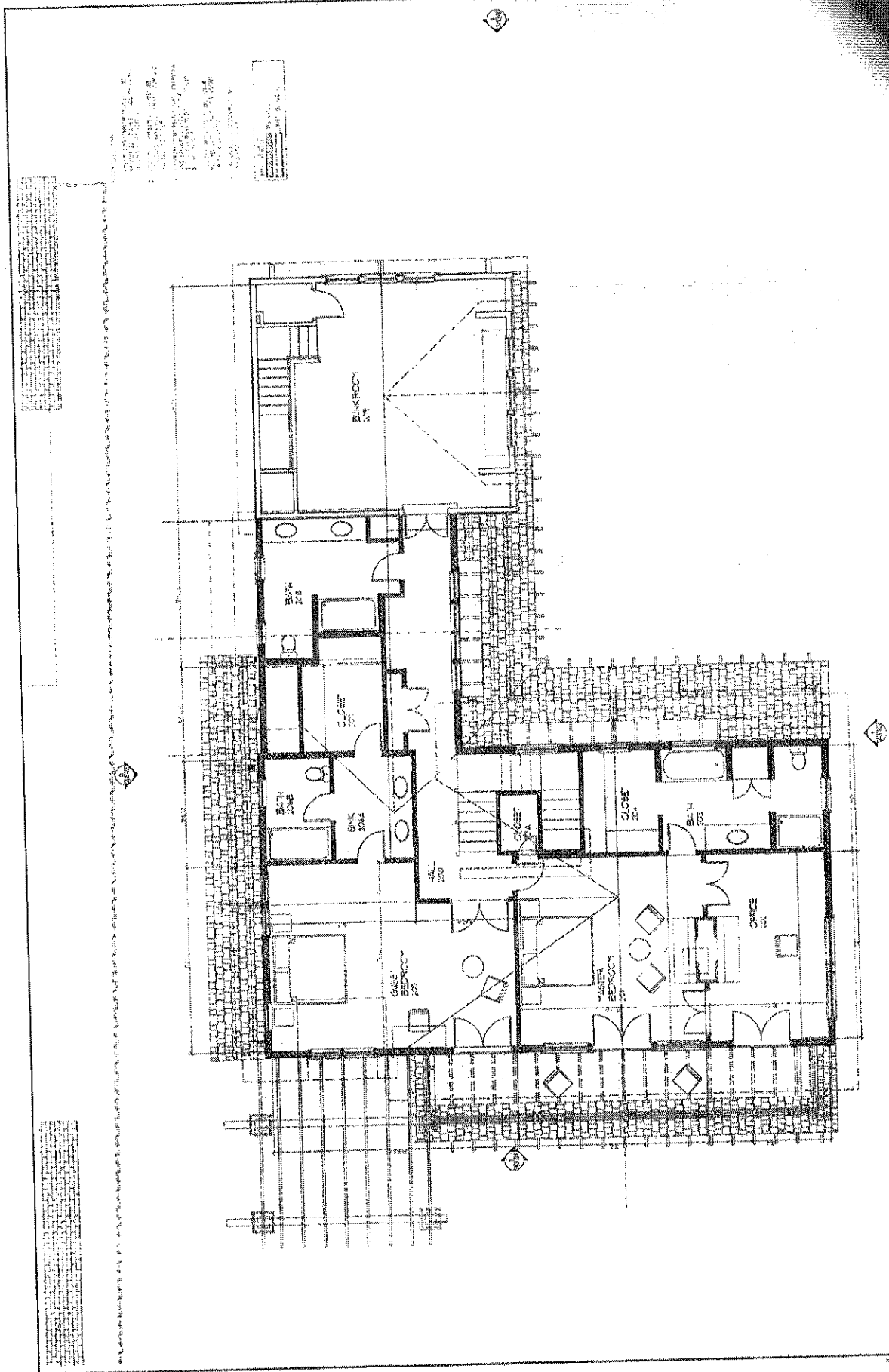
1 MAIN LEVEL - AREA PLANS



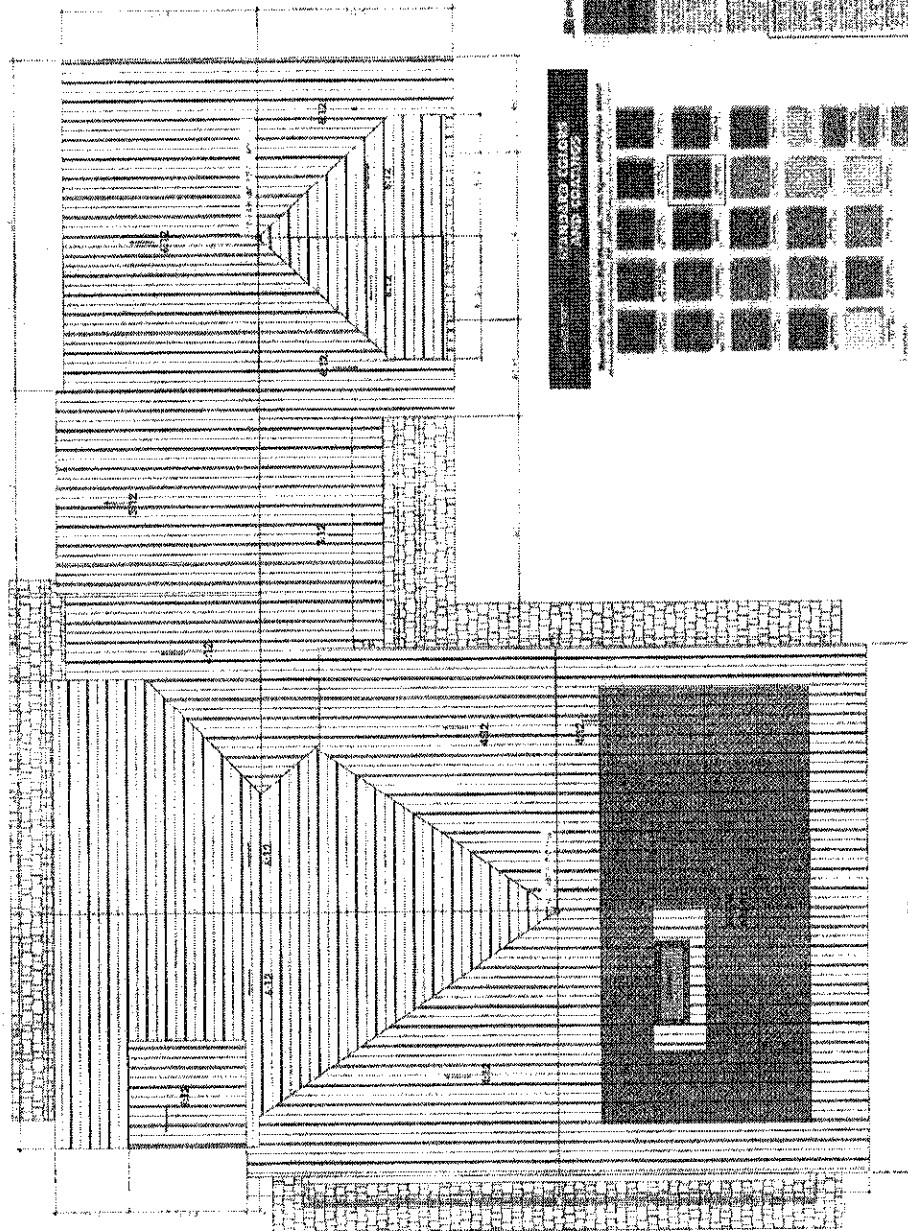




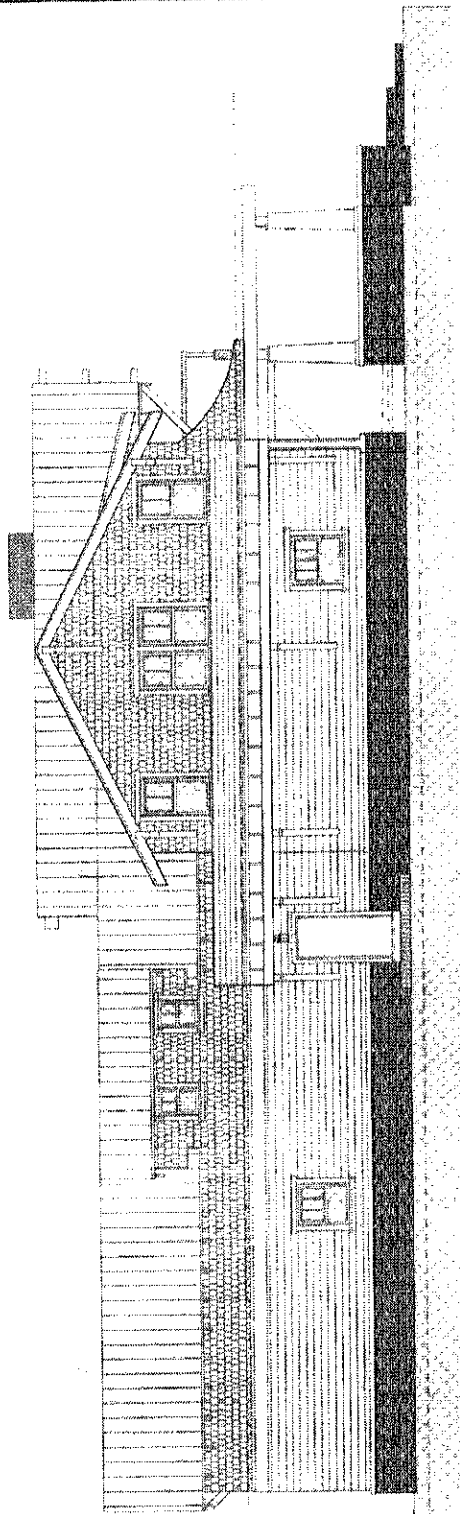
1 PROPOSED MAIN LEVEL PLAN



1 PROPOSED UPPER LEVEL PLAN
1/4\"/>

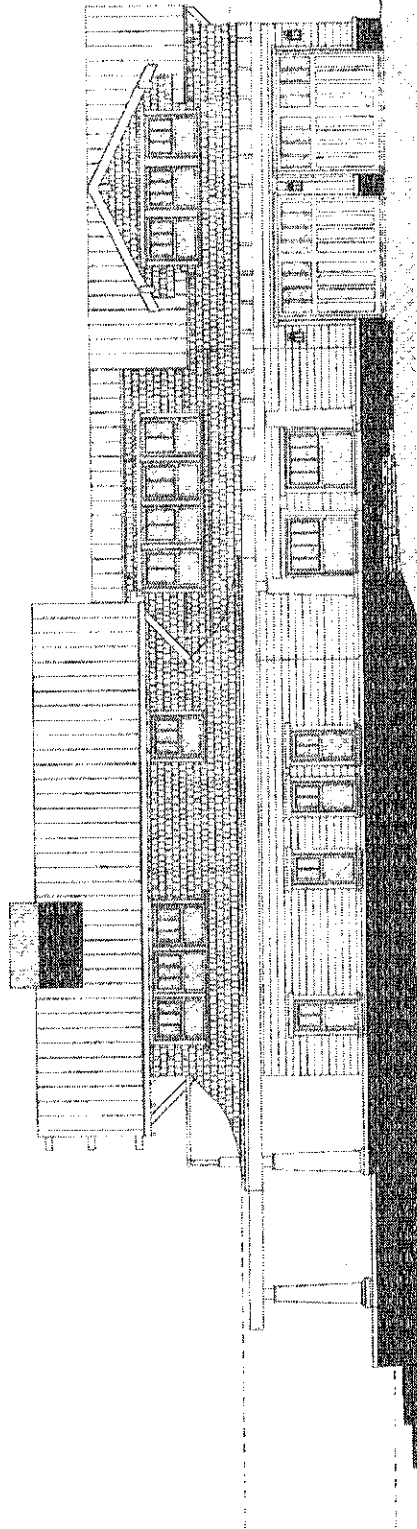


1 PROPOSED ROOF PLAN



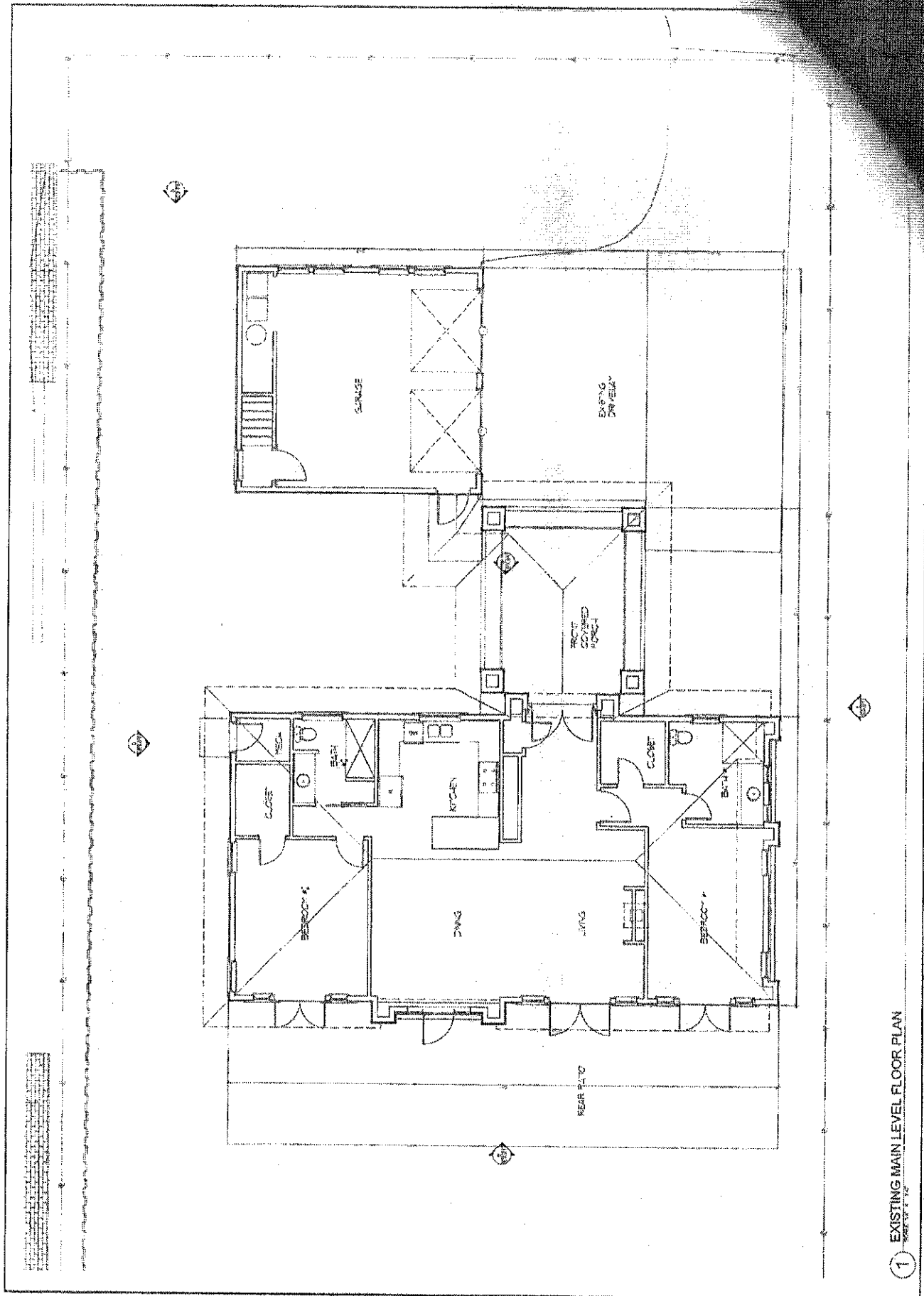
2 PROPOSED NORTH ELEVATION
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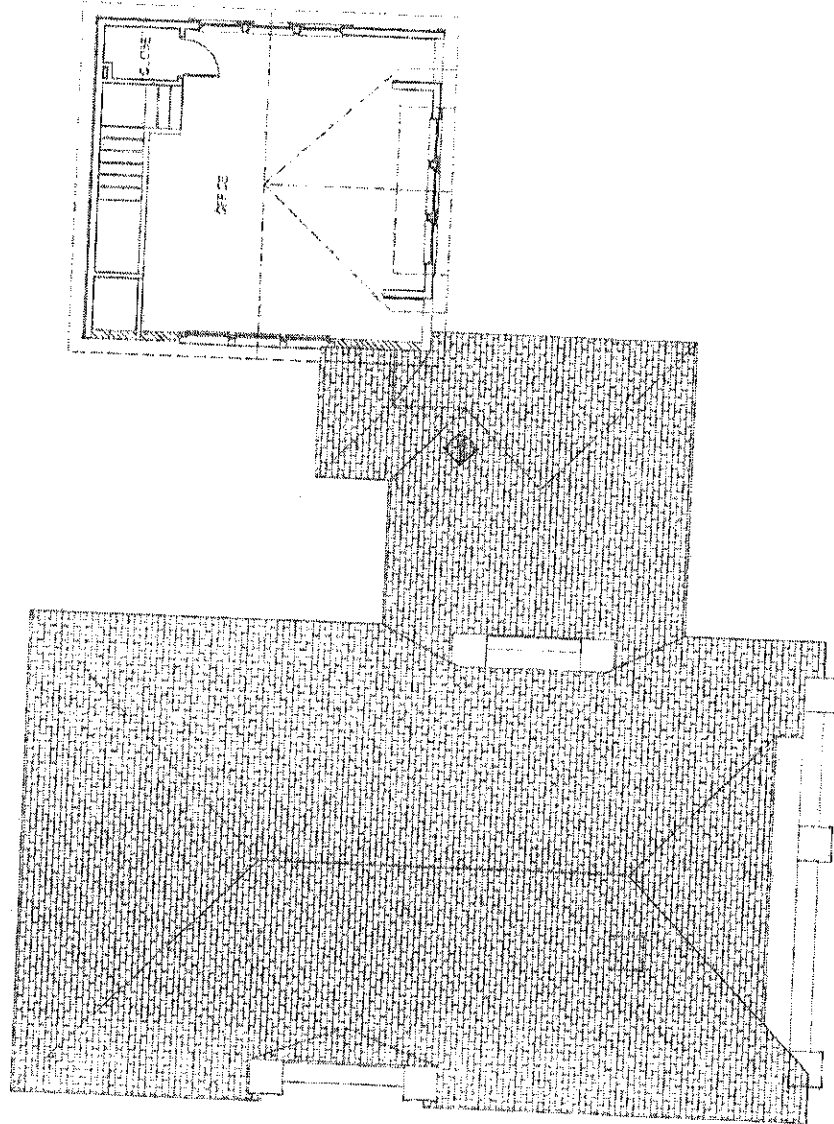
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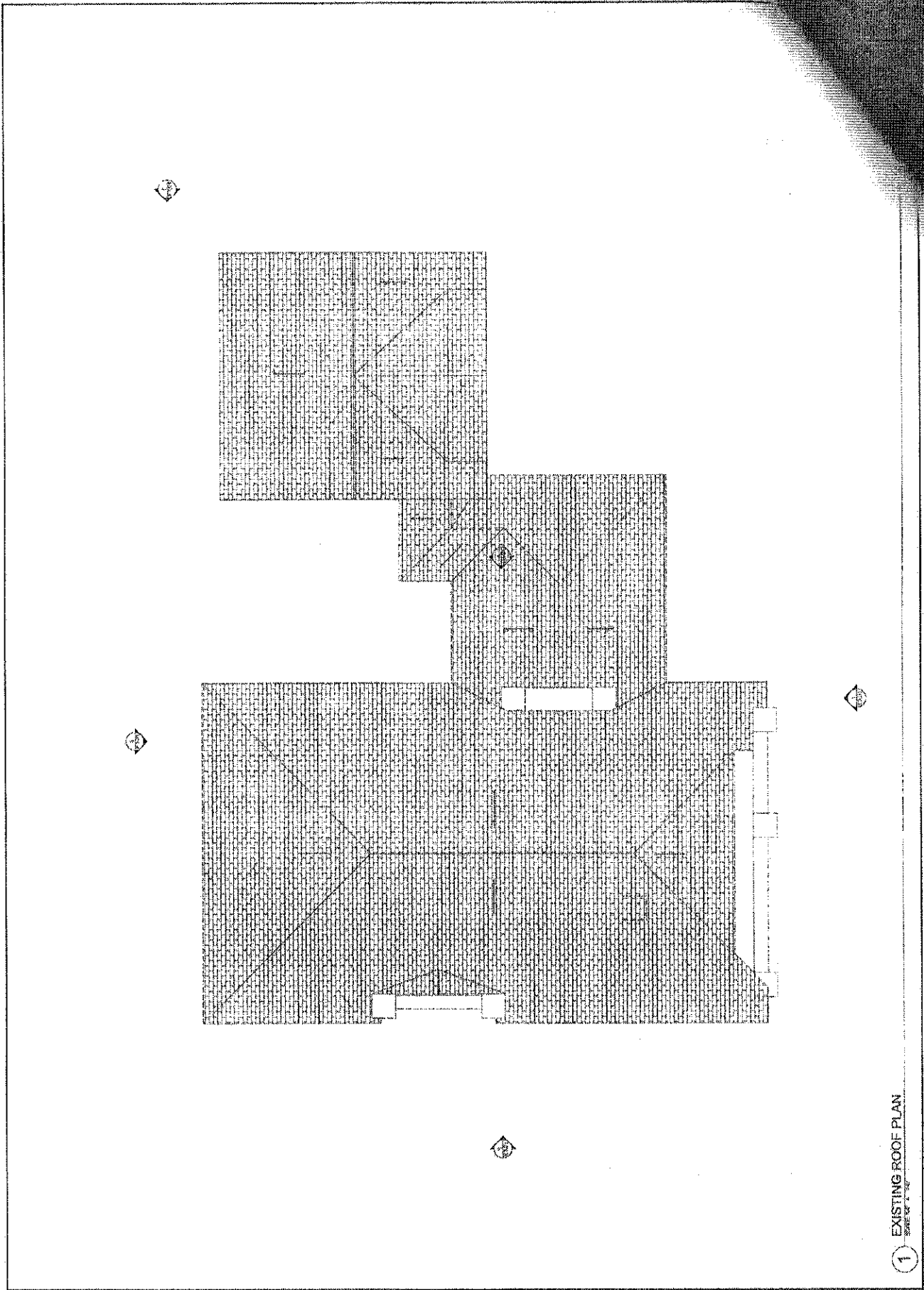
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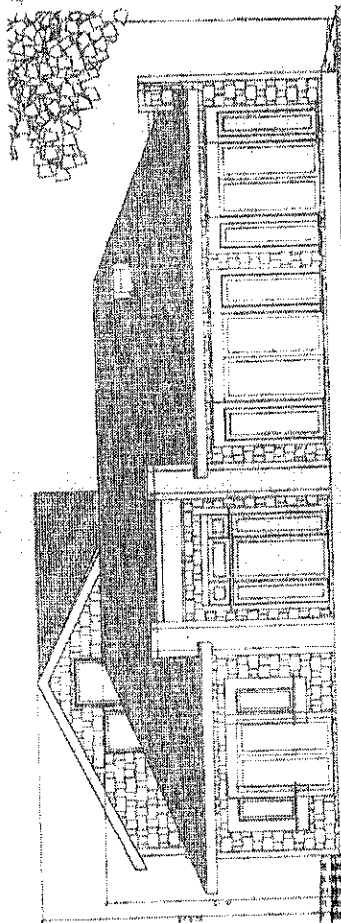
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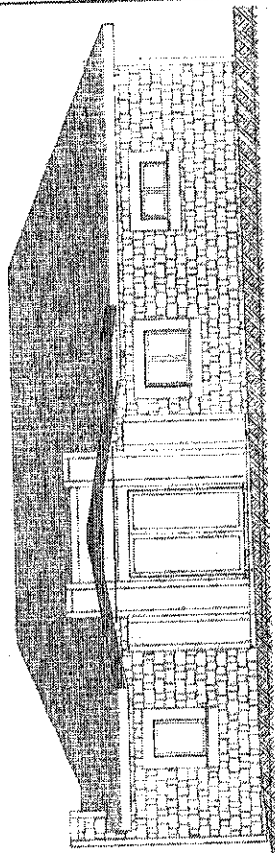


1 EXISTING UPPER LEVEL FLOOR PLAN

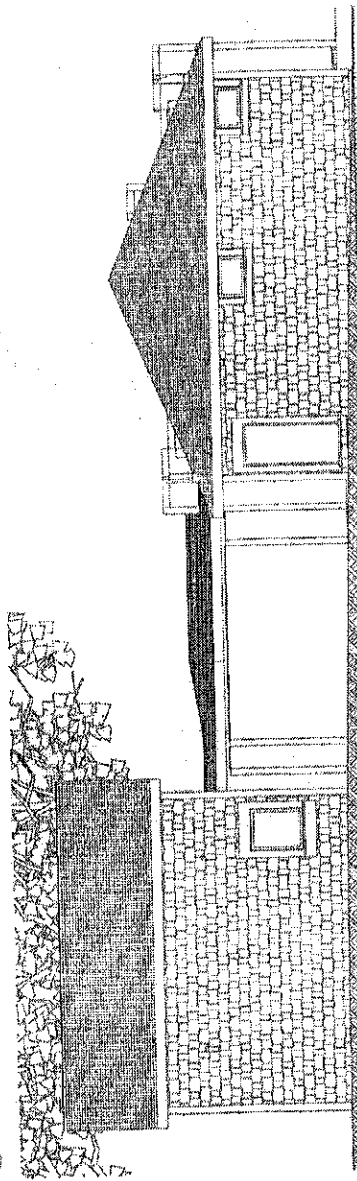




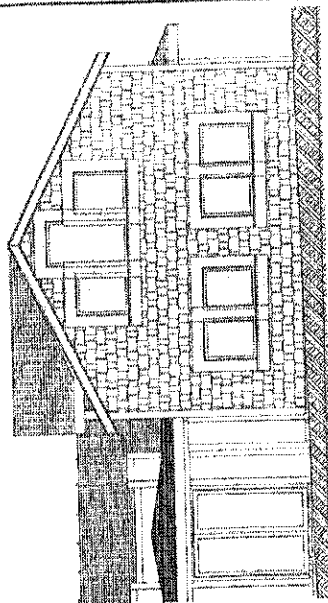
5 EXISTING WEST/OCEAN ELEVATION



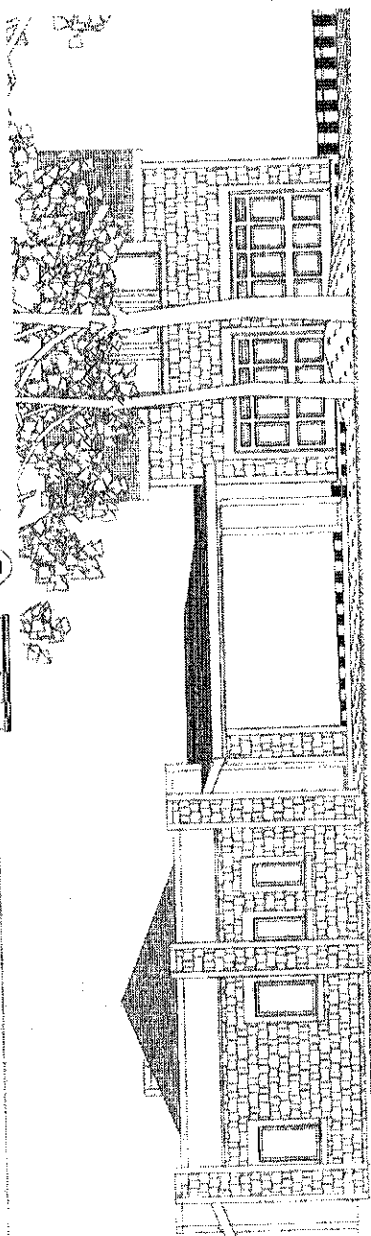
4 EXISTING DRIVEWAY ELEVATION



3 EXISTING NORTH ELEVATION



2 EXISTING EAST / STREET ELEVATION



1 EXISTING SOUTH ELEVATION



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 PLN/22
pln@pln.co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

February 11, 2011

REVISED

PROJECT FILE

Erica Weeks
81 Encina Avenue
Palo Alto, CA 94301

Dear Ms. Weeks:

SUBJECT: Coastside Design Review, File No. PLN 2010-00251
263 Nevada Avenue, Moss Beach
APN 037-112-120

At its meeting of October 14, 2010, the San Mateo County Coastside Design Review Committee considered your application for design review approval as part of a Coastal Development Permit to allow construction of a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, located on an existing 15,526 sq. ft. parcel.

Based on the plans, application forms and accompanying materials submitted, the Coastside Design Review Committee recommended approval of your project based on and subject to the following findings and recommended conditions:

FINDINGS

The CDRC used the Design Standards (Section 6565.7 of the San Mateo County Zoning Regulations) in effect at the time of your project submittal date of August 16, 2010, and made their findings to recommend approval of the project on this basis. However, the CDRC also used as guidelines, "The Standards for Design of One-family and Two-family Residential Development in the Midcoast" as a means to formulate and supplement such findings. The "Standards for Design" which were guidelines only, have subsequently been amended and adopted, effective September 15, 2010. The CDRC findings are, therefore, cross-referenced to the applicable section of the new Design Standards to indicate consistency with Section 6565.7, elaborated as follows:

- a. The proposed two-story addition is designed and situated to retain and blend with the natural vegetation and landforms of the site and insures adequate space for light and air to itself and adjacent properties because of its placement within the existing building envelope, including proposed lowered plate heights that blends well with the existing structure (Section 6565.20(C)1).
- b. Only minimal grading is proposed for the project (Section 6565.20(C)2).

Zoning Hearing Officer Meeting

Owner/Applicant: **LIETZ/FG**

File Numbers: **PLN 2010-00251**

Attachment: **D**

- c. No streams and other natural drainage systems are located on the project site (Section 6565.20(C)1c).
- d. The project site is located in Flood Zone C which is designated as an area of minimal flooding (Section 6565.20(C)1c).
- e. No trees are proposed for removal (Section 6565.20(C)1a).
- f. The project site is not located adjacent to open areas (Section 6565.20(C)1e).
- g. No trees are proposed for removal (Section 6565.20(C)2b).
- h. The project site is not located on a ridgeline (Section 6565.20(C)1d).
- i. The location of the single-family residence is set back from the bluff's edge to mitigate negative view impacts from the areas below (Section 6565.20(C)1d).
- j. Public views to and along the shoreline from public roads and other public lands are not impacted by the proposed addition to an existing home where direct views from Nevada Avenue are already somewhat constrained by existing development and vegetation (Section 6565.20(C)1d).
- k. The proposed architectural style of the addition matches the existing single-family residence to complement the existing neighborhood design context, including the following recommendations, as conditioned: (i) apply darker project color scheme, preferably within the values indicated on James Hardie JH20-30 and JH40-30; (ii) a lighter color scheme may also be proposed in other subordinate exterior areas to supplement the main color scheme as a means to reduce potential mass and bulk (Sections 6565.20(D)2a & 6565.20(D)3a).
- l. The proposed project design harmonizes with the adjacent buildings because of the second floor mass configured at the rear of the structure, including the following recommendation to step back the second floor mass located between the garage and main structure by three (3) feet northward, as conditioned, in order to further mitigate potential mass and bulk at this area of the structure (Section 6565.20(D)1b).
- m. Installation of utility lines underground is required for this project (Section 6565.20(G)).
- n. Installation of pervious materials is required for this project (Section 6565.20(F)2).

RECOMMENDED CONDITIONS

Current Planning Section

- 1. The project shall be constructed in compliance with the plans approved by the Conside Design Review Committee on October 14, 2010. Any changes or revisions to the approved plans shall be submitted to the Design Review Officer for review and approval prior to implementation. Minor adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this

approval. Alternatively, the Design Review Officer may refer consideration of the revisions to the Coastside Design Review Committee, with applicable fees to be paid.

2. The applicant shall include this approval letter on the top pages of the building plans. This would provide the Planning approval date and its contents on the on-site plans.
3. The applicant shall submit the following items and/or indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee.
 - a. Application of darker project color scheme, preferably within the value indicated on James Hardie JM20-30 and JM40-30.
 - b. Proposal of a lighter color scheme in other subordinate exterior areas to supplement the main color scheme, subject to staff review and approval.
 - c. Stepping back of the second floor mass located between the garage and main structure by three (3) feet northward in order to further mitigate potential mass and bulk at this area of the structure.
 - d. Recessed downward exterior lighting fixtures.
 - e. Manufacturer's lighting cut sheets for said fixtures.
4. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - c. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed

- land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
- f. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.
5. During project construction, the applicant shall, pursuant to Section 5022 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
- a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
 - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
 - c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing applications of pesticides and fertilizer to avoid polluting runoff.
6. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
7. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
8. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works and the respective Fire Authority.
9. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued, and then only those trees approved for removal shall be removed.
10. To reduce the impact of construction activities on neighboring properties, comply with the following:

- a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
 - c. The applicant shall ensure that no construction related vehicles shall impede through traffic along the right-of-way on Nevada Avenue. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Nevada Avenue. There shall be no storage of construction vehicles in the public right-of-way.
11. See condition no. 3 regarding exterior colors. Color verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled.
 12. Noise levels produced by the proposed construction activity 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.
 13. A landscape plan is required prior to the issuance of the building permit. Installation is required prior to final inspection.

Building Inspection Section

14. At the time of application for a building permit, the following will be required:
 - a. Prior to pouring any concrete for foundations, written verification from a licensed surveyor must be submitted which will confirm that the required setbacks as shown on the approved plans have been maintained.
 - b. A pre-site report is required, add conditions for 50% with information for 75%, and an automatic fire sprinkler system may be required. This permit must be issued prior to or in conjunction with the building permit.
 - c. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy of an agreement and contract with the water purveyor which will confirm the work will be completed prior to finalization of the building permit.
 - d. A site drainage plan will be required. This plan must demonstrate how roof drainage and site runoff will be directed to an approved disposal area.

February 11, 2011

- e. 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.
- f. This project must comply with the Green Building Ordinance.
- g. All drawings must be drawn to scale and clearly define the whole project and its scope in its entirety.
- h. Please call out the right codes on the code summary: The design and or drawings shall be done according to the 2010 Editions of the California Building Standards Code, 2010 California Plumbing Code, 2010 California Mechanical Code, and the 2010 California Electrical Code.

Department of Public Works

15. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.

Coastside Fire Protection District

16. The applicant shall comply with all conditions required by the Coastside Fire Protection District.

Please note that the decision of the Coastside Design Review Committee is a recommendation regarding the project's compliance with design review standards, not the final decision on this project, which requires a Coastal Development Permit. The decision on the Coastal Development Permit will take place at a later date. For more information, please contact the project planner, Dennis P. Aguirre, at 650/363-1867.

Sincerely,



Dennis P. Aguirre
Design Review Officer

DPA:redn - DPAV0097 - WCN.DOC

cc: James Rudolph, Committee Representative
Nori Gerardo-Lietz
Bill Koehn
Jerome Brolan
David Klausner
Ted Krietzger
Mary Larcenas
Nancy Sato
Carol Brolan
Patrick Melley
Thomas Bruce

Zoning Map	
Owner/Applicant	
File Numbers	
Attachment	

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Addition to Gerardo-Lietz Residence, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2010-00251

OWNER/APPLICANT: Nori Gerardo-Lietz/Erica Weeks

ASSESSOR'S PARCEL NOS.: 037-112-110, and -120

PROJECT LOCATION: 263 Nevada Avenue, Moss Beach

PROJECT DESCRIPTION: The applicant is requesting approval to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, located on an existing 15,526 sq. ft. merged legal parcel, as part of a Coastal Development Permit and Coast-side Design Review. The site is located at 263 Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, within the R-1/S-17/DR/CD Zoning District. No trees are proposed for removal. This project is appealable to the California Coastal Commission.

SITE DESCRIPTION: The project site is a developed lot located at 263 Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, within a general area of developed parcels. The site is fairly flat in topography and is situated on a coastal bluff. The Pacific Ocean westward, Nevada Avenue eastward and other developed parcels northward and southward bound the subject site.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.

- b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: Apply the following seismic design parameters, pursuant to Chapter 16, Section 1613 of the 2010 California Building Code (California Building Standards Commission, 2010):

- Site Class D – Soil Profile Name: Stiff Soil Profile (Table 1613.5.2)
- Mapped Spectral Accelerations for 0.2 second Period: $S_s = 2.122$ (Site Class B)
- Mapped Spectral Accelerations for a 1-second Period: $S_1 = 1.029$ (Site Class B)
- Design Spectral Accelerations for 0.2 second Period: $S_{DS} = 1.415$ (Site Class D)
- Design Spectral Accelerations for 1-second Period: $S_{D1} = 1.029$ (Site Class D)

Mitigation Measure 2: Refer to section of Geotechnical Investigation Report prepared by Murray Engineers, Inc., dated June 14, 2011 (Report) on “2010 CBC EARTHQUAKE DESIGN PARAMETERS” (page 7).

Mitigation Measure 3: Refer to section of Report on “FOUNDATIONS” (page 7).

Mitigation Measure 4: Refer to section of Report on “SLABS-ON-GRADE” (page 8).

Mitigation Measure 5: Refer to section of Report on “SITE DRAINAGE” (page 8).

Mitigation Measure 6: Prior to Planning sign off on the building permit, the applicant shall retain a biologist to perform a site survey to evaluate the presence of special status species on-site, including appropriate recommendations for preservation.

Mitigation Measure 7: The proposed landscaping plans shall be further reviewed by Planning and Geotechnical staff to ensure that bluff stability will not be compromised and by a biologist to ensure compatibility with special status species if found on-site.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: October 24, 2011 to November 14, 2011

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than 5:00 p.m., November 14, 2011.

CONTACT PERSON

Dennis P. Aguirre
Project Planner, 650/363-1867



Dennis P. Aguirre, Project Planner

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County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed By Current Planning Section)

I. BACKGROUND

Project Title: Addition to Gerardo-Lietz Residence

File No.: PLN 2010-00251

Project Location: 263 Nevada Avenue, Moss Beach

Assessor's Parcel Nos.: 037-112-110, and -120

Applicant/Owner: Erica Weeks/Nori Gerardo-Lietz

Date Environmental Information Form Submitted: June 22, 2011

PROJECT DESCRIPTION

The applicant is requesting approval to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, located on an existing 15,526 sq. ft. merged legal parcel, as part of a Coastal Development Permit and Coastsides Design Review. The site is located at 263 Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, within the R-1/S-17/DR/CD Zoning District. No trees are proposed for removal. This project is appealable to the California Coastal Commission.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 13 and 14.

	IMPACT					SOURCE
	NO	Not Significant	YES		Cumulative	
			Significant Unless Mitigated	Significant		
1. LAND SUITABILITY AND GEOLOGY						
Will (or could) this project:						
a. involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay? See answer to question.			X			B,F,O
b. involve construction on slope of 15% or greater? Minimal slope on-site.	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? See answer to question.			X			Bc,D
d. Be located on, or adjacent to a known earthquake fault? See answer to question.			X			Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts? Project site is designated for residential use.	X					M
f. Cause erosion or siltation? See answer to question.			X			M,I
g. Result in damage to soil capability or loss of agricultural land? Project site is designated for residential use.	X					A,M

		IMPACT				SOURCE
		NO	Not Significant	Significant Unless Mitigated	Significant	
h.	Be located within a flood hazard area? FEMA Flood Zone C (Area of Minimal Flooding).	X				G
i.	Be located in an area where a high water table may adversely affect land use? The project is not located in such an area.	X				D
j.	Affect a natural drainage channel or streambed, or watercourse? The project is not located in such an area.	X				E
2.	<u>VEGETATION AND WILDLIFE</u>					
	Will (or could) this project:					
a.	Affect federal or state listed rare or endangered species of plant life in the project area? See answer to question.			X		F
b.	Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? No trees are proposed for trimming or removal.	X				I, A
c.	Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species? See answer to question.		X			F
d.	Significantly affect fish, wildlife, reptiles, or plant life? See answer to question.		X			I

	NO	IMPACT			SOURCE
		Not Significant	Significant Unless Mitigated	Significant	
e. Be located inside or within 200 feet of a marine or wildlife reserve? See answer to question.		X			E,F,O
f. Infringe on any sensitive habitats? See answer to question.		X			F
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone? No land clearing is proposed for this project.	X				I,F,Bb
3. <u>PHYSICAL RESOURCES</u> Will (or could) this project:					
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)? None proposed.	X				I
b. Involve grading in excess of 150 cubic yards? Only minimal grading is proposed.	X				I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? The site is not under agricultural contract or easement.	X				I
d. Affect any existing or potential agricultural uses? There are no agricultural uses on or adjacent to the project site.	X				A,K,M

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
4. AIR QUALITY, WATER QUALITY, SONIC						
Will (or could) this project:						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?		X				I,N,R
See answer to question.						
b. Involve the burning of any material, including brush, trees and construction materials?	X					I
None proposed.						
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?	X					Ba,I
None expected.						
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	X					I
None proposed.						
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	X					A,Ba,Bc
The project is not subject to excess noise levels.						
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?		X				I
See answer to question.						
g. Generate polluted or increased surface water runoff or affect groundwater resources?		X				I
See answer to question.						

		IMPACT				SOURCE
		NO	Not Significant	Significant Unless Mitigated	Significant	Cumulative
h.	Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity? None proposed.	X				S
5. TRANSPORTATION						
	Will (or could) this project:					
a.	Affect access to commercial establishments, schools, parks, etc.? None expected.	X				A, I
b.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns? None expected.	X				A, I
c.	Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)? None expected.	X				I
d.	Involve the use of off-road vehicles of any kind (such as trail bikes)? None proposed.	X				I
e.	Result in or increase traffic hazards? See answer to question.		X			S
f.	Provide for alternative transportation amenities such as bike racks? None proposed.	X				I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway? None proposed.	X					S
6. <u>LAND USE AND GENERAL PLANS</u>						
Will (or could) this project						
a. Result in the congregating of more than 50 people on a regular basis? None proposed.	X					I
b. Result in the introduction of activities not currently found within the community? None proposed.	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems? None proposed.	X					I
d. Result in any changes in land use, either on or off the project site? None proposed.	X					I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? None expected.	X					I,Q,S

	NO	IMPACT			SOURCE
		Not Significant	Significant Unless Mitigated	Significant	
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site? None expected.	X				I, S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? None expected.	X				I, S
h. Be adjacent to or within 500 feet of an existing or planned public facility? The project is not located in such an area.	X				A
i. Create significant amounts of solid waste or litter? None expected.	X				I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? None expected.	X				I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? None proposed.	X				B
l. Involve a change of zoning? None proposed.	X				C
m. Require the relocation of people or businesses? None proposed.	X				I

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
n.	Reduce the supply of low-income housing? None proposed.	X					I
o.	Result in possible interference with an emergency response plan or emergency evacuation plan? None expected.	X					S
p.	Result in creation of or exposure to a potential health hazard? None expected.	X					S
7. AESTHETIC, CULTURAL AND HISTORIC							
Will (or could) this project:							
a.	Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor? See answer to question.		X				A, Bb
b.	Obstruct scenic views from existing residential areas, public lands, public water body, or roads? See answer to question.		X				A, I
c.	Involve the construction of buildings or structures in excess of three stories or 36 feet in height? None proposed.	X					I
d.	Directly or indirectly affect historical or archaeological resources on or near the site? None expected.	X					H
e.	Visually intrude into an area having natural scenic qualities? See answer to question.		X				A, I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission	X		On Appeal
City		X	
Sewer/Water District		X	
Other:		X	

IV. **MITIGATION MEASURES**

Mitigation measures have been proposed in project application.

Other mitigation measures are needed.

Yes _____ No _____
 X _____
 _____ X _____

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: Apply the following seismic design parameters, pursuant to Chapter 16, Section 1613 of the 2010 California Building Code (California Building Standards Commission, 2010):

- Site Class D – Soil Profile Name: Stiff Soil Profile (Table 1613.5.2)
- Mapped Spectral Accelerations for 0.2 second Period: $S_s = 2.122$ (Site Class B)
- Mapped Spectral Accelerations for a 1-second Period: $S_1 = 1.029$ (Site Class B)
- Design Spectral Accelerations for 0.2 second Period: $SDS = 1.415$ (Site Class D)
- Design Spectral Accelerations for 1-second Period: $SD1 = 1.029$ (Site Class D)

Mitigation Measure 2: Refer to section of Geotechnical Investigation Report prepared by Murray Engineers, Inc., dated June 14, 2011 (Report) on "2010 CBC EARTHQUAKE DESIGN PARAMETERS" (page 7).

Mitigation Measure 3: Refer to section of Report on "FOUNDATIONS" (page 7).

Mitigation Measure 4: Refer to section of Report on "SLABS-ON-GRADE" (page 8).

Mitigation Measure 5: Refer to section of Report on "SITE DRAINAGE" (page 8).

Mitigation Measure 6: Prior to Planning sign off on the building permit, the applicant shall retain a biologist to perform a site survey to evaluate the presence of special status species on-site, including appropriate recommendations for preservation.

Mitigation Measure 7: The proposed landscaping plans shall be further reviewed by Planning and Geotechnical staff to ensure that bluff stability will not be compromised and by a biologist to ensure compatibility with special status species if found on-site.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

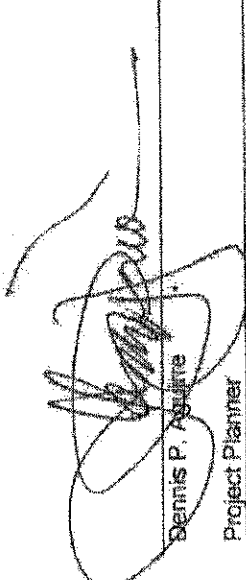
On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Current Planning Section.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

10/24/2011
Date


Dennis P. Asquith
Project Planner
(Title)

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-El Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map -- National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties -- 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas -- REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
 - Federal
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508 36 CFR Part 800
 - Protection of Historic and Cultural Properties Executive Order 11988
 - National Register of Historic Places Executive Order 11990
 - Floodplain Management 24 CFR Part 51B
 - Protection of Wetlands 24 CFR 51C
 - Endangered and Threatened Species HUD 79-33
 - Noise Abatement and Control 24 CFR 51D
 - Explosive and Flammable Operations
 - Toxic Chemicals/Radioactive Materials
 - Airport Clear Zones and APZ
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
 - a. County Health Department
 - b. City Fire Department
 - c. California Department of Forestry
 - d. Department of Public Works
 - e. Disaster Preparedness Office
 - f. Other

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COUNTY OF SAN MATEO
Planning and Building Department

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 2010-00251
Addition to Gerardo-Lietz Residence

PROJECT DESCRIPTION

The applicant is requesting approval to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, located on an existing 15,526 sq. ft. merged legal parcel, as part of a Coastal Development Permit and Coastsides Design Review. The site is located at 263 Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, within the R-1/S-17/DR/CD Zoning District. No trees are proposed for removal. This project is appealable to the California Coastal Commission.

SITE DESCRIPTION

The project site is a developed lot located at 263 Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, within a general area of developed parcels. The site is fairly flat in topography and is situated on a coastal bluff. The Pacific Ocean westward, Nevada Avenue eastward and other developed parcels northward and southward bound the subject site.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

Will (or could) this project:

- a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?

Yes, Significant Unless Mitigated. The site is on a coastal bluff. A geotechnical report prepared by Murray Engineers, Inc. (Report), was submitted to staff. The report estimated bluff retreat of 65 feet to occur within the next 50 years. Based on this evaluation, the report also declared that the risk to the existing home and the proposed addition of this bluff retreat over the next 50 years is very low, although future mitigation measures may be required in order to maintain this low level risk. The proposed project will not accelerate or impact bluff retreat with the implementation of the following mitigation measures, as indicated in the Report (see Attachment C):

Mitigation Measure 1: Apply the following seismic design parameters, pursuant to Chapter 16, Section 1613 of the 2010 California Building Code (California Building Standards Commission, 2010):

ANSWERS TO QUESTIONS

File No. PLN 2010-00251

Page 2

- Site Class D – Soil Profile Name: Stiff Soil Profile (Table 1613.5.2)
- Mapped Spectral Accelerations for 0.2 second Period: $S_s = 2.122$ (Site Class B)
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Mitigation Measure 4: Refer to section of Report on "SLABS-ON-GRADE" (page 8).

Mitigation Measure 5: Refer to section of Report on "SITE DRAINAGE" (page 8).

b. Involve construction on slopes of 15% or greater?

No Impact. The subject site's average slope of less than 15% involves minimal grading to allow for the existing topography to remain fairly intact.

c. Be located in an area of soil instability (subsidence, landslide or severe erosion)?

Yes, Significant Unless Mitigated. The parcel has been designated as an area with Landslide Susceptibility I based on information gathered from the U.S. Geological Survey. Such areas have the lowest susceptibility to soil instability and a decreased potential for occurrences of a landslide. The geotechnical report indicates a cliff retreat scenario that allows for the proposed development of the second story addition, provided certain recommendations are implemented. See also response to Question 1a.

d. Be located on, or adjacent to a known earthquake fault?

Yes, Significant Unless Mitigated. Based on the geotechnical report submitted by Murray Engineers, Inc., the project site is located within 200 to 300 feet of a known earthquake fault. The Geotechnical Section will review the proposal when an application for the required building permit is submitted to verify that there are no geotechnical issues, and that the mitigations listed in 1a are implemented.

e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?

ANSWERS TO QUESTIONS

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No Impact. The parcel has been designated for residential use and is not intended for agricultural use or production.

f. Cause erosion or siltation?

Yes, Significant Unless Mitigated. While minimal grading is proposed for the project, erosion and siltation are likely to occur during construction activities on the property. Conditions for permit approval that address construction related site erosion and/or siltation have been included as part of the Coastal Development Permit and Coastsides Design Review permit review process. See also response to Question 1a.

g. Result in damage to soil capability or loss of agricultural land?

No Impact. Reference response to Question 1e above.

h. Be located within a flood hazard area?

No Impact. The parcel is located in Flood Zone C, designated as an area of minimal flooding.

i. Be located in an area where a high water table may adversely affect land use?

No Impact. There is no indication of the presence of a high water table in this area.

j. Affect a natural drainage channel or streambed, or watercourse?

No Impact. The site is not located within a natural drainage channel, streambed or watercourse.

2. VEGETATION AND WILDLIFE

Will (or could) this project:

a. Affect federal or state listed rare or endangered species of plant life in the project area?

Yes, Significant Unless Mitigated. Upon review of the California Natural Diversity Database (CNDDB) Map, two plant species, namely, the Rose Linanthus (*Linthus Rosaceus*) and Hickman's Cinquefoil (*Potentilla Hickmanii*) have been identified for potential on-site occurrence. The following mitigation measures are therefore recommended to avoid adverse impacts.

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Mitigation Measure 6: Prior to Planning sign off on the building permit, the applicant shall retain a biologist to perform a site survey to evaluate the presence of special status species on-site, including appropriate recommendations for preservation.

Mitigation Measure 7: The proposed landscaping plans shall be further reviewed by Planning and Geotechnical staff to ensure that bluff stability will not be compromised and by a biologist to ensure compatibility with special status species if found on-site.

- b. **Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?**

No Impact. No trees are proposed for removal, as there are none on-site.

- c. **Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?**

Yes, Not Significant. Although the site is adjacent to the Fitzgerald Marine Reserve, the project is a second story addition to the existing single-family that does not expand significantly beyond the existing footprint. As such, no significant impact on wildlife is anticipated. Further, the mitigation measures included in Questions 1a and 2a will help to ensure that no adverse impacts will occur to wildlife habitat. No additional mitigation measures are required.

- d. **Significantly affect fish, wildlife, reptiles, or plant life?**

Yes, Not Significant. Reference response to Question 2c above.

- e. **Be located inside or within 200 feet of a marine or wildlife reserve?**

Yes, Not Significant. Reference response to Question 2c above.

- f. **Infringe on any sensitive habitats?**

Yes, Not Significant. Reference response to Question 2c above.

- g. **Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?**

No Impact. No land clearing is proposed for the project.

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3. PHYSICAL RESOURCES

Will (or could) this project:

- a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)?

No Impact. Based on review of the County General Plan, there are no mapped natural resources on the subject property that would be used for commercial purposes.

- b. Involve grading in excess of 150 cubic yards?

No Impact. The proposed grading for the project is less than 150 cubic yards and is therefore considered minimal.

- c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?

No Impact. The project property is currently not under the Williamson Act or an Open Space Easement.

- d. Affect any existing or potential agricultural uses?

No Impact. The site is not located on an agricultural site.

4. AIR QUALITY, WATER QUALITY, SONIC

Will (or could) this project:

- a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?

Yes, Not Significant. The construction of the proposed addition may result in temporary generation of pollutants related to construction. However, the project would not result in the generation of a significant level of pollutants. Section 2-1-113 (*Exemption, Sources and Operations*) of the General Requirements of the Bay Area Air Quality Management District exempts sources of air pollution associated with construction of a single-family dwelling used solely for residential purposes, as well as road construction. The project does not involve the demolition of any structures or portion of structures. No additional mitigation measures are necessary.

- b. Involve the burning of any material, including brush, trees and construction materials?

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No Impact. The project does not involve the burning of any material.

- c. **Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?**

No Impact. The project will not generate noise levels in excess of those currently existing in the area. The surrounding area is residential, and the maintenance of the single-family residence in this area would not increase noise levels.

- d. **Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?**

No Impact. The project does not involve the application, use or disposal of potentially hazardous materials as the proposed project involves an addition to an existing single-family residence.

- e. **Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?**

No Impact. The subject property is not located within a mapped Noise Impact Area.

- f. **Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?**

Yes, Not Significant. While this project will not generate noise levels in excess of appropriate levels once implemented, during construction activities, increased noise levels may occur. However, noise sources associated with demolition, construction or grading of any real property are exempt from the County Noise Ordinance provided these activities occur during designated time frames, as included in the project's conditions of permit approval.

- g. **Generate polluted or increased surface water runoff or affect groundwater resources?**

Yes, Not Significant. Reference staff's response to Question 1f above.

- h. **Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?**

No Impact. The project is located within the Montara Water and Sanitary District service area and the District has the capacity to serve the project. During the building permit phase of the project, the applicant will be required to secure a sewer permit from the District, and verify that a permit has been approved prior to the issuance of the building permit.

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5. TRANSPORTATION

Will (or could) this project:

- a. Affect access to commercial establishments, schools, parks, etc.?

No Impact. The site is located in a residential zone.

- b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?

No Impact. The proposed expansion of the single-family residence will not increase the pedestrian traffic nor change the pedestrian patterns of the area.

- c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?

No Impact. The addition to the existing single-family residence would not result in noticeable changes in either vehicular traffic or volumes.

- d. Involve the use of off-road vehicles of any kind (such as trail bikes)?

No Impact. The project does not involve the use of off-road vehicles.

- e. Result in or increase traffic hazards?

Yes, Not Significant. During construction of the proposed project, an increase in traffic hazards in the area may occur. However, this will be temporary, and once implemented, the project itself would not result in or increase traffic hazards. Also, conditions of project approval require that Nevada Avenue be kept clear during construction.

- f. Provide for alternative transportation amenities such as bike racks?

No Impact. Alternative transportation amenities are not required as part of this project.

- g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?

No Impact. The traffic volume for this residential district will remain intact.

ANSWERS TO QUESTIONS

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6. LAND USE AND GENERAL PLANS

Will (or could) this project:

- a. **Result in the congregating of more than 50 people on a regular basis?**

No Impact. The proposed project would not result in the congregation of more than 50 people on a regular basis.

- b. **Result in the introduction of activities not currently found within the community?**

No Impact. The proposed project would not result in the introduction of new activities in this residential area.

- c. **Employ equipment which could interfere with existing communication and/or defense systems?**

No Impact. The proposed project would not employ equipment that could interfere with existing communication and/or defense systems.

- d. **Result in any changes in land use, either on or off the project site?**

No Impact. The project will not result in any changes in this area designated as residential land use.

- e. **Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?**

No Impact. The addition to the existing single-family structure will not encourage additional off-site development or increase development intensity of already developed areas.

- f. **Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?**

No Impact. The proposed project would not adversely affect the capacity of any public utilities. Any use of public facilities and other public utilities would be minimal and similar to that for the existing single-family dwelling and associated residents.

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- g. **Generate any demands that will cause a public facility or utility to reach or exceed its capacity?**

No Impact. The proposed project will not cause a public facility or utility to reach or exceed its capacity.

- h. **Be adjacent to or within 500 feet of an existing or planned public facility?**

No Impact. The subject property is not located within 500 feet of an existing planned public facility.

- i. **Create significant amounts of solid waste or litter?**

No Impact. The proposed project may result in slight amounts of solid waste or litter as a result of the new addition to the existing structure. However, the amount would be typical to that of any single-family residential family and would not be considered significant.

- j. **Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?**

No Impact. The proposed project would not substantially increase fossil fuel consumption, as the amount of any consumption would be typical to that of any single-family residential family.

- k. **Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?**

No Impact. The project does not require an amendment to or exception from adopted general plans, specific plans, or community policies or goals.

- l. **Involve a change of zoning?**

No Impact. The proposed project does not require a change in zoning.

- m. **Require the relocation of people or businesses?**

No Impact. The proposal would not require the relocation of people or businesses.

- n. **Reduce the supply of low-income housing?**

No Impact. The proposed project does not include or replace any low-income housing.

ANSWERS TO QUESTIONS

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- o. **Result in possible interference with an emergency response plan or emergency evacuation plan?**

No Impact. The proposed project would not interfere with any emergency response or evacuation plans.

- p. **Result in creation of or exposure to a potential health hazard?**

No Impact. The proposed project does not involve any activities that would result in the creation of or exposure to a potential health hazard.

7. AESTHETIC, CULTURAL AND HISTORIC

Will (or could) this project:

- a. **Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?**

Yes, Not Significant. The project site is not located within any Scenic Highway or State/County Scenic Corridors. The Coastsides Design Review Committee considered the project at their October 14, 2010 meeting to recommend approval, based on the project's compliance with the Coastsides Design Review Standards, subject to recommended conditions of permit approval that have been included as part of the project review process.

- b. **Obstruct scenic views from existing residential areas, public lands, public water body, or roads?**

Yes, Not Significant. The new height of the single-family residence will be at 27 ft. - 4 in. The existing home and on-site vegetation obscure the ocean view from Nevada Avenue, but the ocean can still be seen between houses and at Beach Street. The proposed addition will not significantly impact scenic views.

- c. **Involve the construction of buildings or structures in excess of three stories or 36 feet in height?**

No Impact. The addition to the existing single-family residence will maintain the structure's overall height to not exceed the maximum allowed of 28 feet in the R-1/S-17 Zoning District.

- d. **Directly or indirectly affect historical or archaeological resources on or near the site?**

ANSWERS TO QUESTIONS

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No Impact. There are no known historical or archaeological resources on or near the site.

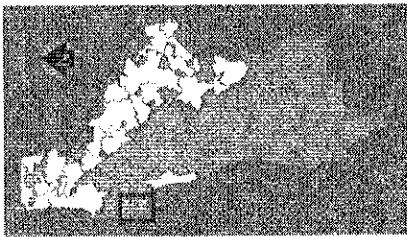
e. Visually intrude into an area having natural scenic qualities?

Yes, Not Significant. Reference staff's response to Question 7b above.

ATTACHMENTS

- A. Location Map
- B. Project Plans
- C. Murray Engineers, Inc., Geotechnical Report -- June 2011

DPA:fc -- DPAV0817_WFH.DOC

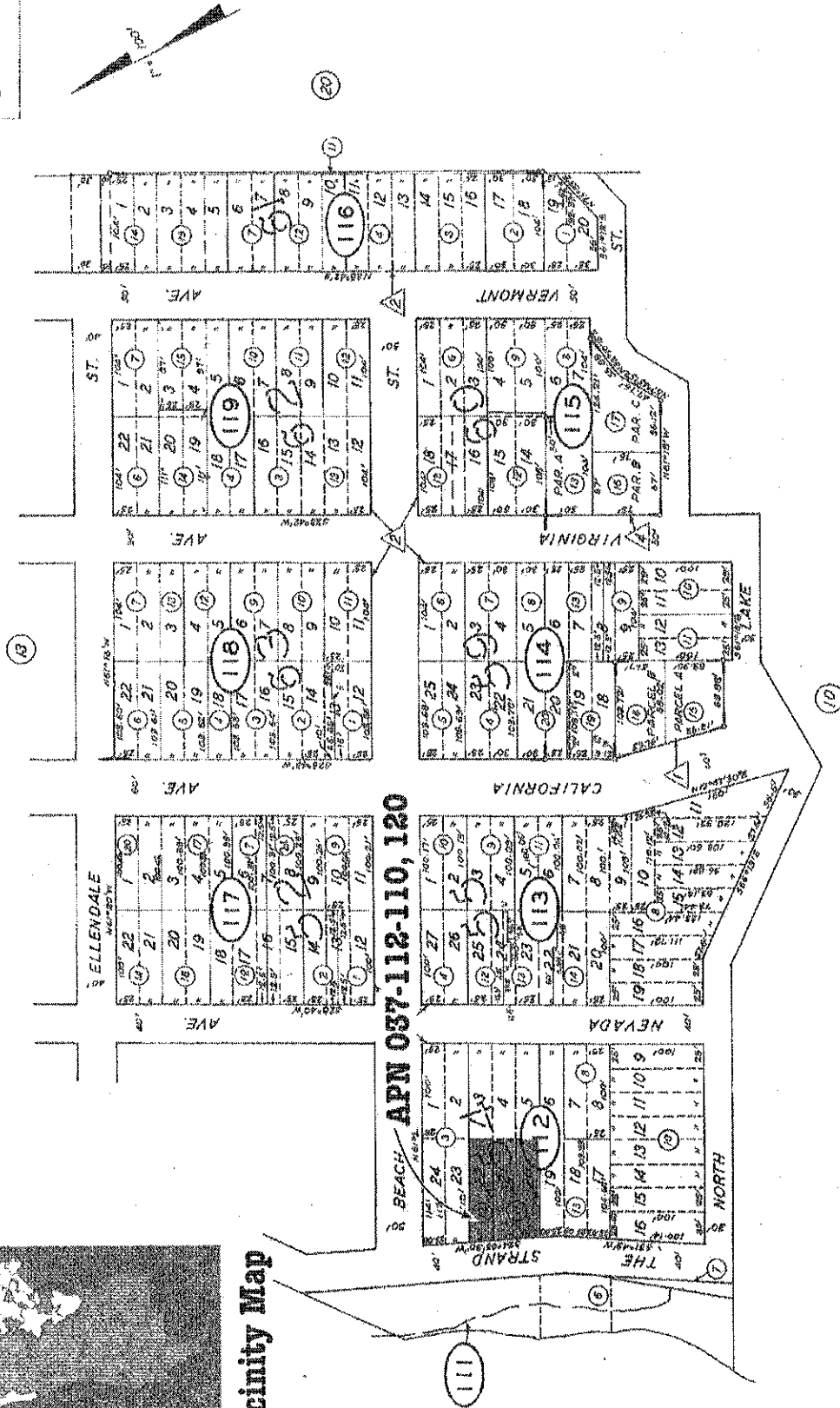


Vicinity Map

PACIFIC OCEAN

37-11

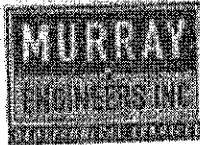
TAX CODE AREA



APN 037-112-110, 120

Attachment

San Mateo County Planning and Building Department



June 14, 2011
Project No. 1255-1L1

Nori Lietz
c/o Fergus Garber Group
Attn: Ms. Erica Weeks
81 Encina Avenue
Palo Alto, California 94301

RE: LIMITED GEOTECHNICAL
INVESTIGATION,
LIETZ RESIDENCE IMPROVEMENTS,
263 NEVADA AVENUE,
SAN MATEO COUNTY, CALIFORNIA

Dear Ms. Lietz:

We are pleased to present the results of our limited geotechnical investigation relating to the design and construction of proposed improvements to your residence at 263 Nevada Avenue in the unincorporated Moss Beach area of San Mateo County, California. The project location is indicated on Figure 1, Vicinity Map. The purpose of our investigation was to evaluate the subsurface conditions on the site based on a review of a prior geotechnical investigation performed for the existing residence and to provide geotechnical recommendations for the proposed improvements. As a basis for our investigation, we have reviewed geologic maps of the area, the original geotechnical report and two letters relating to the property, the original construction plans for the existing residence, and the proposed improvement plans; and discussed the project with the County Geologist and Associate County Engineer. In addition, our principal engineering geologist and principal geotechnical engineer observe the site conditions on February 15, 2011.

BACKGROUND & PROJECT DESCRIPTION

The site is located on a bluff overlooking the Pacific Ocean. The existing house was originally located on the adjacent property to the north near the top of the bluff. In about 2002, the house was moved to the central portion of the referenced property. Subsequently, in 2007, the location of the house was shifted about 10 to 15 feet east to its present location and a two-story detached garage was constructed to the east of the residence. Based on our review of the proposed improvement plans, we understand that the project will include the construction of a first floor addition to connect the single-story residence to the detached two-story garage and the construction of a second-story addition over the existing residence. In addition, the existing rear patio will be expanded by 10 feet and remodeled.

RECEIVED

JUN 22 2011

PLN2010-00251

San Mateo County
Planning and Building Department

2851 El Camino Real, Palo Alto, California 94306
Phone: 650.326.0440 Fax: 650.326.0540

GEOLOGIC & SEISMIC CONDITIONS

Geologic Overview

The property is located at the top of the coastal bluff above the Pacific Ocean. According to the Geologic Map of the Montara Mountain and San Mateo Quadrangles (Pampeyan, 1994), the property is located in an area underlain marine terrace deposits (Qmt), which generally consist of poorly to moderately consolidated marine, eolian, and alluvial sand, silt, gravel, and clay deposits. The lower part of a terrace commonly consists of marine, fine-grained, moderately well consolidated deposits, and forms near-vertical cliffs along the exposed coast. At depth and exposed on the beach at low tide, the area is underlain by interbedded mudstone, siltstone, and sandstone of the Purisima Formation (Tp). A copy of the relevant portion of the geologic map is presented on Figure 2, Vicinity Geologic Map.

Faulting & Seismicity

Geologists and seismologists recognize the San Francisco Bay Area as one of the most active seismic regions in the United States. There are four major active fault zones trending in a northwest direction through the Bay Area, which have generated about 12 earthquakes per century large enough to cause structural damage. The faults causing these earthquakes are part of the San Andreas fault system, a major rift in the Earth's crust that extends for at least 700 miles through western California, and include the San Andreas, San Gregorio, Hayward, and Calaveras faults. The Seal Cove trace of the San Gregorio fault is located approximately 200 to 300 feet west of the property (see Figure 3). The San Andreas fault is located approximately 7 miles northeast of the site and the Hayward and Calaveras faults are located approximately 25 and 34 miles northeast of the site, respectively. Because of its proximity to the active Seal Cove fault trace, the site is located within a State of California earthquake fault zone, formerly known as an Alquist-Priolo Special Studies zone.

Seismologic and geologic experts convened by the U. S. Geological Survey concluded that there is a 63 percent probability for at least one "large" earthquake of magnitude 6.7 or greater in the Bay Area before 2038. They also maintain that there could be more than one earthquake of this magnitude and that numerous "moderate" earthquakes of about magnitude 6 are probable before 2038. The San Gregorio fault is estimated to have a 6 percent probability of generating a magnitude 6.7 or larger earthquake by the year 2038 and the San Andreas fault is estimated to have a 21 percent probability of a similar earthquake over the same time period (2007 Working Group on California Earthquake Probabilities, 2008).



AERIAL PHOTOGRAPH REVIEW

Five sets of stereographic aerial photographs were reviewed at the U.S. Geological Survey's library in Menlo Park to aid in evaluating the engineering geologic conditions at the site and in the site vicinity. In all sets of photographs, the reference property is readily identifiable based on its location between Nevada Avenue and the Pacific Ocean.

Year	Flight Line	Photo Nos.	Scale
1943	DDB-28	210 & 211	1:20,000
1946	GS-CP	2-180 & 181	1:24,000
1956	DDB-1R	3 & 4	1:20,000
1968	GS-VBZJ	Unknown	1:20,000
1973	3567-2	143 & 144	1:12,000

In the 1943, 1946 and 1956 photographs, the subject property is undeveloped. There is scattered residential development in the area and the property to the north is developed. A road and easement are visible along the bluff to the west of the subject property. In the 1946 and 1956 photographs, the bluffs are visibly retreating and by 1956 the bluff is impacting the road. In the 1968 photographs, the road along the bluff is gone and the properties to the south of the site are developed.

REVIEW OF PREVIOUS REPORTS

Buckley Engineer Associates (BEA) conducted a geotechnical investigation at the property and prepared a report dated April 17, 2002. At the time, the property was referenced as 100 Beach Street and appears to have included both the property at 263 Nevada Avenue and the property at 100 Beach Street. The report addressed the relocation of a home near the bluff on the property to the north of 263 Beach Street to the front portion of the property at 263 Nevada Avenue. BEA's investigation included two exploratory borings advanced with a portable percussion drill rig to evaluate the subsurface conditions in the area of the proposed building location and an examination of the bluff to evaluate bluff retreat and the surface fault rupture hazard at the site. BEA noted a 10-foot thick of uninterrupted terrace deposits and provided the opinion that no active faults cross the property. Based on their subsurface exploration, BEA noted that the proposed building site was blanketed by 1 to 2 feet of silty clay underlain by weathered terrace deposits consisting of medium dense to dense clayey sand and very stiff sandy clay to a depth of 8 feet. Copies of BEA's boring logs are included on Figure 5, Log of BEA Borings. BEA recommended that the relocated residence could be supported on a spread footing foundation, if located at least 80 feet from the top of the bluff and suggested that the setback distance could be decreased to 60 feet if the structure was supported on drilled piers. BEA recommended that footings should extend at least 24 inches below rough pad grade and should be a minimum width of 12 inches. BEA further



recommended that footings be designed for an allowable bearing pressure of 2,000 pounds per square foot (psf) for dead loads, 2,500 psf for dead plus live loads, and 3,000 psf for all loads, including wind and seismic. To resist lateral loads, BEA recommended a coefficient of friction of 0.3 and a passive pressure of 300 pounds per cubic foot for footings poured near in foundation excavations.

Subsequently, BEA prepared a letter dated February 16, 2004 that addressed bluff retreat on the property at 100 Beach Street. Although not explicit in this letter, it appears that this letter addresses bluff retreat at both 100 Beach Street and 263 Nevada Avenue. Based on their review of aerial photographs, BEA concluded that bluff retreat averaged about 4 feet per year from 1955 to 1979 and 2 feet per year from 1979 to 2000. According to BEA, rip rap was installed in 1984 to protect the bluff to the northeast and southwest of the property and, while the rip rap arrested any significant erosion on the protected properties, erosion on 100 Beach Street and 263 Nevada Avenue continued. Based on measurements, BEA estimated approximately 32 feet of bluff retreat between 1984 and 2004 for an average of 1.6 feet per year. Over a 50-year design life, BEA estimated up to approximately 80 feet of bluff retreat.

On November 2, 2005, BEA submitted a letter, which reiterated their bluff retreat estimate and provided the opinion that the estimate was conservative given that the rip rap installations to the northeast and southwest of the site would tend to cause the erosion at 263 Nevada Avenue to become more V-shaped over time. The letter also indicates that the conclusions and recommendations presented in their April 17, 2002 report were still valid for the proposed project. Although the scope of the project is not defined in the letter, based on our review of historic aerial photographs it appears that the project included shifting the relocated house approximately 10 to 15 feet further away from the bluff and constructing a detached garage between the house and the street.

SITE RECONNAISSANCE

The property is located on a marine terrace along the northwest side of Nevada Avenue in a fully developed residential area of Moss Beach. The rectangular-shaped property measures approximately 210 feet deep by 75 feet wide and is bounded by Nevada Avenue to the southeast, the Pacific Ocean to the northwest, and by neighboring residential properties to the northeast and southwest. The natural ground surface across the site slopes down very gently toward a very steep to near vertical bluff at the northwestern end of the property. The property also encompasses a portion of the beach below the bluff. Within the limits of the property the bluff is approximately 32 feet high (see Figure 3, Site Plan and Figure 4, Geologic Cross-Section A-A').



As noted above, rip rap was installed in 1984 to mitigate bluff erosion on either side of the site. To the north the rip rap is located at the northwestern end of Beach Street and to the south the rip rap protects the bluff below the property at 201 Nevada Avenue. The rip rap appears to be performing well and we did not observe any significant evidence of erosion in the area of the rip rap. Based on a comparison of horizontal measurements between the rear property line and the top of bluff as shown on the Buckley Engineering Associates site plan from 2002 and a recent survey by Lea and Braze Engineering, Inc., it appears that the bluff has retreated approximately 10 feet over the last 8 years for an average retreat rate of approximately 1.3 feet per year.

Across the width of the property and the two adjacent properties at 100 Beach Street and 231 Nevada Avenue, a distance of approximately 200 feet, the bluff exposes approximately 2 to 3 feet of brown silty residual soil underlain by moderately cemented silty sand to sandy silt terrace deposits. A narrow band of beach sand is located below the bluff and Purisima Formation bedrock is exposed in the Pacific Ocean at low tide. As noted above, the bluff is approximately 32 feet high and we did not observe any evidence of shear zones or off-set bedding in the exposed terrace deposits.

The site is accessed by a gravel driveway that extends from the southern corner of the property to the one-story, wood-framed residence and detached garage in the eastern portion of the property. Concrete patios extend off the front and rear of the residence. Based on our review of the construction plans, including structural plans by Brian Dotson, Consulting Engineer with a Delta 2 revision date of March 27, 2007, the residence and garage are supported on spread footings that extend 24 inches below grade. The existing rear patio was originally designed as a raised deck supported on isolated spread; however, appears to have been constructed as a slab-on-grade. Based on our observations, the residence, garage and patio appeared to be in good condition. We did not observe any obvious signs of distress that could indicate differential foundation movement, such as significant wall cracking, foundation cracking, or slab cracking.

Surface drainage across the site is characterized as uncontrolled sheet flow to the west. The residence is equipped with roof gutters and downspouts, which discharge into area drains located near the foundation. According to Sheet R1 of the construction plans by Boone Design Group with a Delta 4 revision date of February 20, 2008, it appears that the area drains discharge into a dry well or recharge pit; however the location of the pit was not noted in the plan set that we were provided. We did not observe any evidence of excessive moisture or erosion on the property that would suggest that the dry well is not functioning properly.



CONCLUSIONS & RECOMMENDATIONS

From a geotechnical perspective, it is our opinion that the site is suitable for the proposed improvements, provided the recommendations presented in this letter report are implemented in the design and construction of the proposed improvements. In our opinion, the primary geotechnical constraint to the proposed improvements is the potential for strong ground shaking associated with a moderate to large earthquake on the San Andreas fault or other nearby active faults. Based on our observations at the site and our review of the Buckley Engineering Associates report, the site appears to be underlain by a relatively thin layer of residual soil overlying marine terrace deposits. In our opinion, these materials should provide adequate support for the foundations of the proposed improvements.

Currently, the existing residence is located 89 feet from the top of the bluff and the rear patio is located about 75 feet from the bluff. The proposed deck expansion will extend to within about 65 feet of the bluff. Based on our review of bluff erosion rates presented by Buckley Engineering Associates, our review of aerial photographs, and our measurements of bluff retreat between 2002 and 2010, in our opinion, the average rate of bluff retreat appears to be diminishing. According to BEA, bluff retreat averaged about 4 feet per year from 1955 to 1979 and 2 feet per year from 1979 to 2000. Based on our measurements, bluff retreat from 2002 to 2010 appears to be approximately 1.3 feet per year. In our opinion, this reduction in retreat rate appears to be related to the installation of rip rap along the bluff to the northeast and southwest of the site. The rip rap appears to have arrested significant erosion in the protected areas and, consequently, reduced the rate of erosion along the unprotected bluff. Based on our measurements, we anticipate the potential for approximately 65 feet of bluff retreat over the next 50 years. In addition, we agree with BEA that the nature of the retreat will become more V-shaped as a result of the nearby rip rap installations. Based on our evaluation, it is our opinion that the risk to the residence from bluff retreat over the next 50 years is very low and the risk to the rear patio is low. It should be clearly understood that eventually some form of mitigation will be required to protect the house and proposed improvements from future bluff retreat.

Based on our review of published maps and our observations of the bluff exposure, which extends across the width of the property, it is our opinion that no active or potentially active faults cross the site. Therefore, in our opinion the potential for fault rupture at the site is low. However, as noted in the Faulting and Seismicity section above, moderate to large earthquakes are probable along several active faults in the greater Bay Area. Therefore, strong ground shaking should be expected at the site at sometime during the design life of the proposed improvements. In our opinion, the improvements should be designed in accordance with current earthquake resistant standards, including the 2010 CBC guidelines and design parameters presented in this letter report. It should be clearly understood that



these guidelines and parameters will not prevent damage to structures; rather they are intended to prevent catastrophic collapse.

2010 CBC EARTHQUAKE DESIGN PARAMETERS

We have developed site-specific earthquake design parameters based on the procedures described in Chapter 16, Section 1613 of the 2010 California Building Code (California Building Standards Commission, 2010). These procedures utilize State standardized spectral acceleration values for maximum considered earthquake ground motion taking into account historical seismicity, available paleoseismic data, and activity rates along known fault traces, as well as site-specified soil and bedrock response characteristics. Contour maps of Class B bedrock horizontal spectral acceleration values for the State of California are included as figures in Chapter 16 of the 2010 CBC, representing both short (0.2 seconds) and long (1.0 second) periods of spectral response and taking into account 5 percent of critical damping. Leyendecker and others (2011) have prepared a software program for public use that allows for site-specific adjustments of these acceleration values for different subsurface conditions, which are defined by site classes. Given representative latitude of 37.525 and longitude of -122.517 in accordance with guidelines presented in the 2010 CBC, the following seismic design parameters will apply for this site:

- Site Class D - Soil Profile Name: Stiff Soil Profile (Table 1613.5.2)
- Mapped Spectral Accelerations for 0.2 second Period: $S_S = 2.122$ (Site Class B)
- Mapped Spectral Accelerations for a 1-second Period: $S_1 = 1.029$ (Site Class B)
- Design Spectral Accelerations for 0.2 second Period: $S_{DS} = 1.415$ (Site Class D)
- Design Spectral Accelerations for a 1-second Period: $S_{D1} = 1.029$ (Site Class D)

FOUNDATIONS

Spread Footings

We recommend that the proposed addition and rear terrace extension be supported on continuous spread footings. Continuous spread footings should have a minimum width of 15 inches and should extend at least 24 inches below lowest adjacent grade. Footings located adjacent to utility lines should bear below a 1:1 plane extended upward from the bottom edge of the utility trench.

Spread footings supported in the native soil may be designed using an allowable bearing pressure of 2,000 pounds per square foot for dead plus live loads, with a one-third increase allowed for total loads including wind and seismic forces. The weight of the footings may be neglected for design purposes.



Lateral loads may be resisted by friction between the footings and the supporting subgrade using a friction coefficient of 0.30 for concrete formed on medium dense or very stiff marine terrace deposits. In addition to the preceding frictional resistance, lateral resistance may be provided by passive pressures acting against foundations poured near in the footing excavations using an equivalent fluid pressure of 300 pounds per cubic foot.

We recommend that all continuous footings be reinforced with a minimum of four No. 5 reinforcing bars, two near the top and two near the bottom, to provide structural continuity and to permit spanning of local irregularities.

Footing excavations should be substantially free of loose soil prior to placing reinforcing steel and concrete. Our representative should observe the footing excavations prior to placing concrete forms and reinforcing steel to see that they are founded in competent bearing materials and have been properly prepared. In addition, any loose soil in the footing excavations resulting from the placement of forms and reinforcing steel should be removed prior to placing concrete.

Thirty-year differential movement of footings due to static loads is not expected to exceed $\frac{3}{4}$ -inch across any 20-foot span of the spread footing-supported improvements.

SLABS-ON-GRADE

Exterior patios and walkways may be constructed as slabs-on-grade. We recommend that exterior slabs be underlain by at least 8 inches of Class 2 aggregate baserock compacted to 95 percent relative compaction in general accordance with ASTM D 1557 (latest edition). Prior to placement of the baserock, the area should be stripped to remove surface vegetation and the subgrade soil should be scarified to a depth of approximately 6 inches and recompact to 90 percent relative compaction.

Slabs-on-grade should be designed as "free-floating," structurally isolated from adjacent foundations. If slabs are structurally connected to adjacent foundation, the thickness of the underlying baserock should be increased to 12 inches. In general, slabs-on-grade should be provided with control joints at spacing of not more than about 10 feet. Actual control joint spacing, slab thickness and slab reinforcing should be determined by the project structural engineer based on anticipated use and loading.

SITE DRAINAGE

We recommend that proposed additions should be provided with roof gutters and downspouts. Water collected in the gutters should not be allowed to discharge freely onto



the ground surface adjacent to the foundations and should be routed to the existing drainage discharge system. In addition, surface runoff should be prevented from ponding adjacent to the foundations of the addition and in lawn or hardscape areas. To mitigate ponding water, we recommend that the ground surface around structures be provided with a positive gradient away from structures. Hardscape areas should be constructed for proper drainage by grading away from structures and by providing drop inlets. Area drains should be installed around the structures and in planter areas adjacent to the structures to collect surface runoff.

We recommend that annual maintenance of the surface drainage systems be performed. This maintenance should include inspection and testing to make sure that roof gutters and downspouts are in good working order and do not leak; inspection and flushing of area drains to make sure that they are free of debris and are in good working order; and inspection of surface drainage outfall locations to verify that introduced water flows freely through the discharge pipes and that no excessive erosion has occurred. If erosion is detected, this office should be contacted to evaluate its extent and to provide mitigation recommendations, if needed.

REQUIRED FUTURE SERVICES

Plan Review

To better assure conformance of the final design documents with the recommendations contained in this letter report, and to better comply with the building department's requirements, Murray Engineers, Inc. must review the completed project plans prior to construction. The plans should be made available for our review as soon as possible after completion so that we can better assist in keeping your project schedule on track. We recommend that the following project-specific note be added to the project plans:

- The geotechnical aspects of the construction, including foundation excavations, subgrade preparation and baserock compaction beneath slabs-on-grade, and installation of surface drainage systems should be performed in accordance with the geotechnical letter report prepared by Murray Engineers, Inc., dated June 15, 2011. Murray Engineers, Inc. should be allowed at least 48 hours advance notification of any earthwork operations and should be present to observe and/or test as necessary the earthwork and foundation installation phases of the project.

Construction Observation Services

Murray Engineers, Inc. should observe and test (as necessary) the earthwork and foundation phases of construction in order to a) confirm that subsurface conditions exposed during



construction are substantially the same as those interpolated from our limited subsurface exploration, on which the analysis and design were based; b) observe compliance with the geotechnical design concepts, specifications and recommendations; and c) allow design changes in the event that subsurface conditions differ from those anticipated. The recommendations in this letter report are based on limited subsurface information. The nature and extent of variation across the site may not become evident until construction. If variations are then exposed, it will be necessary to re-evaluate our recommendations.

LIMITATIONS

This letter report has been prepared for the sole use of Nori Lietz, specifically for developing geotechnical design criteria relating to design and construction of the proposed addition to the residence at 263 Nevada Avenue in the Moss Beach area of San Mateo, California. The opinions presented in this letter report are based upon information made available to us, a site reconnaissance, and upon local experience and engineering judgment, and have been formulated in accordance with generally accepted geotechnical engineering practices that exist in the San Francisco Bay Area at the time this report was prepared. Further, our recommendations are based on the assumption that soil and geologic conditions at or between borings do not deviate substantially from those encountered. In addition, geotechnical issues may arise that are not apparent at this time. No other warranty, expressed or implied, is made or should be inferred. We are not responsible for data presented by others.

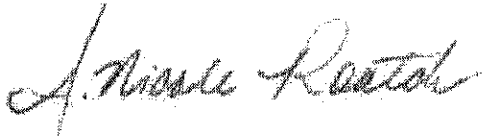
The recommendations provided in this letter report are based on the assumption that we will be retained to provide the Required Future Services described above in order to evaluate compliance with our recommendations. If we are not retained for these services, Murray Engineers, Inc. cannot assume any responsibility for any potential claims that may arise during or after construction as a result of misuse or misinterpretation of this letter report by others. Furthermore, if another geotechnical consultant is retained for follow-up service to this report, Murray Engineers, Inc. will at that time cease to be the Engineer-of-Record.

The opinions presented in this letter report are valid as of the present date for the property evaluated. Changes in the condition of a property can occur with the passage of time, whether due to natural processes or the works of man, on this or adjacent properties. In addition, changes in applicable standards of practice can occur, whether from legislation or the broadening of knowledge. Accordingly, the opinions presented in this letter report may be invalidated, wholly or partially, by changes outside of our control. Therefore, this letter report is subject to review and should not be relied upon after a period of three years. In addition, this letter report should not be used and is not applicable for any property other than that evaluated.



If you have any questions concerning our investigation, please call.

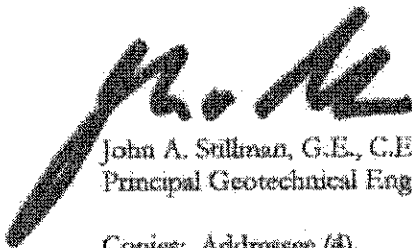
Very truly yours,
MURRAY ENGINEERS



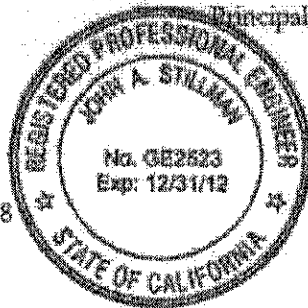
A. Nicole Roatch
Staff Geologist



Mark F. Baumann, C.E.G. 1787
Principal Engineering Geologist



John A. Stillman, G.E., C.E.G. 1868
Principal Geotechnical Engineer



Copies: Addressee (4)
Hohbach-Lewin, Inc. (1)
Attn: Mr. Michael Resch, S.E.
Lea & Braze Engineering, Inc. (1)
Attn: Mr. Jeff Lea, P.E.

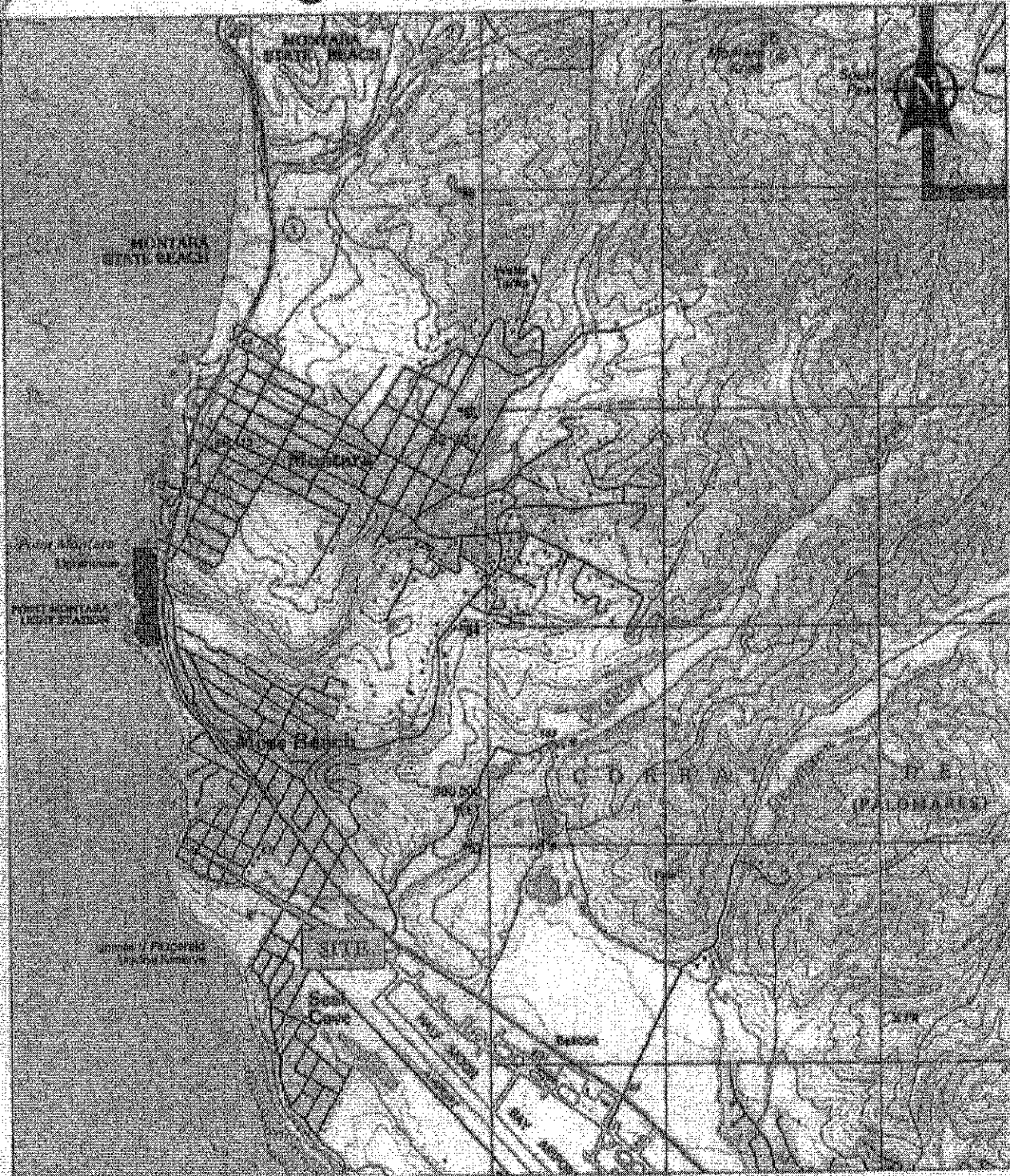
Attachments: References

- Figure 1, Vicinity Map
- Figure 2, Vicinity Geologic Map
- Figure 3, Site Plan
- Figure 4, Geologic Cross-Section A-A'
- Figure 5, Log of BEA Borings BEA-1 & BEA-2



REFERENCES

- 2007 Working Group on California Earthquake Probabilities, 2008, The Uniform California Earthquake Rupture Forecast, Version 2 (UCERF 2); U.S. Geological Survey Open-File Report 2007-1437; California Geological Survey Special Report 203214; Southern California Earthquake Center Contribution #1138.
- ASTM International, 2003, Annual Book of ASTM Standards, 2003, Section Four, Construction, Volume 04.08, Soil and Rock (I): D 420-D 5611; ASTM International, Baltimore, MD, 1486 p.
- Buckley Engineering Associates, 2003, Response to County & Plan Review, Proposed Residence, 263 Nevada Avenue, Moss Beach, California, County File #9A-152; unpublished consultant's letter prepared for Mrs. Carol Brolan c/o Edward C. Love, Architect, Job No. 02418.6, dated November 2, 2005.
- Buckley Engineering Associates, 2004, Rate of Bluff Retreat, Proposed Residence, 100 Beach Street, Moss Beach, California; unpublished consultant's letter prepared for Edward C. Love, Architect, Job No. 02418.6, dated February 16, 2004.
- Buckley Engineering Associates, 2002, Geotechnical Investigation, Proposed Building Relocation, 100 Beach Street, Moss Beach, California; unpublished consultant's report prepared for Mr. Mark Stegmeier, Sierra West Builders, Job No. 02418.6, dated April 17, 2002.
- California Building Standards Commission, 2010, 2010 California Building Code, California Code of Regulations, Title 24, Part 2, Volume 2 of 2; California Building Standards Commission, Sacramento, CA, 770 p.
- California Division of Mines and Geology, 1982, State of California Special Studies Zones, Monterey Mountain, Revised Official Map, Effective January 1, 1982.
- Pampryan, E.H., 1994, Geologic Map of the Monterey Mountain and San Mateo 7-1/2' Quadrangles, San Mateo County, California, U.S. Geological Survey Map I-2390.



Base: USGS Topographic Map, Montara Mountain, 7.5-Minute Quadrangles, 1993
 Approximate Scale: 1 inch = 2,000 feet



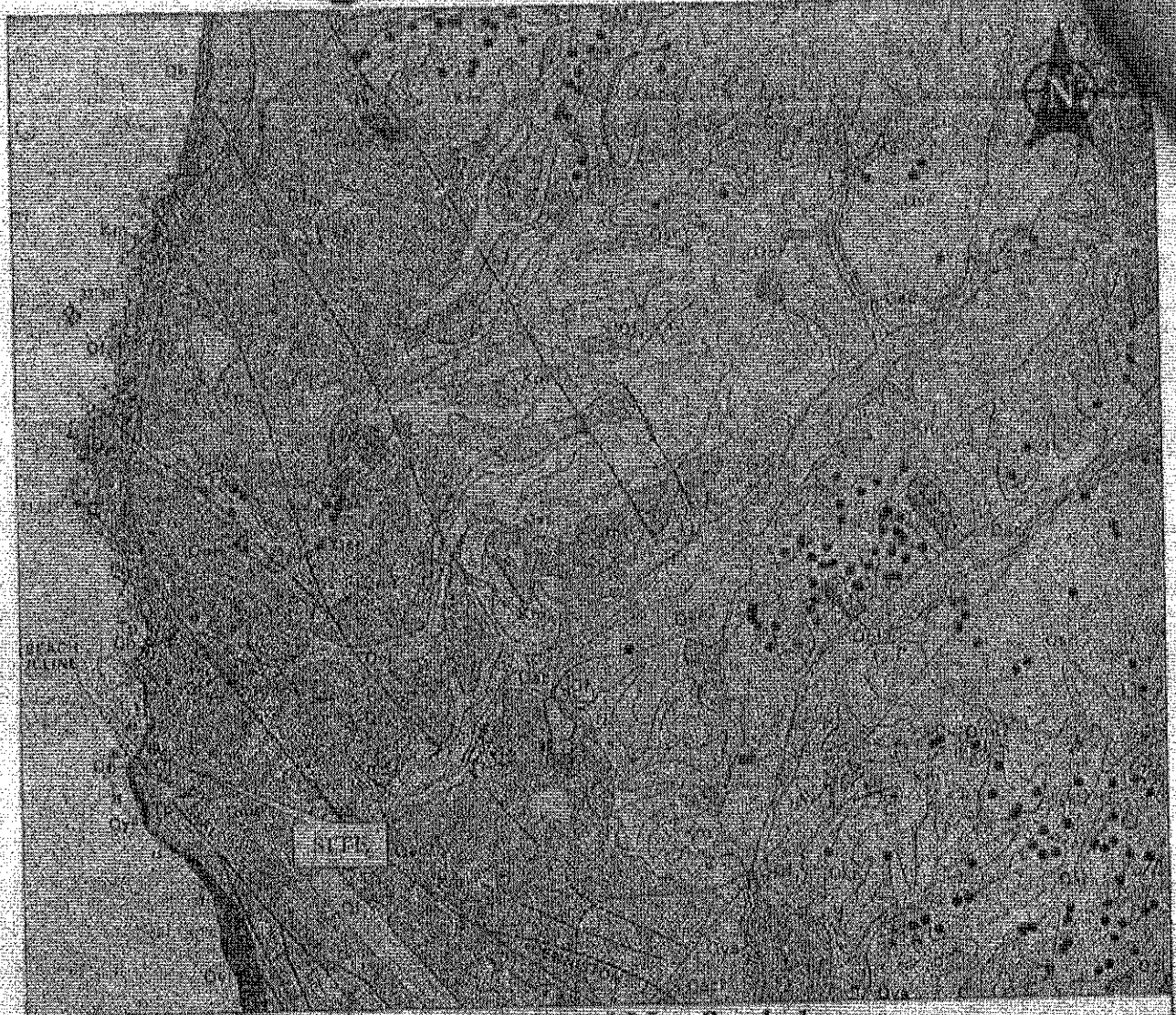
LIEZT RESIDENCE IMPROVEMENTS
 263 NEVADA AVENUE
 MOES BEACH, CALIFORNIA

PROJECT NO. 1255-111









JUNE 2011

VICINITY MAP

FIGURE 1



Legend & Selected Map Symbols

	Slope Wash, Ravine Fill, & Colluvium		Purisima Formation
	Beach Deposits		Granitic Rock of Montara Mountain
	Marine Terrace Deposits		Concealed fault trace
	Younger Landslide Deposits		Shallow Landslide, Commonly in surficial materials

Base: Geologic Map of the Montara Mountain and San Mateo 7.5-Minute Quadrangles, Pampeyan, 1994
 Approximate Scale: 1 inch = 2,000 feet



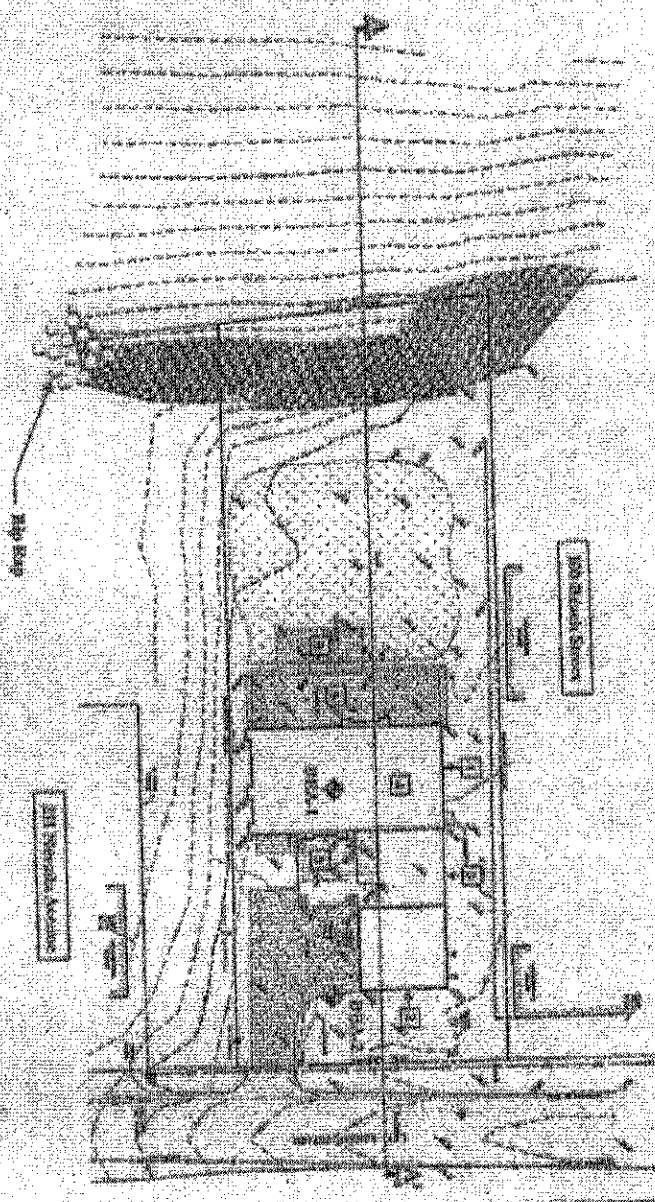
LIEZT RESIDENCE IMPROVEMENTS
 263 NEVADA AVENUE
 MOSS BEACH, CALIFORNIA

PROJECT NO. 1253-JLI

JUNE 2011

**VICINITY
 GEOLOGIC MAP**

FIGURE 2



LEGEND

100' x 150' Easement Location at Site Boundary by Parcel Engineering Associates, April 8, 2010
 A) Location of Profile Line Figure 4
 Base Profile View by Loe & Jones Engineering, Inc., March 12, 2010
 Approximate Scale: 1 inch = 30 feet

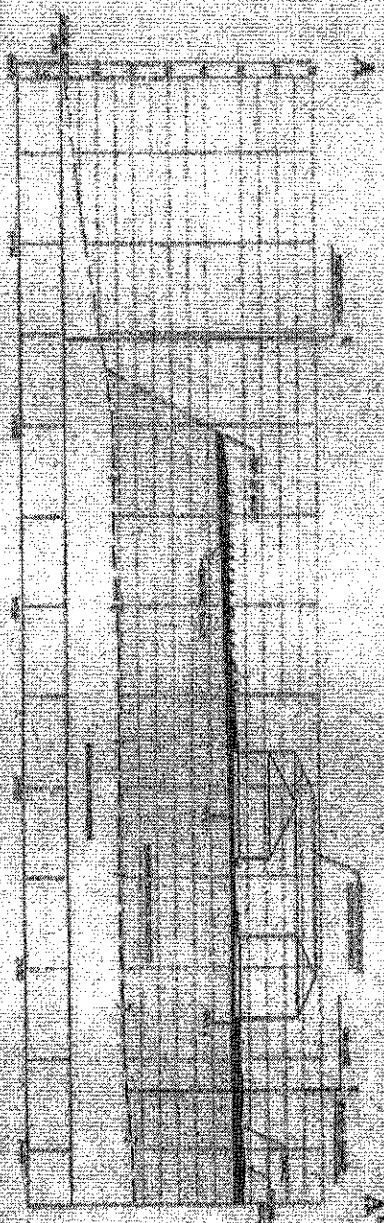
KEY NOTES

1. 100' Easement (Shaded)
2. 10' Easement (Shaded)
3. 100' Easement (Shaded)
4. 100' Easement (Shaded)
5. 100' Easement (Shaded)
6. 100' Easement (Shaded)
7. 100' Easement (Shaded)
8. 100' Easement (Shaded)
9. 100' Easement (Shaded)

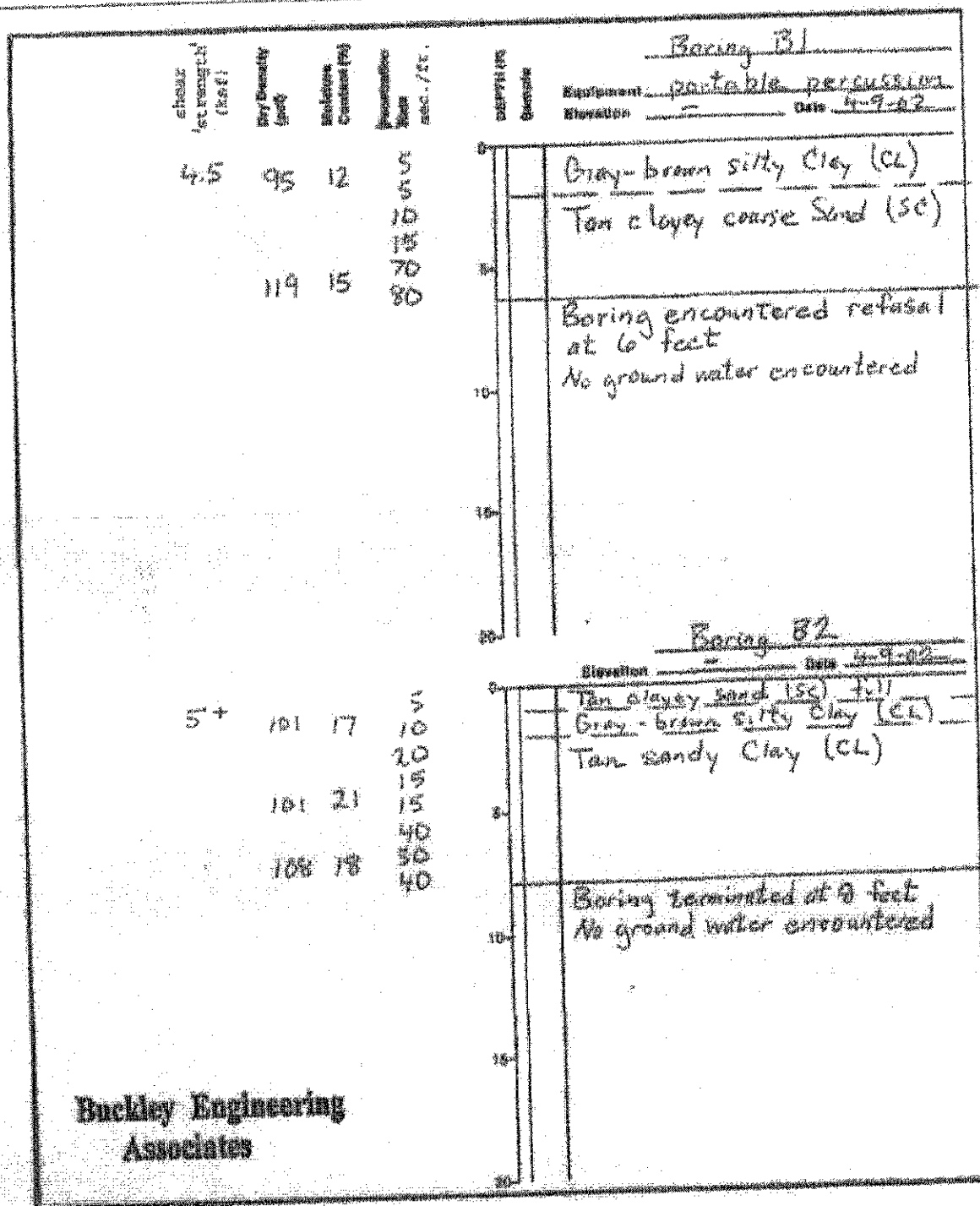
PROJECT INFORMATION		PROJECT DATA	
CLIENT GRIMES INC. 10000 S. 100th Ave. Suite 100 Greenwood, CA 94026		PROJECT NAME GRIMES INC. 10000 S. 100th Ave. Suite 100 Greenwood, CA 94026	
PROJECT LOCATION 10000 S. 100th Ave. Suite 100 Greenwood, CA 94026		PROJECT DATE 10/10/10	

Sheet: Profile View of Roadway Improvements, San Mateo, CA

Approximate Scale: 1 inch = 10 feet



WILSON ENGINEERS INC. 11501 KILPATRICK AVENUE SAN FRANCISCO, CA 94129		
PROJECT NO.	DATE	REVISION
10000	10/01/00	1



LIETZ RESIDENCE IMPROVEMENTS
203 NEVADA AVENUE
MOSS BEACH, CALIFORNIA

PROJECT NO. 1255-IL1

JUNE 2011

LOG OF BEA BORINGS
BEA-1 & BEA-2

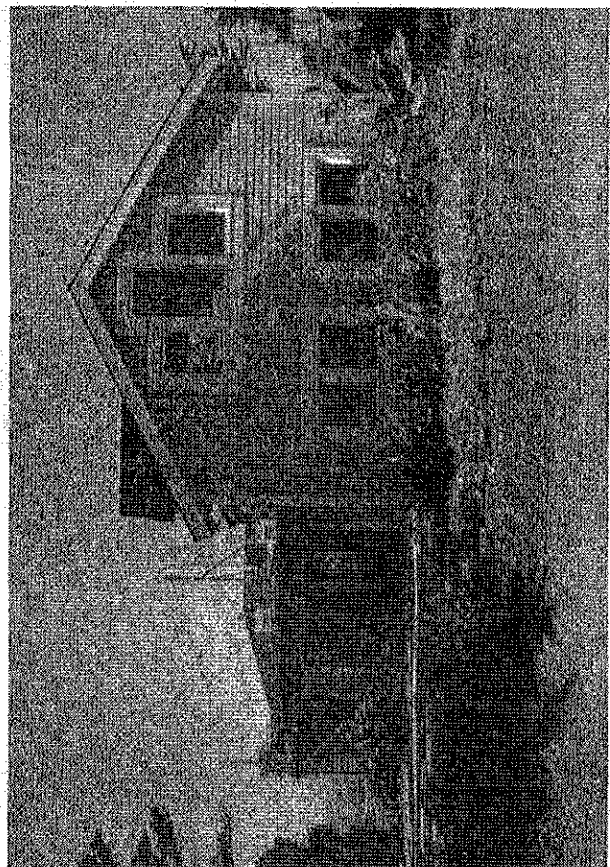
FIGURE 5

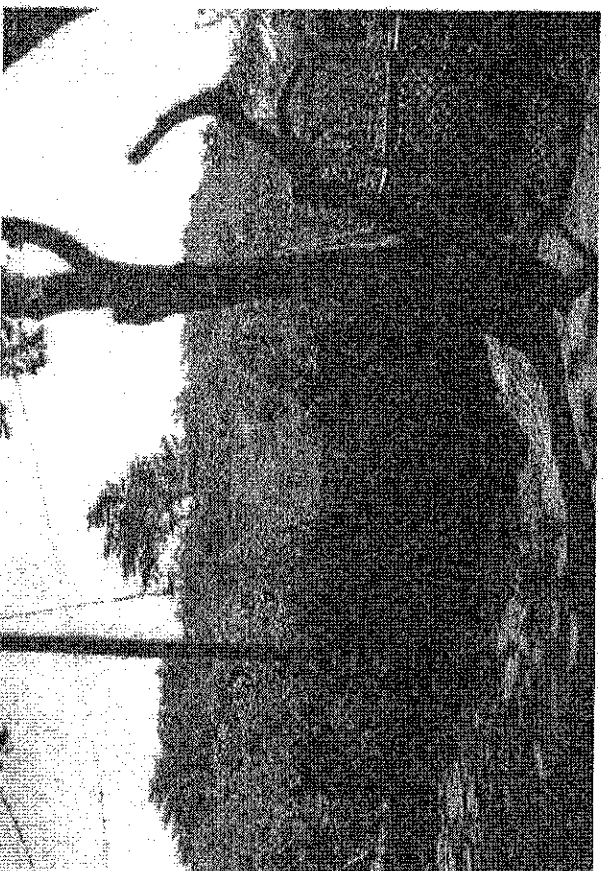
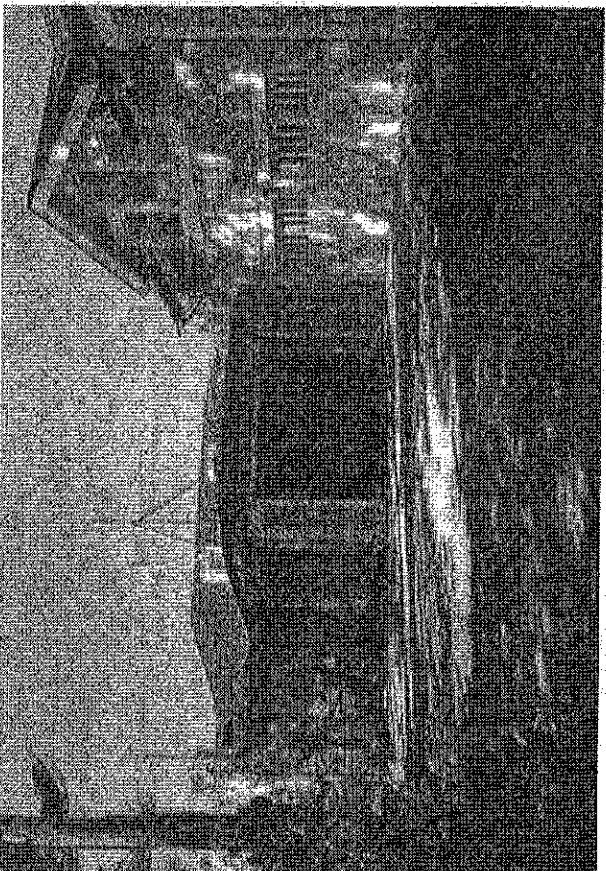
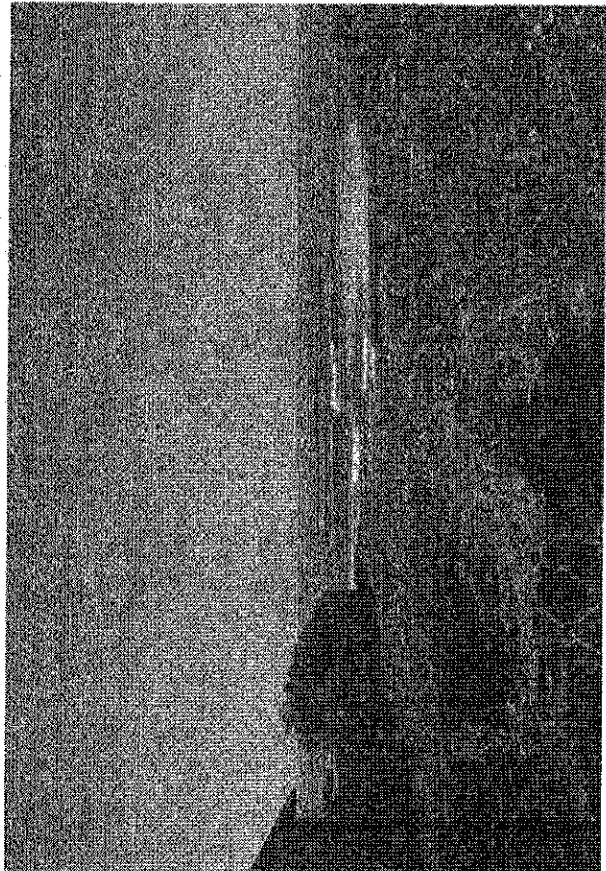
Zoning Hearing Officer Meeting

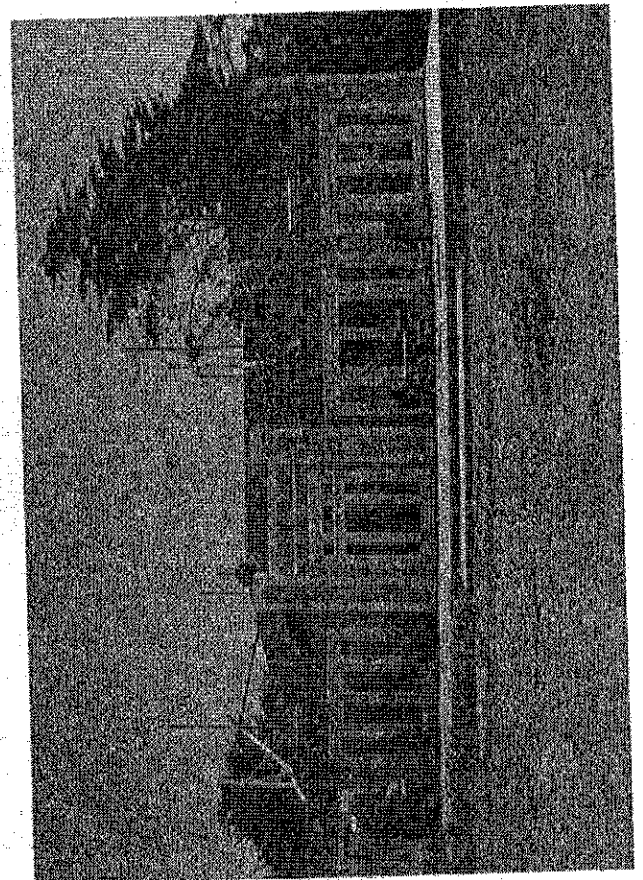
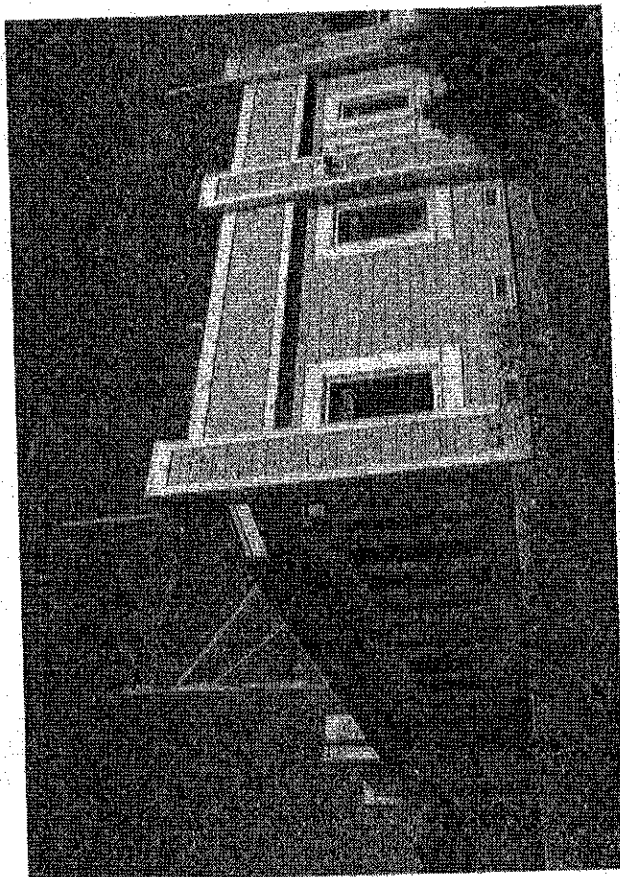
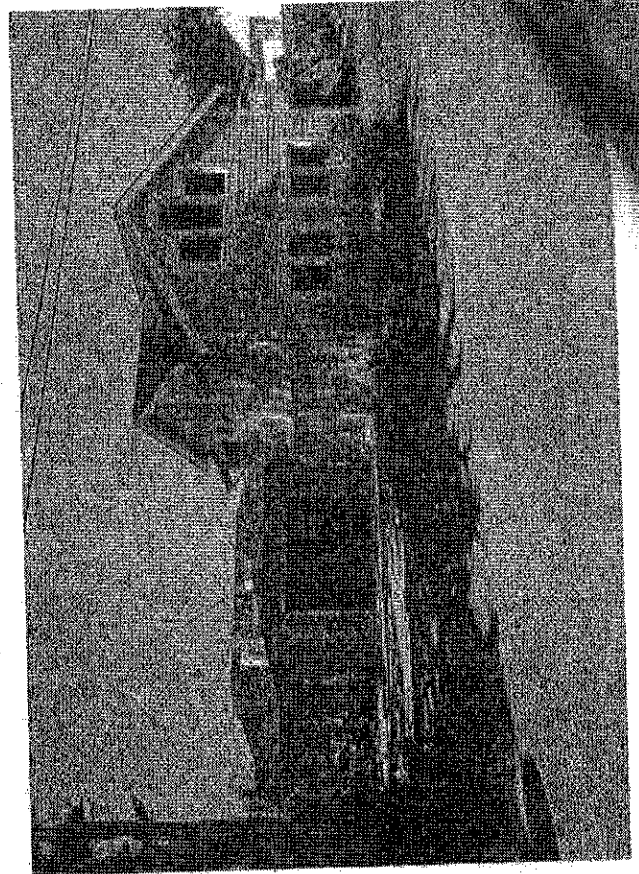
Owner/Applicant: **LIETZ/FG**

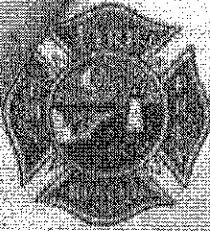
File Numbers: **PLN 2010-00251**

Attachment: **F**









COASTSIDE FIRE PROTECTION DISTRICT

1151 MAIN STREET • HALF MOON BAY, CA 94019

TELEPHONE (650) 726-6113

FAX (650) 726-6133

September 8, 2010

Erica Weeks
81 Encina Avenue
Palo Alto, CA 94301

Dear Applicant,

After reviewing the planning application for an addition to an existing single family residence at 263 Nevada Avenue, Assessor's Parcel Number 037-112-120 in El Granada (San Mateo County Permit No. PLN2010-00251) I offer the following comments/conditions, which will be applied to this project:

- **Occupancy Separation:** As per the 2007 CBC, Section 406.1.4, a one-hour occupancy separation wall shall be installed with a solid core, 20-minute fire rated, self-closing door assembly w/ smoke gasket between the garage and the residence.
- **Smoke Detectors which are hard wired:** As per the California Building Code, State Fire Marshal regulations, and Coastside Fire District Ordinance 2007-01, the applicant is required to install State Fire Marshal approved and listed smoke detectors which are hard wired, interconnected, and have battery backup. These detectors are required to be placed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
- **Address Numbers:** As per Coastside Fire District Ordinance 2007-01, building identification shall be conspicuously posted and visible from the street. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON SITE). The letters/numerals for permanent address signs shall be 4 inches in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access. Finished height of bottom of address light unit shall be greater than or equal to 6 feet from finished grade. When the building is served by a long driveway or is otherwise obscured, a reflectorized address sign shall be

263 Nevada Avenue Moss Beach pin

1

Zoning Hearing Officer Meeting

Owner/Applicant: **LIETZ/FG**

File Numbers: **PLN 2010-00251**

Attachment: **G**

placed at the entrance from the nearest public roadway. See Fire Ordinance for standard sign.

- **Vegetation Management:** The Coastside Fire District Ordinance 2007-01, the 2007 California Fire Code and Public Resources Code 4291.

A fuel break or defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. In SRA (State Responsible Area) the fuel break is 100 feet or to the property line.

Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 to 10 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 feet to adjacent trees when fully grown or at maturity.

Remove that portion of any existing tree, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure.

- **New bedrooms and windows replaced in existing bedrooms to meet escape/rescue window/door requirements:** ID windows and have notes. CBC 1026
- **Chimney present:** The installation of an approved spark arrester is required on all chimneys. Spark arresters shall be made of 12-gauge woven or welded wire screening having openings not exceeding 1/8 inch.

Our review is not construed as encompassing the structural integrity of the facility nor abrogating more restrictive requirements by other agencies having responsibility. Final acceptance is subject to field inspection and necessary tests.

If you have any questions regarding the above conditions, please call the administration office during normal working hours.

Respectfully,



John Riddell
Deputy Fire Marshal
CAL FIRE/Coastside Fire Protection District

cc: D. Aguirre, Project Planner/ San Mateo County Planning & Building
File

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5280 FAX (415) 904-5400
www.coastal.ca.gov

**COMMISSION NOTIFICATION OF APPEAL**

DATE: December 20, 2011

TO: Dennis Aguirre, Project Planner
County of San Mateo, Building & Planning
455 County Center, 2nd Floor
Redwood City, CA 94063

FROM: Nick Dreher, Coastal Program Analyst

RE: **Commission Appeal No. A-2-SMC-11-044**

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 #: PLN 2010-00251
Applicant(s): Dan Garber
Description: To construct a 2,783 sq.ft. first and second floor addition to an existing 2,912 sq.ft. single-family residence, on an existing 15,526 sq.ft. legal parcel
Location: 263 Nevada Avenue, Moss Beach (San Mateo County) (APN(s) 037-112-110, 037-112-120)
Local Decision: Approved w/ Conditions
Appellant(s): Casey Schaufler & Ann Forrister
Date Appeal Filed: 12/20/2011

The Commission appeal number assigned to this appeal is A-2-SMC-11-044. 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 Nick Dreher at the North Central Coast District office.

cc: Dan Garber

STATE OF CALIFORNIA - THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE

45 FREMONT STREET, SUITE 2000

SAN FRANCISCO, CA 94105-2216

VOICE (415) 904-5280 FAX (415) 904-5400

TDD (415) 697-5886

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT****Please Review Attached Appeal Information Sheet Prior To Completing This Form.****SECTION I. Appellant(s)**

Name: Casey Schaufier, Ann Forrister

Mailing Address: 234 Nevada Ave

City: Moss Beach

Zip Code: 94038

Phone: 650.906.1780

SECTION II. Decision Being Appealed**1. Name of local/port government:**

San Mateo County

2. Brief description of development being appealed:

The proposed project is located on a 15,526 sq. ft parcel, on the bluff overlooking the Fitzgerald Marine Reserve. The applicant proposes to construct a 2,783 sq ft, two story addition on an existing 2,912 ft single story single-family house. This is San Mateo County File Number PLN 2010-00251.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

The proposed development is located at 263 Nevada Avenue, Moss Beach, between North Lake St. and Beach St. APNs 037-112-110 and APN 037-112-120

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
- ☒ Approval with special conditions: See San Mateo County Zoning Hearing Office record of decision.
- ☐ 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-11-044

DATE FILED:

12/20/11

DISTRICT:

North Central Coast

RECEIVED

DEC 20 2011

CALIFORNIA
COASTAL COMMISSION
NORTH CENTRAL COAST

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: November 17, 2011

7. Local government's file number (if any): PLN 2010-00251

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:

Dan Guxber
81 Encina Avenue
Palo Alto, CA 94301

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) See San Mateo County Zoning Hearing Office record of decision.

(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.

Summary of Reasons for Appeal

San Mateo County File No. PLN 2010-00251

Owner: Nori Gerardo-Lietz, Applicant: Fergus Garber Group

Location: 263 Nevada Ave, Moss Beach

Appellant: Casey Schaufler, Ann Forrister

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 15,526 sq. ft parcel, on the bluff overlooking the Fitzgerald Marine Reserve. The applicant proposes to construct a 2,783 sq ft, two story addition on an existing 2,912 ft single story single-family house.

The document referred to as the staff report is PLN2010-00251_ZHO20111117_SRT.pdf from the San Mateo County website.

The document referred to as the Limited Geotechnical Investigation or LGI is the June 14th 2010 report from Murray Engineers, Inc that appears in the staff report beginning with page 65 and continuing through page 81.

Visual Resources

The proposed project is located on the ocean bluffs between North Lake Street and Beach Street at 263 Nevada Avenue in Moss Beach. The property overlooks the Fitzgerald Marine Reserve and is approximately 100 yards from the visitor center. The existing structure is clearly visible from the bluff top lookout at the northern end of the Fitzgerald Marine Reserve. The expanded structure will be a dominant feature looking northward along the coastline from this public viewpoint.

The county did not adequately analyze the project's compliance with LCP Policies 8.5 and 8.13, instead limiting their analysis of visual resources strictly to current views of the ocean from adult head height on Nevada Avenue.

Local Coastal Program visual resource policies include (in relevant part)

8.5 Location of Development

- a. Require that new development be located on a portion of a parcel where the development...
 - (2) is least likely to significantly impact views from public viewpoints...

8.13 Special Design Guidelines for Coastal Communities

The following special design guidelines supplement the design criteria in the Community Design Manual:

a. Montara-Moss Beach-El Granada

- (1) Design structures which fit the topography of the site and do not require extensive cutting, grading, or filling for construction.
- (2) Employ the use of natural materials and colors which blend with the vegetative cover of the site.
- (3) Use pitched, rather than flat, roofs which are surfaced with nonreflective materials except for the employment of solar energy devices.

- (4) *Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban landscape.*
- (5) *To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and other public viewpoints between Highway 1 and the sea. Public viewpoints include coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches. This provision shall not apply in areas west of Denniston Creek zoned either Coastsides Commercial Recreation or Waterfront.*
- (6) *In areas east of Denniston Creek zoned Coastsides Commercial Recreation, the height of development may not exceed 28 feet from the natural or finished grade, whichever is lower.*

Hazards

The county did not adequately analyze the project's conformity with the LCP Policy 9.8 which permits bluff and cliff top development (such as this project) only if design and setback provisions are adequate to assure stability and structural integrity for at least 50 years, and if the proposed development will neither create nor contribute significantly to erosion problems or geologic instability of the site or surrounding areas. To the contrary, the Limited Geotechnical Investigation, page 6 (staff report page 70) states:

"It should be clearly understood that eventually some form of mitigation will be required to protect the house and proposed improvements from future bluff erosion"

The Hazards Component section of the staff report neither discusses nor addresses section 9.8(c) of the LCP even though the proximity to the 32 ft. high cliff should make such a requirement obvious. The area of demonstration of stability required by this section of the LCP extends 87 ft. from the toe of the bluff. This is significantly further than the 61 ft. setback described on page 5 of the staff report.

On page 70 of the staff report (page 6 of the LGI) the historical and current rates of bluff erosion are noted, however only the erosion rate over the past 8 years is used to make a recommendation. The 8 year rate (1.3 feet/year) for 50 years would suggest the project is marginally viable, however the rate of the preceding twenty years (2 feet/year) would not and the 25 years before that (4 feet/year) certainly conflicts with the recommendation.

At the November 17th hearing the owner described the proposed deck as an important living space component of the project. The deck is well into the area described by the LCP section 9.8c requirement and is not considered in the staff report. If the deck were being constructed independently of the structure it would require the same scrutiny as the structure, yet it has been largely ignored. Pages 20 and 21 of the staff report describe some of the amenities of this space, including glass windscreens, a gas plumbed cooking area and a gas plumbed fire pit. Much of this space, including the area protected by windscreens, is covered. While the deck work is dwarfed by the scale of the house expansion it is in itself significant development.

The work on the deck is within the area of demonstration of stability. If the deck is not connected to the house it should be considered new development. If it is connected to the house then that development is within the area of demonstration of stability. The deck clearly qualifies as development according to the definition included in section 1.2 of the LCP.

Based on the discussion at the November 17th hearing the County explicitly separated the issue of coastal armoring from the approval of this project. The LGI explicitly calls out the need for "some form of mitigation". The cliff erosion rate used explicitly sets aside higher historical rates. Setback requirements are only marginally met. It is reasonable to assume that this project, although officially distanced from a request for coastal armoring, will result in such a request in the very near future. For example, the proposed elaborate deck would be in danger of destruction by erosion within 47 years using the conservative 1.3 feet/year rate for erosion.

The LGI referenced by and included in the staff report refers to a geotechnical report written by Buckley Engineering Associates (BEA) in April of 2002 and treats this as a definitive work. The text of this report is not included in the staff report, nor is a reference on how to obtain this report. In the bibliography for the LGI the BEA report and other referenced documents are listed as "unpublished". Without the information contained in the BEA reports it is impossible to verify the conclusions of the LGI.

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

Local Coastal Program hazards component 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.*
- (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 20° 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.

San Mateo County is deferring more technical geological work to the building permit stage. Zoning Regulations section 6328.15 requires that the LCP issues be fully addressed prior to the approval of the Coastal Development Permit.

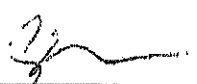

Coastal Development District Zoning Regulations, Section 6328.15 Findings

"A Coastal Development Permit shall be approved only upon the making of the following findings: (a) that the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program"

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.

Signature of Appellant(s) or Authorized Agent

Date: December 18, 2011

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: _____

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
46 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2210
(415) 904-5260 FAX (415) 904-5400
www.coastal.ca.gov

**COMMISSION NOTIFICATION OF APPEAL**

DATE: December 21, 2011

TO: Dennis Aguirre, Project Planner
County of San Mateo, Building & Planning
455 County Center, 2nd Floor
Redwood City, CA 94063

FROM: Nick Dreher, Coastal Program Analyst **(UBD)**RE: **Commission Appeal No. A-2-SMC-11-044**

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 #: PLN 2010-00251

Applicant(s): Dan Garber

Description: To construct a 2,783 sq.ft. first and second floor addition to an existing 2,912 sq.ft. single-family residence, on an existing 15,526 sq.ft. legal parcel

Location: 263 Nevada Avenue, Moss Beach (San Mateo County) (APN(s) 037-112-110, 037-112-120)

Local Decision: Approved w/ Conditions

Appellant(s): Surfrider Foundation, Attn: Edmundo Larenas

Date Appeal Filed: 12/21/2011

The Commission appeal number assigned to this appeal is A-2-SMC-11-044. 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 Nick Dreher at the North Central Coast District office.

cc: Dan Garber

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE

43 FREMONT STREET, SUITE 3000

SAN FRANCISCO, CA 94108-2299

VOICE (415) 904-5260 FAX (415) 904-5400

TDD (415) 597-5885

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT****Please Review Attached Appeal Information Sheet Prior To Completing This Form.****SECTION I. Appellant(s)**

Name:

Edmundo Larenas, Surfrider Foundation The project as approved by the San Mateo County

Mailing Address: Box 1034

City: Moss Beach

Zip Code: 94038

Phone: 650 728 5067

SECTION II. Decision Being Appealed**RECEIVED**

DEC 21 2011

CALIFORNIA
COASTAL COMMISSION

1. Name of local/port government:

San Mateo County Planning File No. PLN2010-00251

2. Brief description of development being appealed:

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

3. Development's location (street address, assessor's parcel no., cross street, etc.):

263 Nevada avenue moss beach, APN: 037-112-110 and 037-112-120

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-11-044

DATE FILED:

12/21/11

DISTRICT:

North Central Coast

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: November 17, 2011

7. Local government's file number (if any): APN: 037-112-110 and 037-112-120

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:

Applicant/Owner: Nori Geraldo-Leitz
Location: 263 Nevada Avenue, Moss Beach

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.

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

Project Description

The proposed project would add 2,783 sq. ft. on the first and second floor of an existing 2,912 sq. ft. single family residence on a 15,526 sq. ft. legal parcel (note that a significant portion of the 15,526 sq. ft. has eroded away, and has not been subtracted from the reported number). This addition will result in a 96% increase in the floor area of the existing structure, creating a 5,695 sq. ft. single-family residence. The overall combined increase in size of the final building will constitute a 400% increase in sq. ft. over the original home.

This project is located at 263 Nevada Avenue in Moss Beach (APNs 037-112-110 and 037-112-120) this site was previously known as 100 Beach Street (APN 037-112-120) which was the address of the historical Nye's home which was allowed to be moved from its original location to its current location on Nevada Avenue.

Sensitive Habitats Component

LCP Policy 7.1, Definition of Sensitive Habitats, states:

Define sensitive habitats as any area in which plant or animal life of their habitats are either rare or especially valuable and any area which meets one of the following criteria: (1) habitats containing or supporting "rare and endangered" species as defined by the State Fish and Game Commission, (2) all perennial and intermittent streams and their tributaries, (3) coastal tide lands and marshes, (4) coastal and offshore areas containing breeding or nesting sites and coastal areas used by migratory and resident water-associated birds for resting areas and feeding, (5) areas used for scientific and research concerning fish and wildlife, (6) lakes and ponds, and adjacent shore habitat, (7) existing game and wildlife refuges and reserves, and (8) sand dunes.

Sensitive habitat areas include, but are not limited to, riparian corridors, wetlands, marine habitats, sand dunes, sea cliffs, and habitats supporting rare, endangered and unique species.

LCP Policy 7.3, Protection of Sensitive Habitats, states:

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

The proposed project is situated on a section of unprotected (no coastal armoring present) bluffs adjacent to and overlooking the Fitzgerald Marine Reserve, an environmentally sensitive habitat area. The Fitzgerald Marine Reserve has also been designated as an Area of Special Biological Significance. The impact of this project on this Area of Special Biological Significance has not been adequately addressed.

Visual Resources Component

As stated above, the proposed project is situated on the bluffs adjacent and overlooking the Fitzgerald Marine Reserve. Its tide pools, rocky intertidal zone, and sandy beaches provide habitat for diverse marine, intertidal and shoreline species, and are visited by thousands of people each year.

There is no analysis in the Staff Report of the project's conformity with LUP Policy 8.13.a. Special Design Guidelines for Coastal Communities that apply to the urban areas of Montara-Moss Beach-El Granada. The Staff Report simply concludes that the project conforms to these guidelines without meaningful analysis.

LUP Policy 8.13.a. states in relevant part:

- (2) *Employ the use of natural materials and colors which blend with the vegetative cover of the site.*
(4) *Design structures which are in scale with the character of their setting and blend, rather than dominate or distract from the overall view of the urban landscape.*
(5) *To the extent feasible, design development to minimize the blocking of viewpoints between Highway 1 and the sea.*

Regarding (2): The proposed roofing material is of a shade and reflectivity that would not comply with the LCP. Metal roofs, even after 3 years, remain reflective. Because this structure is highly visible from the Fitzgerald Marine Reserve bluff trails the roof needs to be made of a material that will prohibit reflection.

Regarding (4): There is no analysis of the projects conformity with this policy. California Coastal Records Project Photo #201008017 (Figure 1 below) clearly shows the character of the surrounding homes in Moss Beach. Houses are generally modest, one- or -two story (under 2000 sq.ft) structures with pitched roofs, which typify this coastal community. A two-story house of the magnitude, massing, size and scale of the proposed project will dominate rather than blend into the overall view of the urban landscape.

LCP Policy 8.5 (a) (2) Visual Resources: Location of development

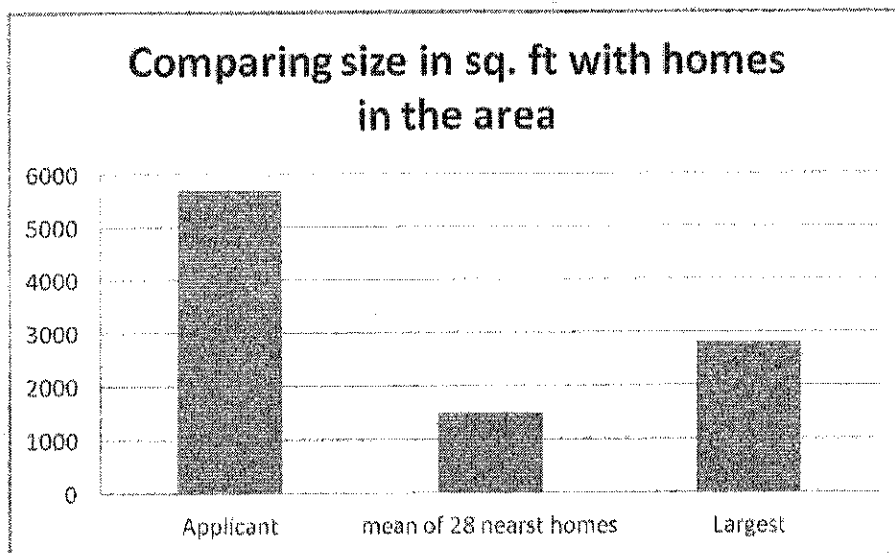
"This provision does not apply to the enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150% of the preexisting floor area, or 2,000 sq.ft., whichever is larger."

Coastal Act Section 30007.5 Public View Points

"The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be **resolved in a manner which on balance is the most protective of significant coastal resources**. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies."

This structure is adjacent to the Fitzgerald marine reserve and its view corridors it is within less than a quarter mile of the coastal trail.

This structure has been incrementally enlarged from its original size. First, the historic building was set down and remodeled with a 2880 sq. ft. addition. And now a further increase is planned. The proposed addition would constitute a 96% increase over the existing structure and a 400% increase over the original building on the same size lot. The figure below shows a size comparison of homes in the area.



The proposed project is double the square footage of the largest of the nearest 28 homes. Because of its proximity to the actual bluff edge it will have a large impact on the view corridors of the Fitzgerald Marine Reserve and the coastal trail.

Hazard Component

There is inadequate analysis regarding the project's compliance with Hazards Component of the certified LUP. Relevant LUP policies include:

Policy 9.7 Definition of Coastal Bluff or Cliff

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.

Policy 9.8 Regulation of Development on Coastal Bluff Tops states in relevant part:

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

The proposed project is located in an area of high bluff/cliff erosion and high seismic hazards due to its close proximity to the Seal Cove/San Gregorio Fault. The Murray geotechnical report is entirely inadequate. It completely understates the current rate of erosion and goes against all scientific findings regarding the impacts of coastal armoring on adjacent unprotected land. The report is a minimalist attempt to satisfy the LCP requirement that a complete geotechnical report be submitted before a coastal development permit is allowed.

The County approved PLN2003-00048 (CCC# 2-SMC-03-031) in 2004 to allow the relocation of the existing 1,414 sq. ft. residence and proposed 2,880 sq. ft. addition to the structure on the same parcel. Our understanding is that the intent of the California Coastal Commission, by allowing relocation of the historic Nye property, was to maintain the character of this significant historic building. The almost doubling of the size of this building will go against that intent. It also creates a greater safety hazard because of its size and scope and the resulting limited setback from the bluff edge, 61 feet. The geotechnical report even states that some form of protection will be required within 50 years.

Figure 1. From Coastal Records Project 20200817



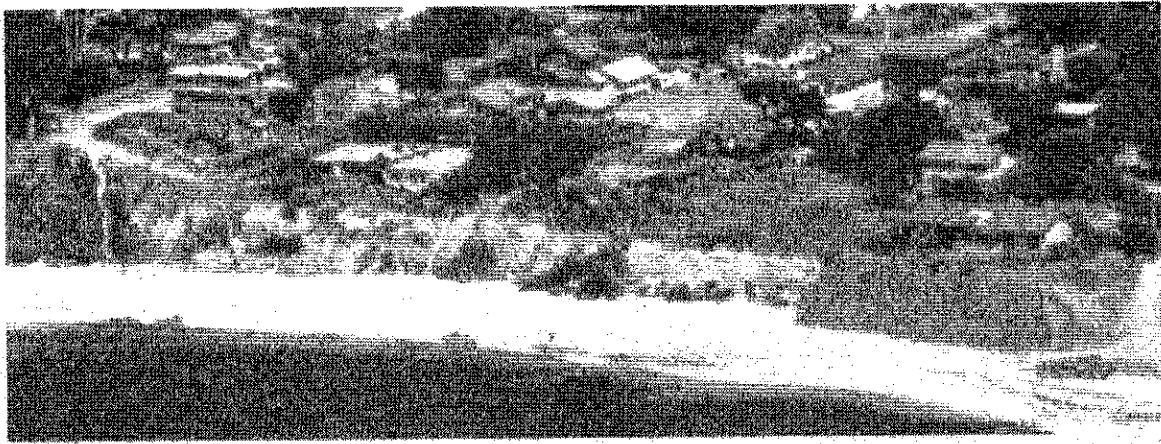
Appendix

Shows progressive loss of beach due to armoring and the accelerated erosion of adjacent bluff.

1979 no rock armoring the road called The Strand is gone. Note that the project calculates the sq ft to the non-existent Strand

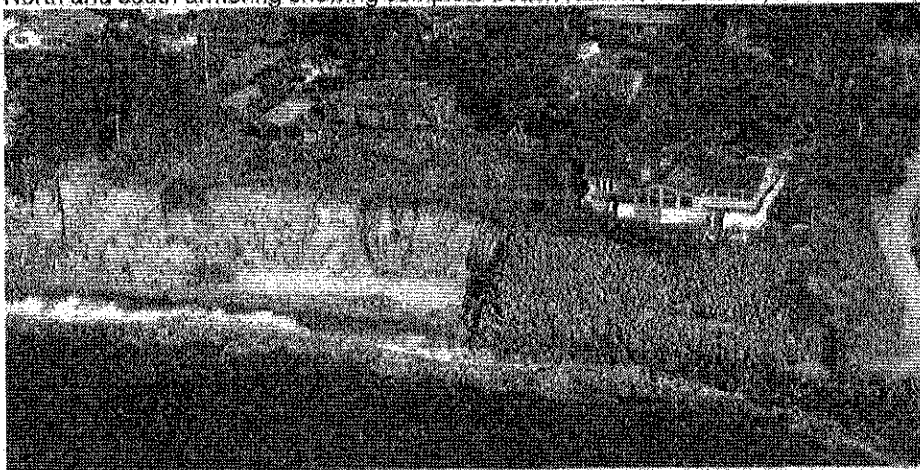


1987
Southern coastal rock armor showing some loss of beach



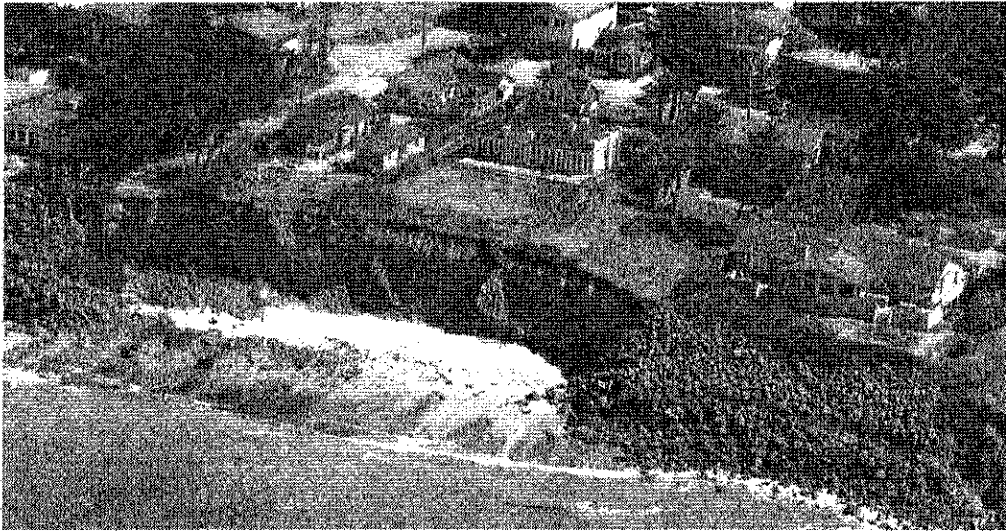
2002

North and south armoring showing complete beach loss on both sides, access to the mid section only at low tides.



Late 2010

Significant erosion can be seen from center to south side of the property, access to the center beach is even more restricted due to rock falling outward. Note the "refurbished" original historic building.



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.



Signature of Appellant(s) or Authorized Agent

Date: December 20, 2011

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: _____

Nicholas Dreher

California Coastal Commission North Central District

RECEIVED

DEC 21 2011

CALIFORNIA
COASTAL COMMISSION

December 21, 2011

Hello Nicholas,

First let thank you for your prompt response and attention to this matter. It is something that I very much appreciate. I will call you on Wednesday to answer any questions you may have.

The following are names of those to be notified. I do not have the names and addresses of all who attended or of Ms. Lietz's architect or other people helping her with her project.

Mary Larenas attended on behalf Surfrider (she is a member of Surfrider) the following meetings: Midcoast Design Review, the Midcoast Community and the Zoning hearing with Matt Seubert on November 17, 2011. At this meeting a letter from Surfrider written by me was acknowledge as received by the Zoning Officer Mr. Seubert and was read and summarized by Mary Larenas to all attendees.

The following are names of those to be notified. I do not have the names and addresses of all who attended or of Ms. Lietz's architect or other people helping her with her project.

Kind Regards

Edmundo Larenas

Chair

San Mateo County Chapter of the Surfrider Foundation

Ed and Mary Larenas

PO Box 1034

Moss Beach, CA

94038

Kathryn Slater-Carter
PO Box 370321
Montara, CA
94037

Bill Kehoe Vice-Chair
Midcoast Community Council
PO Box 248
Moss Beach, CA
94038-0064

Casey Schaufler
234 Nevada Ave
Moss Beach, CA
94038

Ann C. Forrister
234 Nevada Ave.
Moss Beach, CA
94038

Nori Geraldo-Lietz
263 Nevada Ave
Moss Beach, CA
94038

Tom Bruce
351 Nevada Ave
Moss Beach, CA
94038

Patrick Melley
346 Nevada Ave
Moss Beach, CA
94038

*Commission Notification
of Appeal was ret. 1/3/12*

*Commission Notification of
Appeal was returned 1/3/12*



Dennis Aguirre, Planner
Steve Monowitz, Deputy Director
San Mateo County Planning & Building Division
455 County Center, 2nd floor
Redwood City, CA 94063
November 16, 2011

Dear Sirs:

We are writing regarding the staff report PLN2010-00251, a project proposing to allow construction of a 2783 square foot addition at 263 Nevada Avenue in Moss Beach, CA. Please enter this letter into the record for the Zoning hearing scheduled for November 17, 2011.

We have several items for your consideration.

1. The staff report misrepresents the parcel size. The lot size is drawn using a drawing from circa 1911. There has been significant erosion in this area such that property size is much smaller. This needs to be corrected and all calculations and comparisons revised.
2. The building has a history that is relevant to the proposed project and should be included in the report. We are referring to movement of original structure from the bluff edge at Beach street to where it is now. The conditions and restrictions applied to the original development permit need to be disclosed and should apply to this project.
3. This property will require protection from erosion. Once the existing rather than historic property lines are used to calculate setback the proposed project will be non compliant with the LCP and coastal.
4. The proposed project is adjacent to the Fitzgerald Marine Reserve and is listed as an Area of Special Biological Significance. While not specifically protected in the LCP and Coastal act extra scrutiny should be given to projects that could have a significant impact on the Reserve.
5. The size and scope of the project is not consistent with the homes in the area.

One final note, it would be helpful for folks you to walk along the beach along the property line to get a personal view of the erosion problem. You will see that the public has already lost much of the beach due to the existing armoring and that adding more to protect this property would enhance the problem. I would be happy to give you a tour of the area and point out the areas of concern.

Thank you for your attention.

Sincerely,



Edmundo Larenas, Chair
Surfrider Foundation
San Mateo County
surfdoggie@gmail.com

P. O. Box 2006
El Granada, CA 94018-2006

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94106-2219
(415) 904-5260 FAX (415) 904-5400
www.coastal.ca.gov

**COMMISSION NOTIFICATION OF APPEAL**

DATE: January 4, 2012

TO: Dennis Aguirre, Project Planner
County of San Mateo, Building & Planning
455 County Center, 2nd Floor
Redwood City, CA 94063

FROM: Nick Dreher, Coastal Program Analyst *RE (for)*

RE: **Commission Appeal No. A-2-SMC-11-044**

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 #: PLN 2010-00251

Applicant(s): Fergus Garber Young Architects, Attn: Dan Garber

Description: To construct a 2,783 sq.ft. first and second floor addition to an existing 2,912 sq.ft. single-family residence, on an existing 15,526 sq.ft. legal parcel

Location: 263 Nevada Avenue, Moss Beach (San Mateo County) (APN(s) 037-112-110, 037-112-120)

Local Decision: Approved w/ Conditions

Appellant(s): Commissioner Steve Blank; Chair Mary Shallenberger

Date Appeal Filed: 12/23/2011

The Commission appeal number assigned to this appeal is A-2-SMC-11-044. 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 Nick Dreher at the North Central Coast District office.

cc: Fergus Garber Young Architects, Attn: Dan Garber

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE

45 FREMONT STREET, SUITE 2000

SAN FRANCISCO, CA 94105-2219

VOICE (415) 904-5280 FAX (415) 904-5400

TDD (415) 697-6886

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT****Please Review Attached Appeal Information Sheet Prior To Completing This Form.****SECTION I. Appellant(s)**

Name: Commissioners Steve Blank and Chair Mary Shallenberger

Mailing Address: 45 Fremont Street, Suite 2000

City: San Francisco Zip Code: 94105 Phone: 415 904 5260

RECEIVED**DEC 23 2011****SECTION II. Decision Being Appealed****CALIFORNIA
COASTAL COMMISSION
NORTH CENTRAL COAST**

1. Name of local/port government:

County of San Mateo

2. Brief description of development being appealed:

A coastal development permit to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, on an existing 15,526 sq. ft. legal parcel (APN 037-112-130) in the unincorporated area of Moss Beach, San Mateo County.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

263 Nevada Avenue, Moss Beach (San Mateo County) APNs 037-112-110 and 037-112-120

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-11-044
DATE FILED: 12/23/2011
DISTRICT: North Central

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: November 17, 2011

7. Local government's file number (if any): PLN2010-00251

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:

Owner:
Nori Gerardo-Lietz
263 Nevada Avenue
Moss Beach, CA 94038

Agent:
Dan Garber
Fergus Garber Young Architects
81 Encina Avenue
Palo Alto, CA 94301

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)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT
Page 3

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

See attached document

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

SECTION V. Certification

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

Signed: Mary K Schallenberger
Appellant or Agent

Date: 12/23/2011

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

Signed: _____

Date: _____

(Document2)

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE

45 FREMONT STREET, SUITE 2000

SAN FRANCISCO, CA 94105-2219

VOICE (415) 904-5280 FAX (415) 904-5400

TDD (415) 697-5885

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT****Please Review Attached Appeal Information Sheet Prior To Completing This Form.****SECTION I. Appellant(s)**

Name: Commissioners Steve Blank and Chair Mary Shallenberger

Mailing Address: 45 Fremont Street, Suite 2000

City: San Francisco Zip Code: 94105 Phone: 415 904 5260

RECEIVED**DEC 23 2011****SECTION II. Decision Being Appealed****CALIFORNIA
COASTAL COMMISSION
NORTH CENTRAL COAST**

1. Name of local/port government:

County of San Mateo

2. Brief description of development being appealed:

A coastal development permit to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, on an existing 15,526 sq. ft. legal parcel (APN 037-112-130) in the unincorporated area of Moss Beach, San Mateo County.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

263 Nevada Avenue, Moss Beach (San Mateo County) APNs 037-112-110 and 037-112-120

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-11-044
DATE FILED: 12/23/2011
DISTRICT: North Central

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: November 17, 2011

7. Local government's file number (if any): PLN2010-00251

SECTION III. Identification of Other Interested Persons

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

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Dan Garber
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(1)

(2)

(3)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT
Page 5

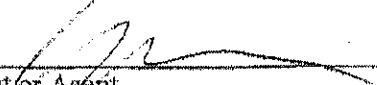
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

See attached Document

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

SECTION V. Certification

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

Signed: 
Appellant or Agent

Date: 12/23/2011

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

Signed: _____

Date: _____

(Document2)

Gerardo-Lietz/Garber Appeal Attachment A
Section IV Reasons Supporting This Appeal

Discussion (see applicable policies cited below)

On November 17, 2011, the San Mateo County Zoning Hearing Officer approved a coastal development permit to construct a 2,783 sq. ft. first and second floor addition to an existing 2,912 sq. ft. single-family residence, on an existing 15,526 sq. ft. legal parcel (APNs 037-112-110 and 037-112-120) in the unincorporated area of Moss Beach, San Mateo County.

The approved addition is inconsistent with the certified LCP as follows:

1. Hazards

As discussed in the County staff report, Policy 9.8 allows bluff and cliff top development only if design and setback provisions are adequate to assure stability and structural integrity for the expected life span of development and if the development will neither create or contribute significantly to erosion problems or geologic instability of the site or surrounding areas. These provisions require submittal of a site stability evaluation and an analysis demonstrating the proposed new development will not contribute to potential or existing hazards on site.

This project is located at 263 Nevada Avenue in Moss Beach (APNs 037-112-110 and 037-112-120), but this site (APN 037-112-120) has in the past been referred to as 100 Beach Street, Moss Beach. The subject site is a bluff top parcel. While no shoreline protective device currently exists seaward of the subject lots, there is a rock revetment two lots to the south and on the bluff of the property two lots to the north. In early 2002, the Coastal Commission approved the construction of a temporary emergency rock revetment limited to the 50-foot section immediately seaward of the existing single-family residence, which at the time was approximately 30 feet from the bluff edge. This permit was never acted upon and subsequently expired. In 2004, the County approved PLN2003-00048 (CCC# 2-SMC-03-031) as a follow-up to a 2002 emergency permit action PLN2001-00556 (CCC# 2-SMC-02-036), to allow the relocation (approximately 60 feet landward of original footprint) of the then existing 1,414 sq. ft. residence and proposed 2,880 sq. ft. addition to the structure on the same 15,525 sq. ft. parcel.

The County determined that the subject site has been designated as an area with Landslide Susceptibility I based a U.S. Geological Survey and within 200 to 300 feet of a known earthquake fault based on the Applicant's geotechnical evaluation. Based upon the history on this site - the relocation of the house in 2002, the expansion of the home from 1,414 sq. ft. to the current size (2,912 sq. ft.) in 2003/2004 and the proposed expansion of the home from 2,912 sq. ft. to 5,695 sq. ft. - the cumulative increases in structure size and life raise inconsistencies with the LCP policies to minimize shoreline hazards and avoid shoreline protective devices. The original structure was relocated to

avoid known hazards. However, no specific geological assessment as required by the LCP was required for this near-doubling of the current structure. The County report states that "A more detailed [geotechnical] review will be conducted upon submittal of a building permit action." However, this review in its entirety should occur at the coastal development permit stage, as mandated by the certified Local Coastal Plan (See Zoning Regulation Section 6328.15. This review is critical when deciding where to allow new development, particularly when it doubles the size of a structure and when the proposed development is located on a coastal bluff. Therefore, the approved project is inconsistent with LUP Policy 9.8.

Under Zoning Regulation Section 6326.4, low-density single family residences shall not be permitted in a highly unstable area unless the applicant demonstrates that no other locations less susceptible to such hazards are reasonably available on the site for development, and through detailed geologic site investigations and adequate engineering design, that proposed locations are suitable for the uses proposed, and that direct damage to such uses or indirect threat to public health and safety would be unlikely. The applicant must also demonstrate that the development will not contribute to the instability of the land and that all structural proposals including excavation, access roads and other pavement have adequately compensated for soils and other subsurface conditions. There is no indication that the Applicant demonstrated the necessary findings or that the County analyzed this issue. While the Applicant's geotechnical information indicated that the risk to the residence after 50 years will be low, it also states that eventually some form of shoreline protection will be necessary to protect the home from hazards caused by shoreline erosion. As detailed below, this is not consistent with the LCP.

Additionally, this addition, which doubles the size and thus arguably the life of the existing structure, amounts to a new structure for purposes of Policy 9.8(d), which "Prohibit[s] land divisions or new structures that would require the need for bluff protection work." Further, Policy 9.11 requires new development to be located "in areas where beach erosion hazards are minimal and where no additional shoreline protection is needed." The County did not specifically conclude that the new development, which could constitute an entirely new structure, would not require shoreline protection work in the future. To the contrary, the Applicant's "Limited Geotechnical Investigation," dated June 14, 2011, states the following: "we anticipate the potential for approximately 65 feet of bluff retreat over the next 50 years...[it] should be clearly understood that eventually some form of mitigation will be required to protect the house and proposed improvements from future bluff retreat."¹ The lot is only 210.01 feet long between the bluff edge and the road (according to the parcel map) and approximately 180 feet long given existing site conditions (due to erosion of the bluff). Sixty-five (65) additional feet of erosion over 50 years would likely result in the loss of nearly one third of the existing site area and would surely impact the home, which sits approximately 75 feet from the existing bluff edge. More detailed geotechnical analysis is necessary to determine whether the development is consistent with the LCP Policy 9.11 requirement that new development not need shoreline protection in the future.

¹ "Limited Geotechnical Investigation, Lietz Residence Improvements, 263 Nevada Avenue, San Mateo County California," prepared by Murray Engineers, Inc., dated June 14, 2011.

Applicable LCP Policies

LUP Policy 1.2 Definition of Development

As stated in Section 30106 of the Coastal Act, define development to mean:

On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any buildings, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

LUP Policy 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.
- (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. (emphasis added)

LUP Policy 9.11 Shoreline Development

Locate new development (with the exception of coastal-dependent uses or public recreation facilities) in areas where beach erosion hazards are minimal and where no additional shoreline protection is needed. (emphasis added)

Applicable Zoning Regulation:**Zoning Regulation Section 6326.4. SLOPE INSTABILITY AREA CRITERIA**

The following criteria shall apply within all areas defined as highly unstable on the Landslide Susceptibility Areas Map:

(a) The following uses shall be prohibited: structures designed or intended for relatively dense human occupancy, including but not limited to multiple residential uses, schools and hospitals, critical public services and high-risk facilities, including but not limited to fire and police stations, emergency relief storage facilities, water storage tanks, dams, and power plants.

(b) This area may contain areas suitable for low-density residential uses, such as single-family detached residential dwellings. However, such developments shall not be permitted unless the applicant demonstrates that no other locations less susceptible to such hazards are reasonably available on the site for development, and through detailed geologic site investigations and adequate engineering design, that proposed locations are suitable for the uses proposed, and that direct damage to such uses or indirect threat to public health and safety would be unlikely.

(c) The applicant shall demonstrate that the development will not contribute to the instability of the land and that all structural proposals including excavation, access roads and other pavement have adequately compensated for soils and other subsurface conditions.

263 Nevada, Moss Beach, California



**Project Registered under
LEED® for Homes™**

[illegible]



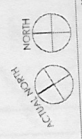
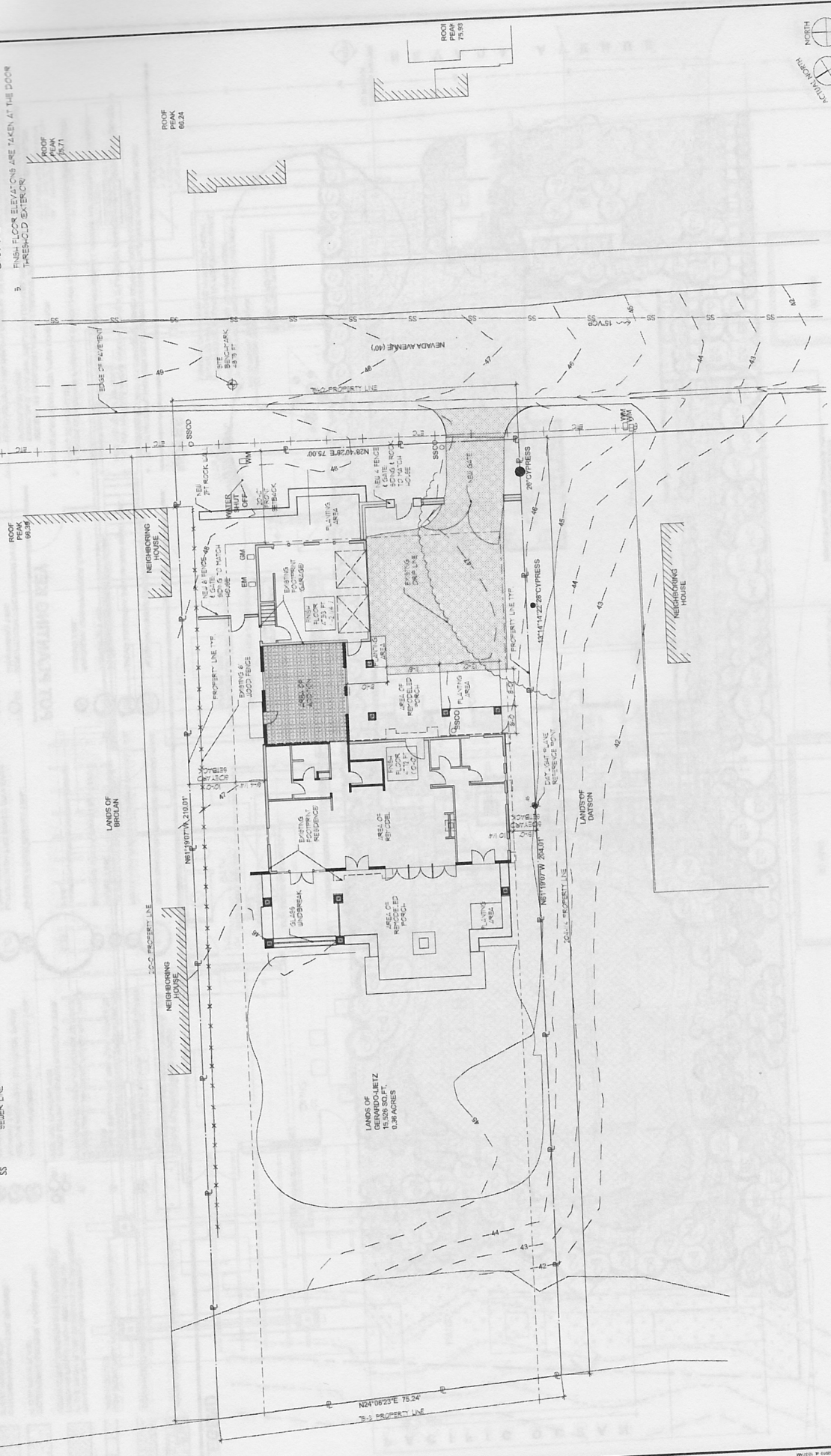
TOPOGRAPHIC SURVEY NOTES

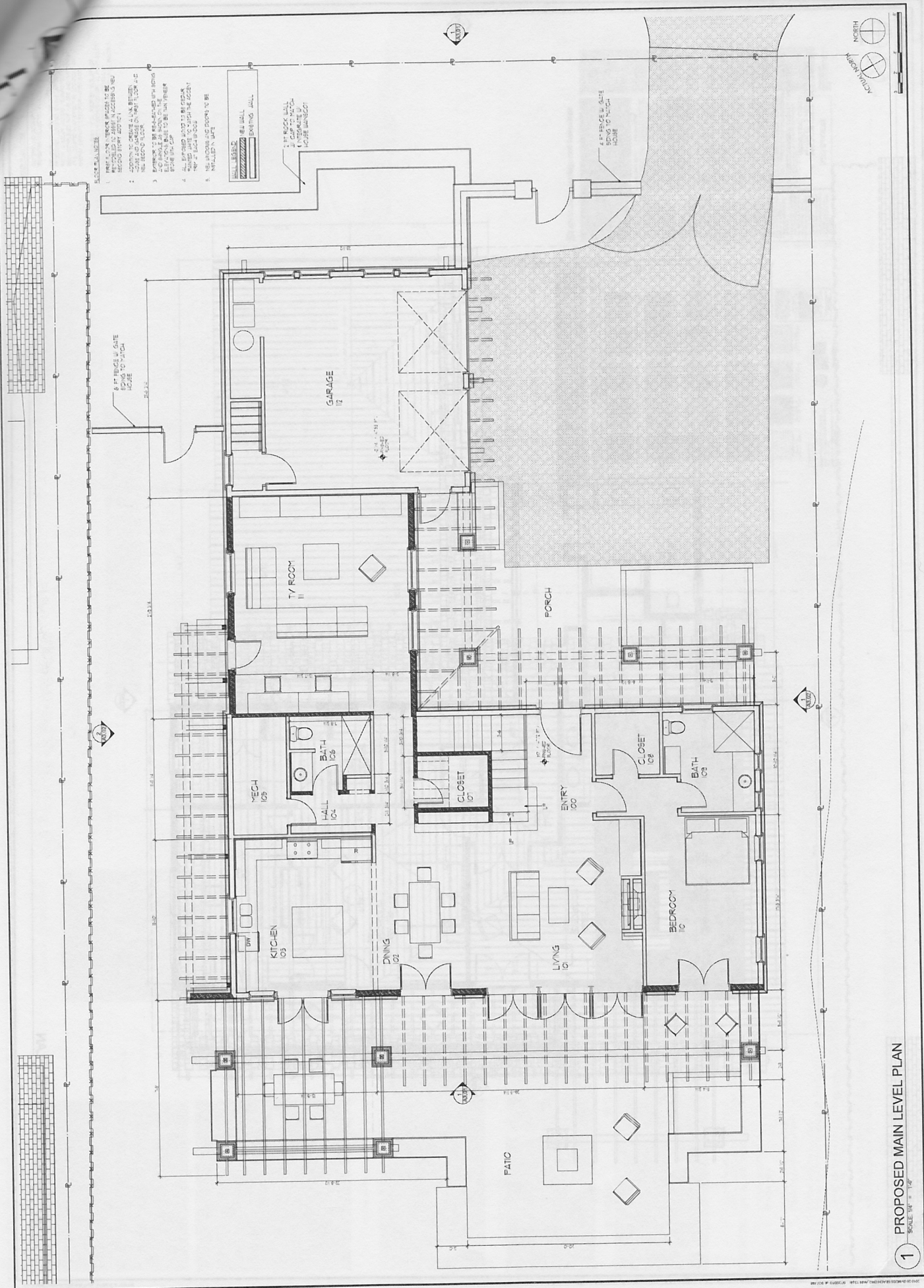
1. THIS STRUCTURE LOCATION AND ELEVATION WAS BASED ON A GROUND SURVEY PREPARED BY L. BRAZE ENGINEERING, INC. IN MARCH 1990.
2. SPOT ELEVATIONS AND CONTOURS SHOWN FROM A BENCHMARK ON NEVADA AVE. ASSUMED ELEVATION 48.75 FEET.
3. UNLESS OTHERWISE NOTED, TRUCK DRIVEWAYS AND GARAGES ARE SHOWN.
4. THE EXISTING GARAGE AND HOUSE WAS MEASURED FOR THE EXISTING FOOTPRINT SHOWN ON THE DRAWING AT GROUND LEVEL.
5. FINISH FLOOR ELEVATIONS ARE TAKEN AT THE DOOR THRESHOLD EXTERIOR.

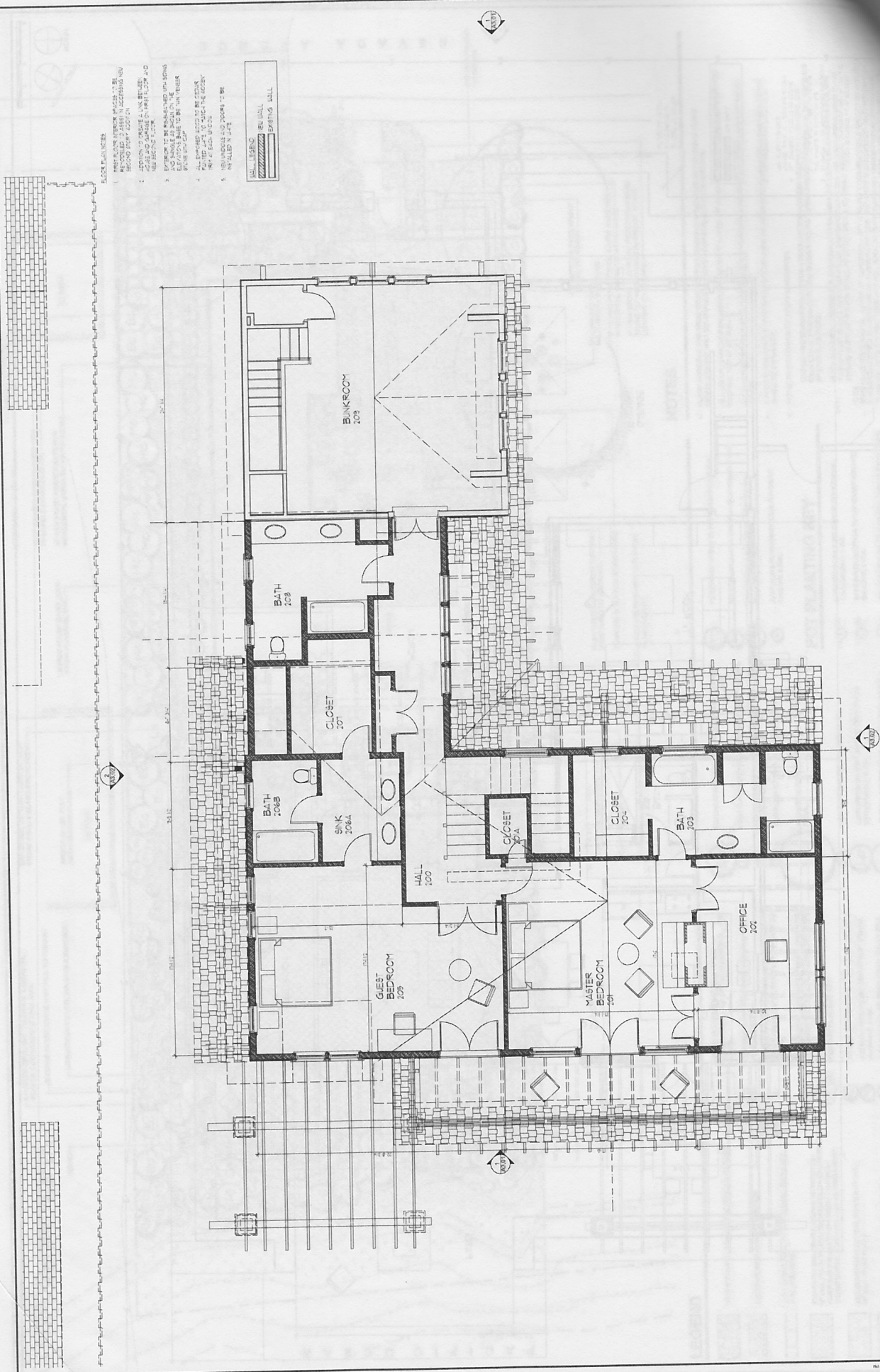
- ## SITE PLAN SHEET NOTES
1. THERE ARE NO TREES TO BE REMOVED FROM THE SITE.
 2. HOUSE & GARAGE RELOCATED TO EXISTING LOCATIONS WITH ONLY MINOR CHANGES TO FOOTPRINT.
 3. GRADING:
 - TO 50' TO BE REMOVED FROM SITE
 - TO 50' TO BE BROUGHT INTO SITE
 - TO 50' YARDS +/- TO BE DEFERRED
 - FOR NEIL LANDSCAPE DESIGN (SEE SHEET J)

WATER METER
 GAS METER
 ELECTRIC METER
 EM
 AREA DRAIN
 AD
 SANITARY SEWER CLEANOUT
 SSCO
 ETC
 SEWER LINE
 SS

BEACH STREET (60')







1 PROPOSED UPPER LEVEL PLAN
SCALE 1/4" = 1'-0"

PROPOSED EXTERIOR ELEVATION NOTES:

NOTE: ALL OF THE EXTERIOR IS RE-SHEATHED TO COORDINATE WITH THE SECOND FLOOR ADDITION AND CREATE A UNIFIED EXTERIOR DESIGN

WAINSCOT: ROCK CARDEROCK THIN VENEER (7' BROWN BLUE BROWN GRAYS (GREENS))

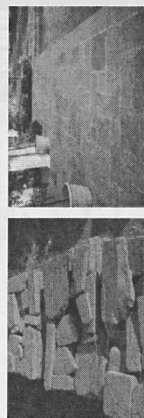
PAVERS: FULL RANGE BLUESTONE (7' BROWN BLUE BROWN GRAYS (GREENS))

SHINGLE: HARDIE SINGLE STAGGERED EDGE NOTCHED PANEL COLOR: MONTEREY TAPE

SHINGLES: HARDIE ARTISAN LAP SHINGLES COLOR: MONTEREY TAPE

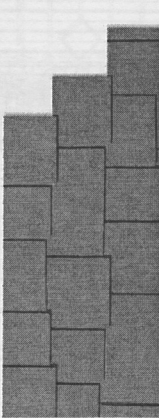
TRIM: HARDIE TRY COLOR: ARCTIC WHITE

EXPOSED WOOD: PCC OR RECLAIMED CEDAR PAINTED COLOR: COLUMBIA KELLY "COCOA MOSS" MATCHES HARDIE ARCTIC WHITE



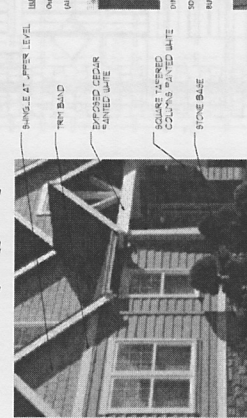
BLUESTONE

CARDEROCK



CARDEROCK

SHINGLE: HARDIE SINGLE STAGGERED EDGE NOTCHED PANEL



SHINGLE: HARDIE SINGLE STAGGERED EDGE NOTCHED PANEL

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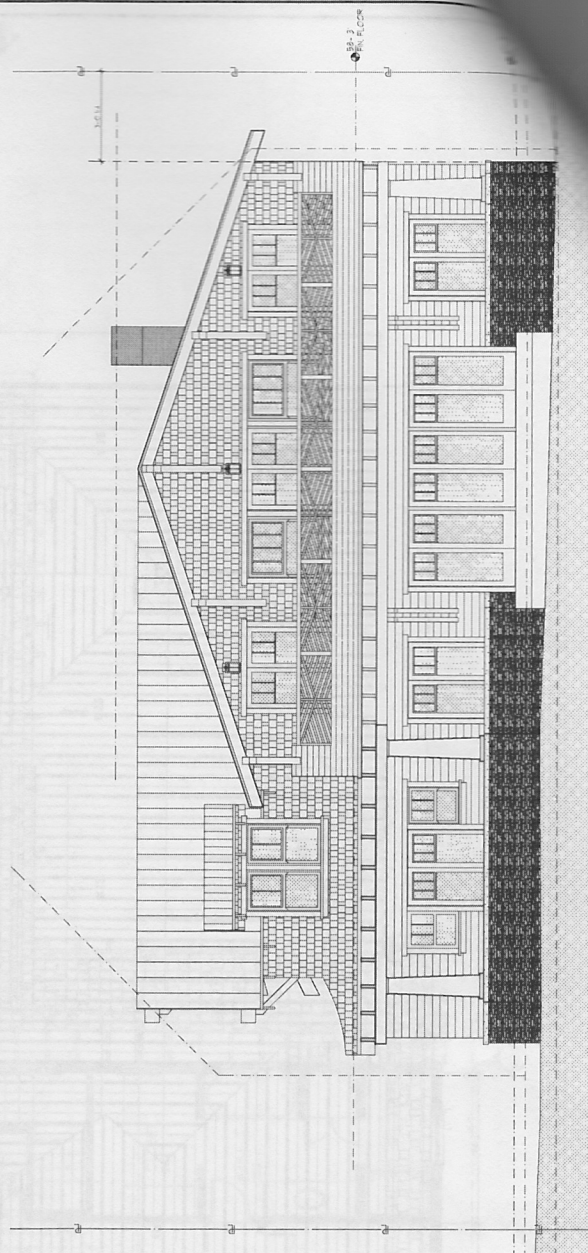
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2 EAST - STREET ELEVATION

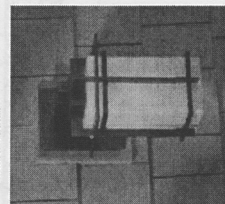
SCALE 1/4" = 1'-0"



1 WEST - OCEAN ELEVATION

SCALE 1/4" = 1'-0"

TYPICAL DECORATIVE EXTERIOR LIGHT FIXTURE



ILLUMINATION: LUMENS
Outdoor lighting with glass options, named "ThruView"
(Aluminum finish with Copper Dark Smoke Finish 837 and "Stone" Gray)



SHINGLE: HARDIE SINGLE STAGGERED EDGE NOTCHED PANEL

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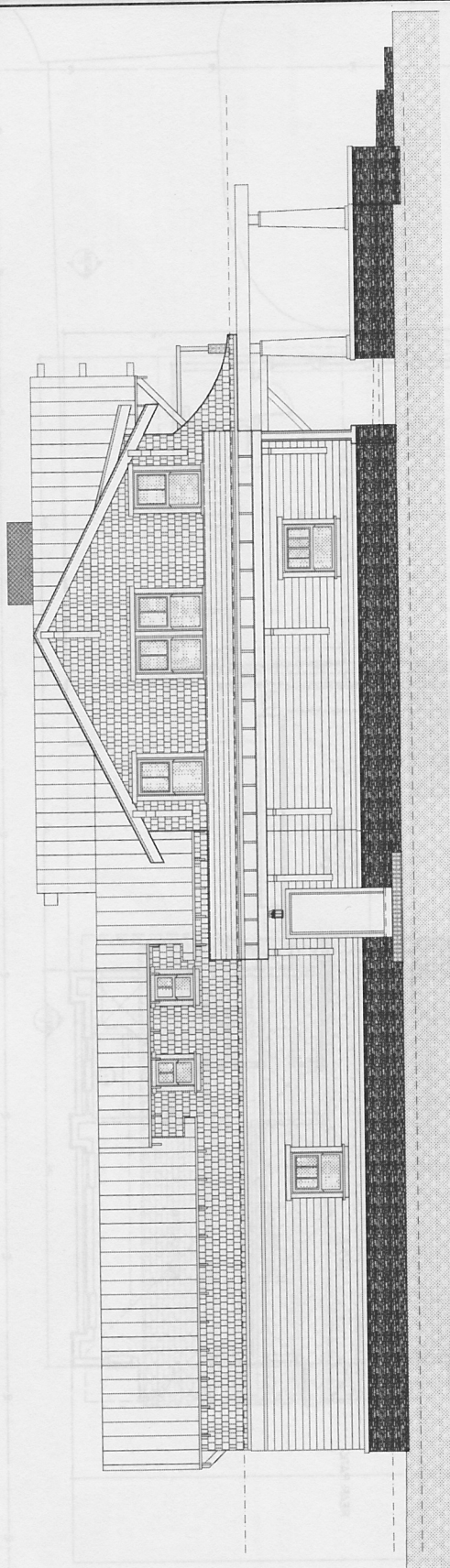
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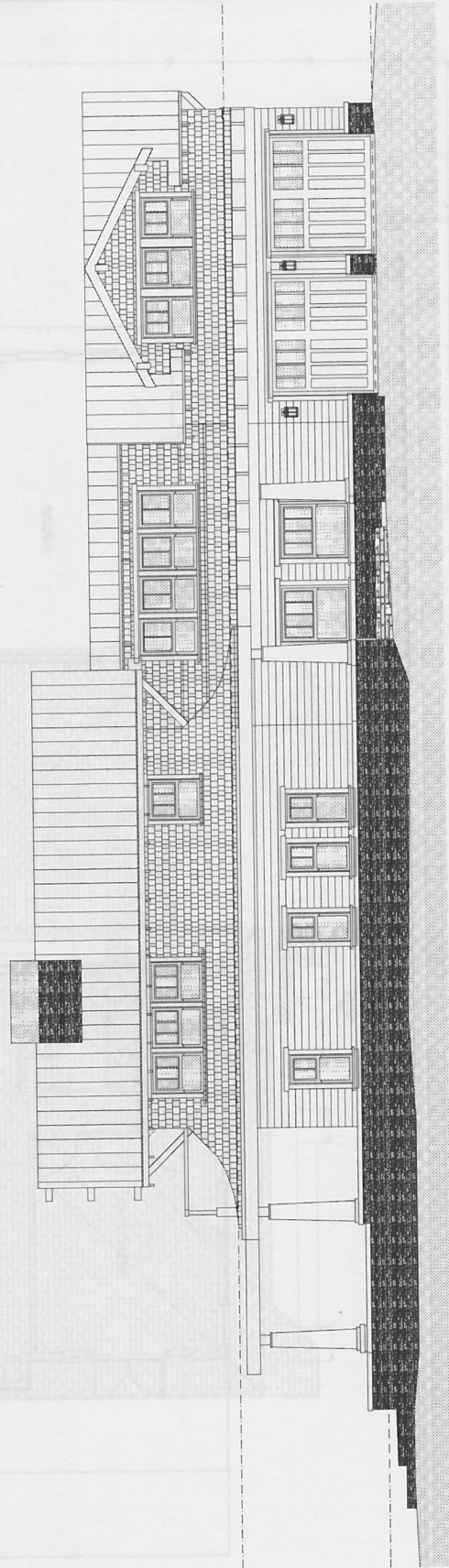
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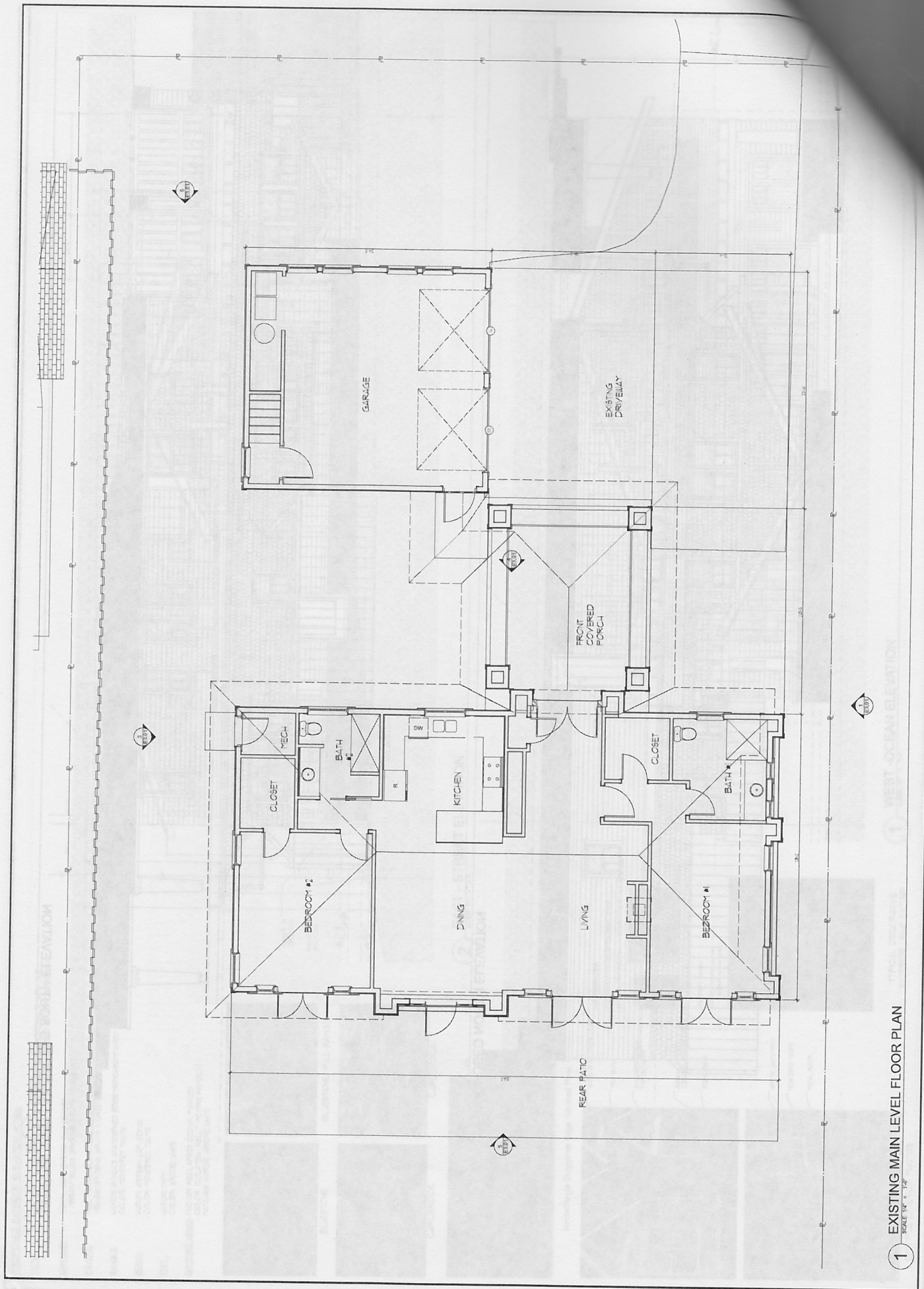
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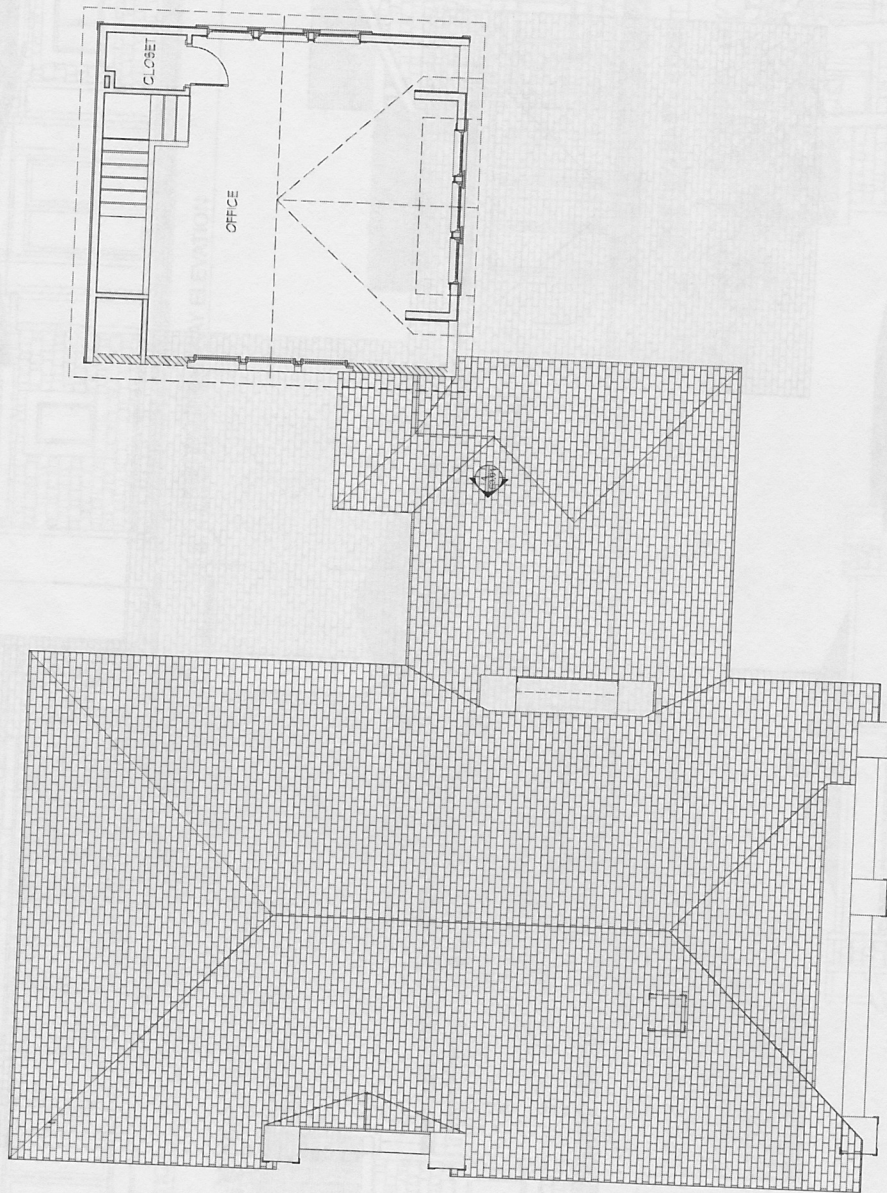


2 PROPOSED NORTH ELEVATION
SCALE 1/8" = 1'-0"

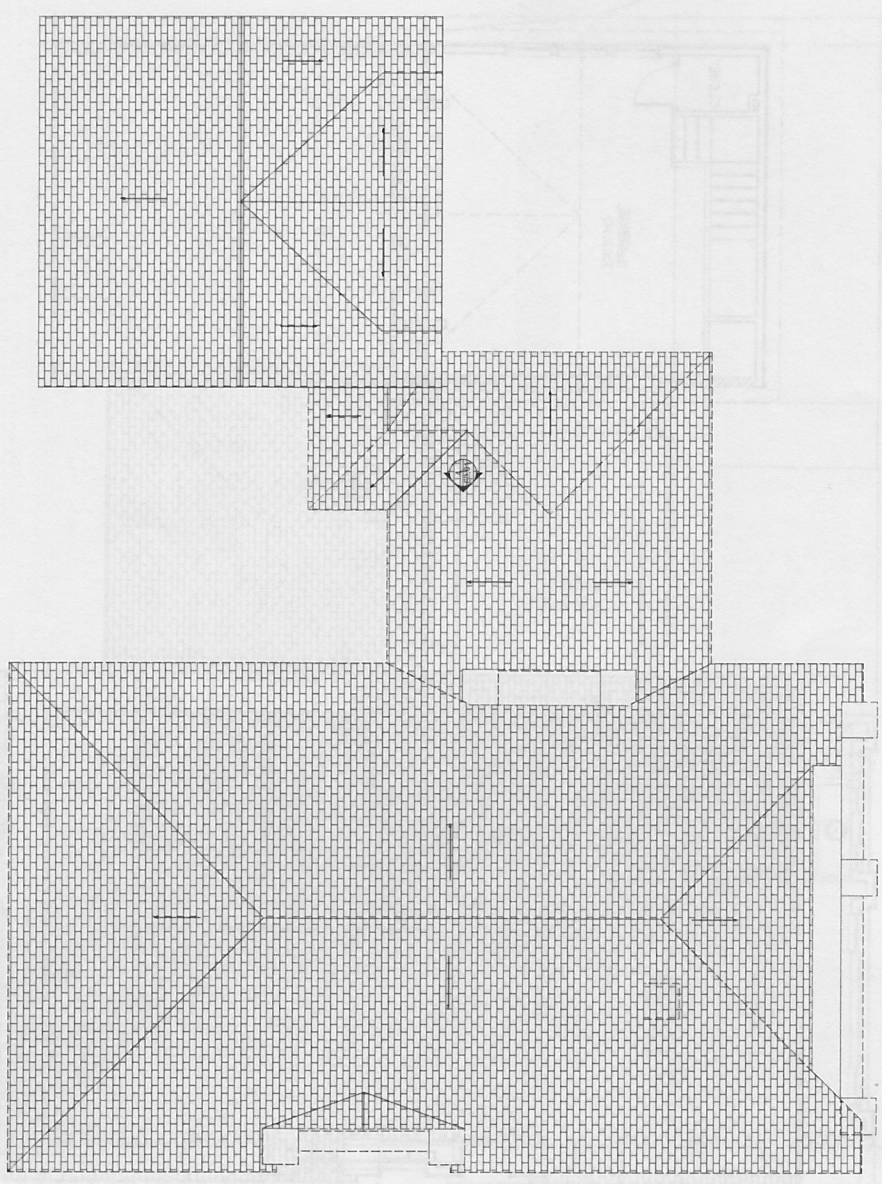


1 PROPOSED SOUTH ELEVATION
SCALE 1/8" = 1'-0"

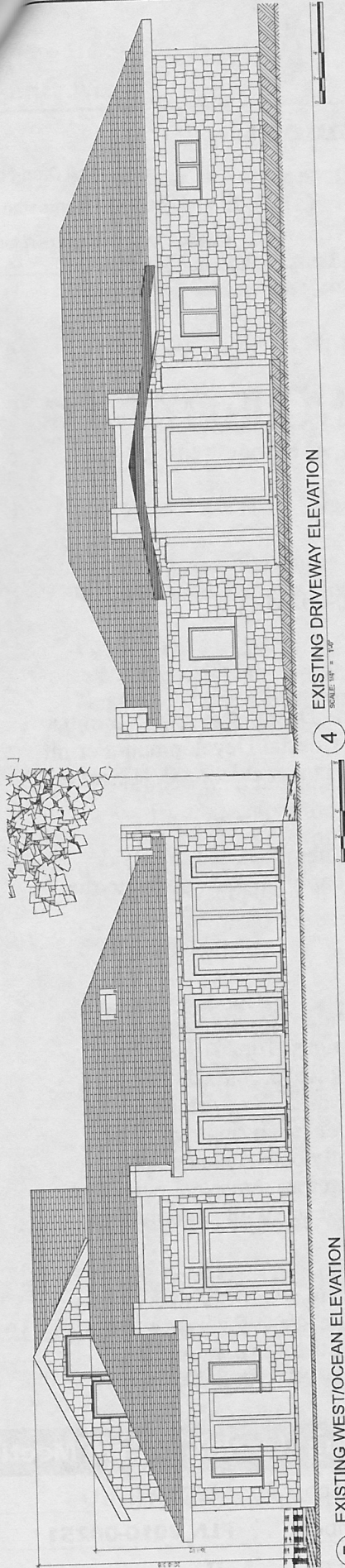




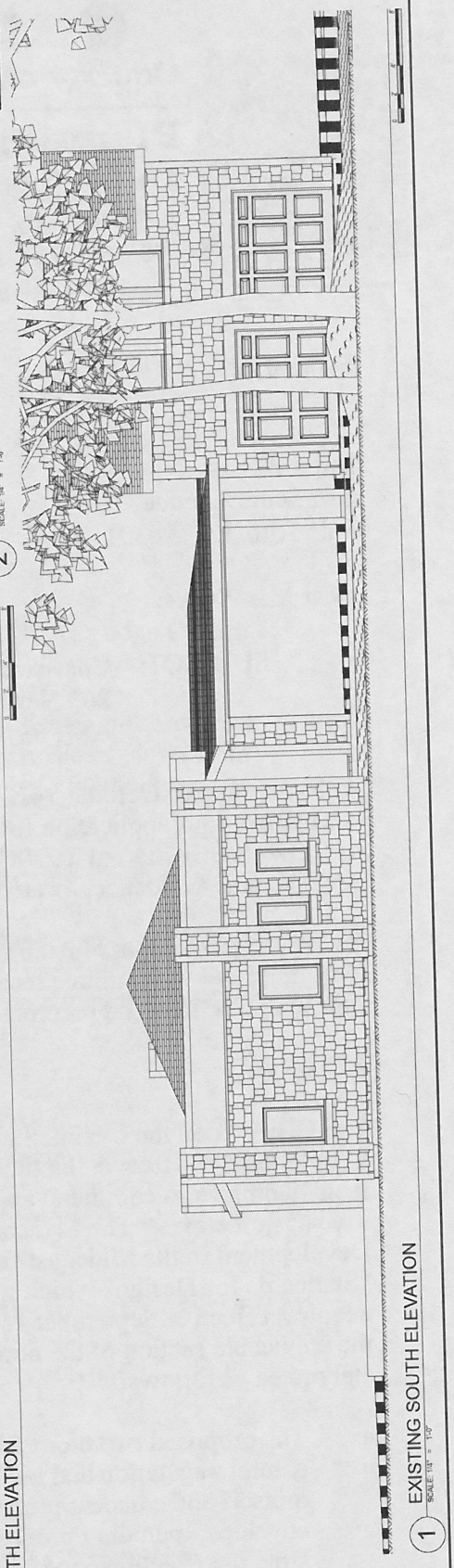
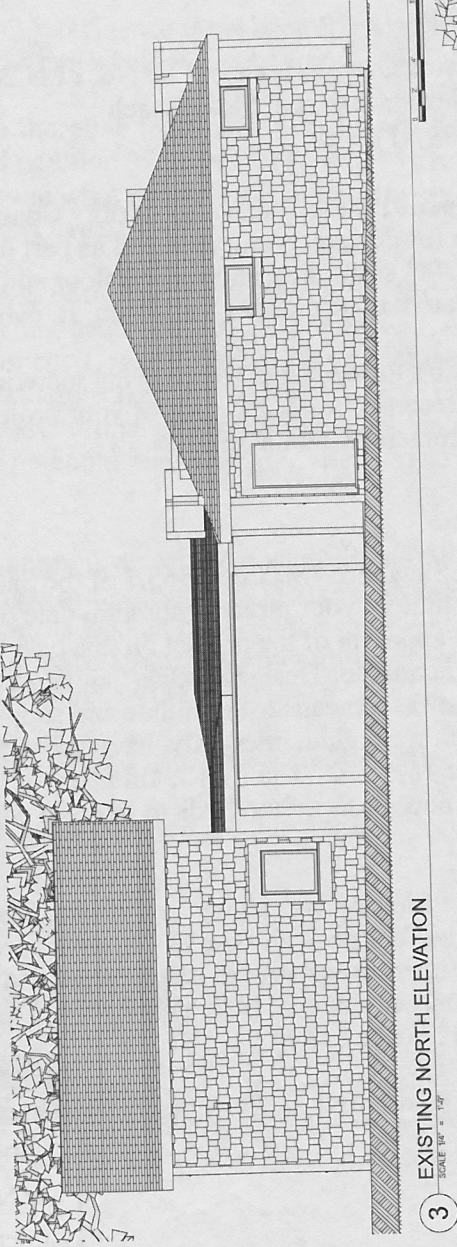
1 EXISTING UPPER LEVEL FLOOR PLAN
SCALE 1/8" = 1'-0"



1 EXISTING ROOF PLAN
SCALE: 1/4" = 1'-0"



4 EXISTING DRIVEWAY ELEVATION
SCALE 1/8" = 1'-0"





A CANNOT see 263 Nevada from this location



B CANNOT see 263 Nevada from this location



C CANNOT see 263 Nevada from this location



D CANNOT see 263 Nevada from this location



E CANNOT see 263 Nevada from this location



F CANNOT see 263 Nevada from this location



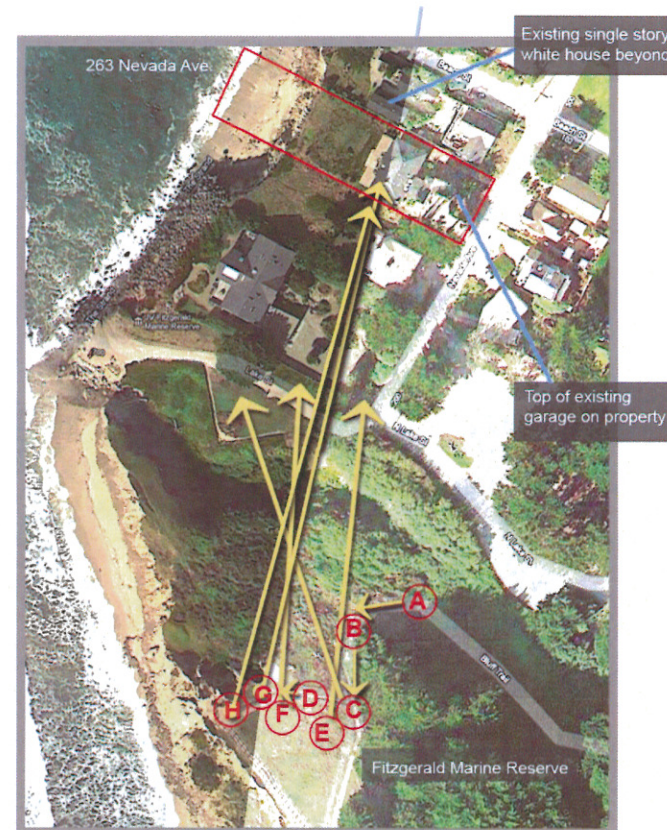
G CAN see 263 Nevada from this location

SEE VISUAL ANALYSIS EXHIBIT #2



H CAN see 263 Nevada from this location

SEE VISUAL ANALYSIS EXHIBIT #4



CAN begin to see 263 Nevada ← → CANNOT see 263 Nevada

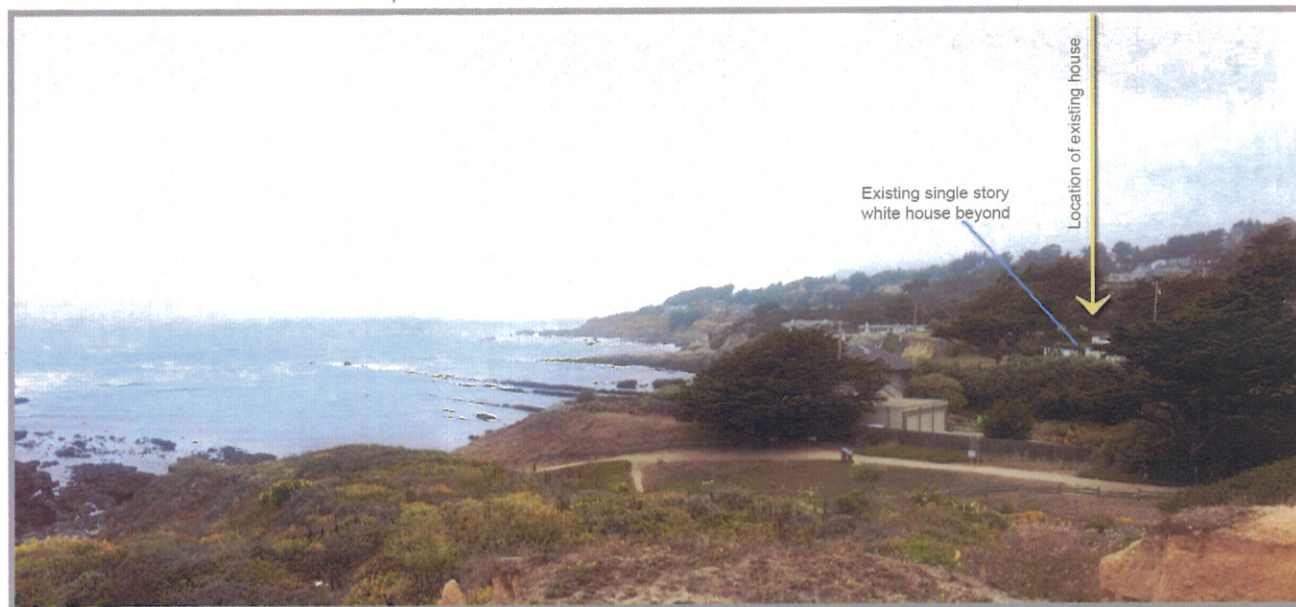
Visual Analysis - Exhibit 1

Key Map - Views A Through H

263 Nevada Ave., Moss Beach, CA
Appeal # A-2-SMC-11-044



View "H" From Path Toward Proposed House Addition



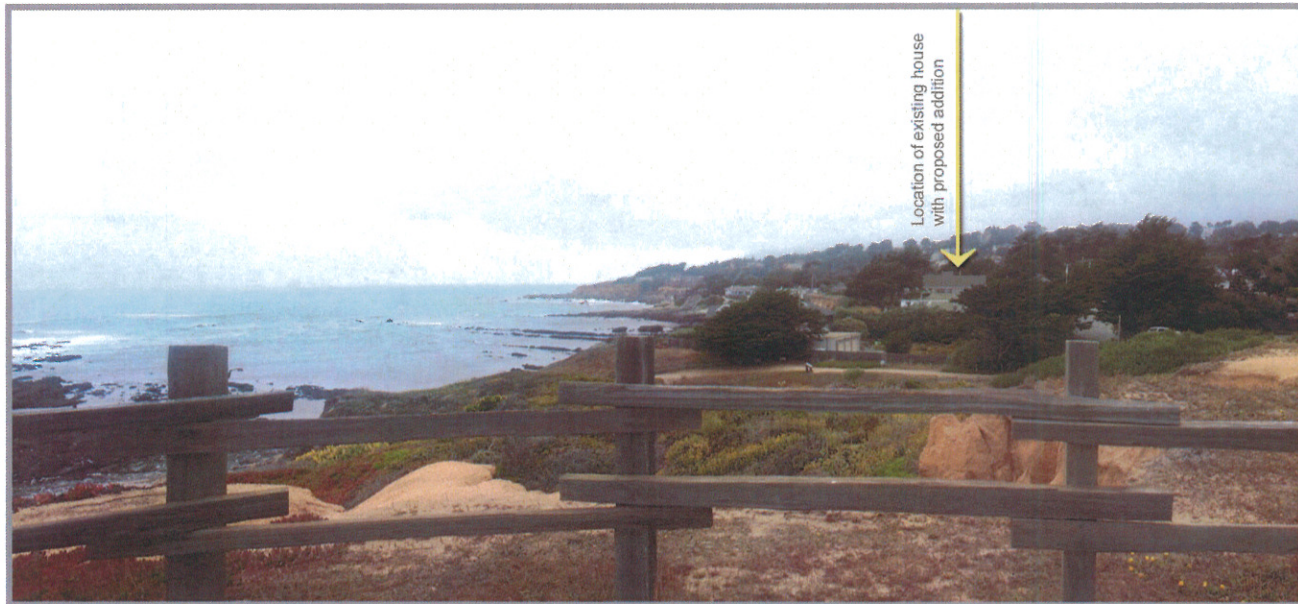
View "H" From Path Toward Existing House



Visual Analysis - Exhibit 2

263 Nevada Ave., Moss Beach, CA

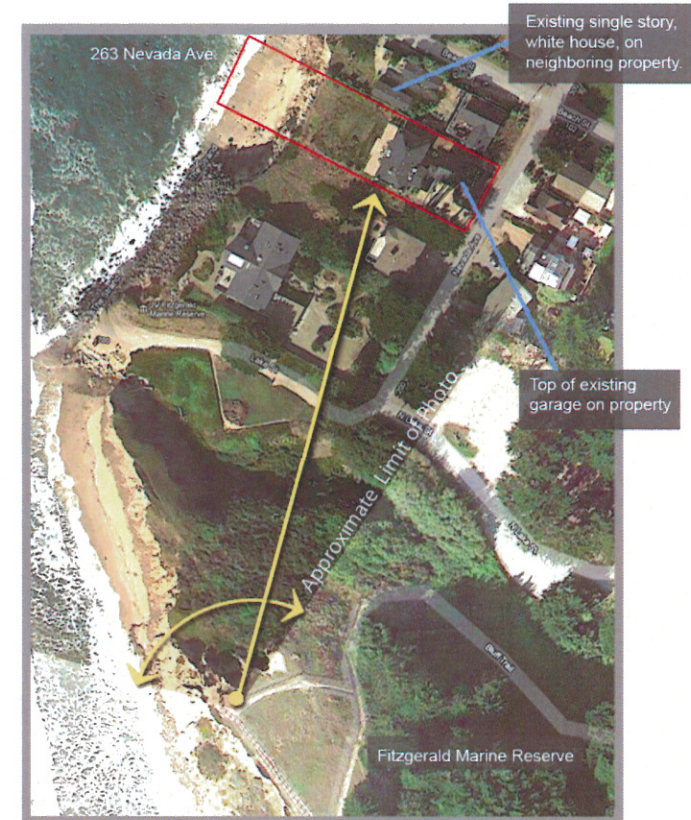
Appeal # A-2-SMC-11-044



View "G" From Path Toward Proposed House Addition

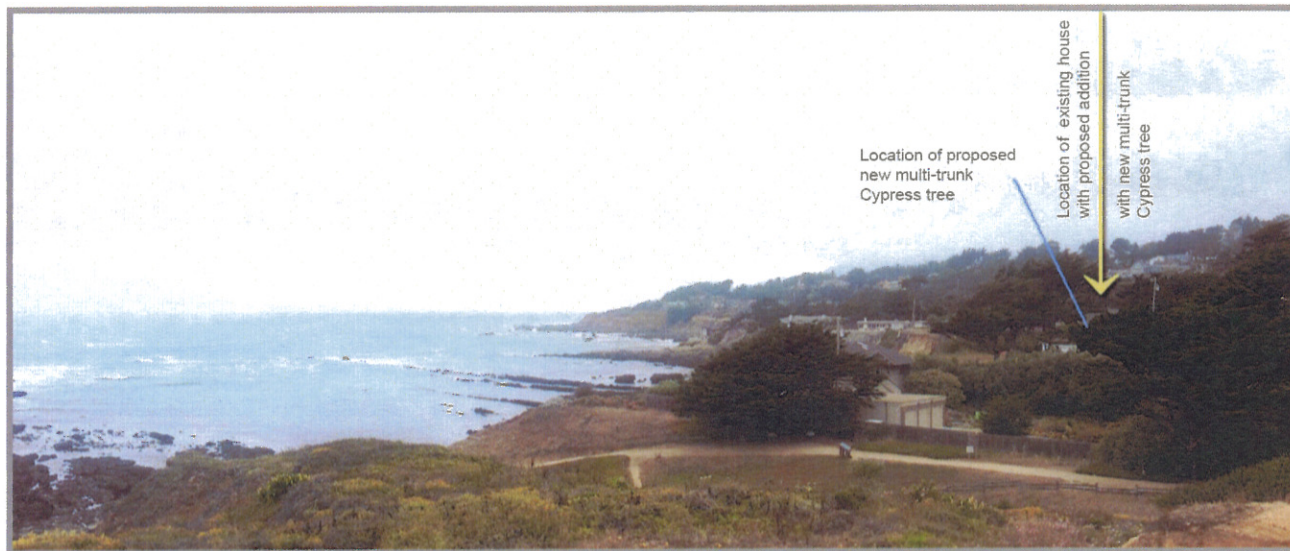


View "G" From Path Toward Existing House

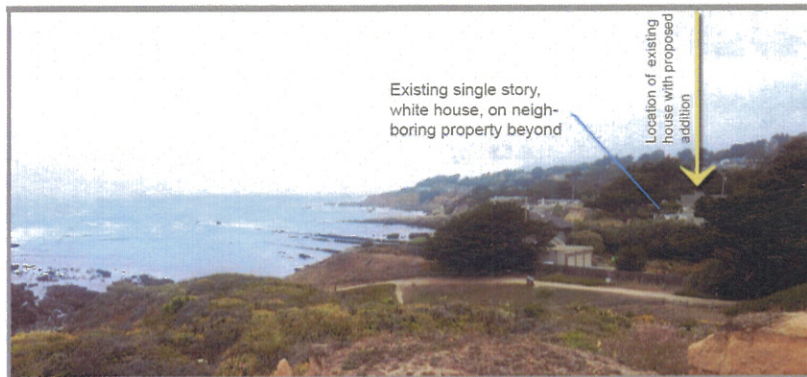


Visual Analysis - Exhibit 3

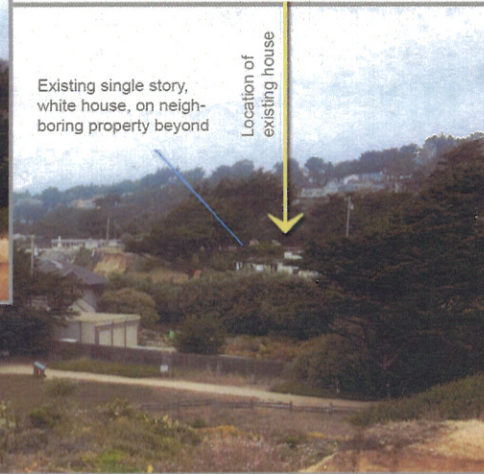
263 Nevada Ave., Moss Beach, CA
Appeal # A-2-SMC-11-044



View "G" From Path Toward Existing House That Shows Proposed House Addition And The New Multi-Trunk Cypress Trees - Plus The Proposed New Multi-Trunk Cypress Tree



View "G" From Path Toward Existing House That Shows Proposed House Addition and the Existing Cypress Trees (From Exhibit #2)



View "G" From Path Toward Existing House That Shows Existing Cypress Trees (From Exhibit #2)



Visual Analysis - Exhibit 4

Proposed new multi-trunk Cypress Tree

263 Nevada Ave., Moss Beach, CA

Appeal # A-2-SMC-11-044

Applicable San Mateo County LCP and Coastal Act Policies

Hazards Policies

LCP 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.

LCP 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.*

LCP Policy 9.11 (Shoreline Development) states:

Locate new development (with the exception of coastal-dependent uses or public recreation facilities) in areas where beach erosion hazards are minimal and where no additional shoreline protection is needed.

LCP IP Section 6326.4 (SLOPE INSTABILITY AREA CRITERIA) states:

The following criteria shall apply within all areas defined as highly unstable on the Landslide Susceptibility Areas Map:

(a) *The following uses shall be prohibited: structures designed or intended for relatively dense human occupancy, including but not limited to multiple residential uses, schools and hospitals, critical public services and high-risk facilities, including but not limited to fire and police stations, emergency relief storage facilities, water storage tanks, dams, and power plants.*

(b) *This area may contain areas suitable for low-density residential uses, such as single-family detached residential dwellings. However, such developments shall not be permitted unless the applicant demonstrates that no other locations less susceptible to such hazards are reasonably available on the site for development, and through detailed geologic site investigations and adequate engineering design, that proposed locations are suitable for the uses proposed, and that direct damage to such uses or indirect threat to public health and safety would be unlikely.*

(c) *The applicant shall demonstrate that the development will not contribute to the instability of the land and that all structural proposals including excavation, access*

roads and other pavement have adequately compensated for soils and other subsurface conditions.

LCP IP Section 6328.15 (FINDINGS) states:

A Coastal Development Permit shall be approved only upon the making of the following findings:

- (a) That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.*
- (b) 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).*
- (c) That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program.*
- (d) That the number of building permits for construction of single-family residences other than for affordable housing issued in the calendar year does not exceed the limitations of Policies 1.22 and 1.23 as stated in Section 6328.19.*

Visual Resources

LCP 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.*

LCP Policy 8.5 (Location of Development) states, in part:

- 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 enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150% of the pre-existing floor area, or 2,000 sq. ft., whichever is greater.

[....]

LCP Policy 8.12 (General Regulations) states:

- a. *Apply the Design Review (DR) Zoning District to urbanized areas of the Coastal Zone.*
- b. *Employ the design criteria set forth in the Community Design Manual for all new development in urban areas.*
- c. *Locate and design new development and landscaping so that ocean views are not blocked from public viewing points such as public roads and publicly-owned lands.*

LCP Policy 8.13 (Special Design Guidelines for Coastal Communities) states, in part:

The following special design guidelines supplement the design criteria in the Community Design Manual:

- a. *Montara-Moss Beach-El Granada*
- (1) *Design structures which fit the topography of the site and do not require extensive cutting, grading, or filling for construction.*
- (2) *Employ the use of natural materials and colors which blend with the vegetative cover of the site.*
- (3) *Use pitched, rather than flat, roofs which are surfaced with nonreflective materials except for the employment of solar energy devices.*
- (4) *Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urbanscape.*

(5) *To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and other public viewpoints between Highway 1 and the sea. Public viewpoints include coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches. This provision shall not apply in areas west of Denniston Creek zoned either Coastside Commercial Recreation or Waterfront.*

(6) *In areas east of Denniston Creek zoned Coastside Commercial Recreation, the height of development may not exceed 28 feet from the natural or finished grade, whichever is lower.*

[....]

Sensitive Habitat

LCP Policy 7.1 (Definition of Sensitive Habitats) states:

Define sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable and any area which meets one of the following criteria: (1) habitats containing or supporting rare and endangered species as defined by the State Fish and Game Commission, (2) all perennial and intermittent streams and their tributaries, (3) coastal tide lands and marshes, (4) coastal and offshore areas containing breeding or nesting sites and coastal areas used by migratory and resident water-associated birds for resting areas and feeding, (5) areas used for scientific study and research concerning fish and wildlife, (6) lakes and ponds and adjacent shore habitat, (7) existing game and wildlife refuges and reserves, and (8) sand dunes.

Sensitive habitat areas include, but are not limited to, riparian corridors, wetlands, marine habitats, sand dunes, sea cliffs, and habitats supporting rare, endangered, and unique species.

LCP Policy 7.3 (Protection of Sensitive Habitats) states:

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

Coastal Act Policies:

Section 30210 Access; recreational opportunities; posting

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities

shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 Development not to interfere with access

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

Section 30212 New development projects

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(b) For purposes of this section, "new development" does not include:

- (1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.*
- (2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.*
- (3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.*
- (4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.*
- (5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.*

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

- (c) *Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.*

Public Access

LCP Policy 10.1 (Permit Conditions for Shoreline Access) states:

Require some provision for shoreline access as a condition of granting development permits for any public or private development permits (except as exempted by Policy 10.2) between the sea and the nearest road. The type of provision, the location of the access and the amount and type of improvements required shall be consistent with the policies of this component.

LCP Policy 10.3 (Definition of Shoreline Access) states:

Define shoreline access as the provision of access for the general public from a public road to and along the shoreline. Classify shoreline access into two types: vertical and lateral.

a. *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. Call passageways which provide vertical access trails.*

b. *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.*

LCP Policy 10.17 (Lateral Access (Shoreline Destinations) With Coastal Bluffs) states:

a. *Provide access for the general public between the mean high tide line and the base of the bluff where there is adequate room for public use.*

b. *Because of scenic or recreational value, provide a pathway with a right-of-way at least 25 feet in width, which allows feasible unobstructed public access along the top of the bluff when no public access will be provided to the area between the mean high tide line and the base of the bluff because of safety and/or other considerations, and/or when the Site Specific Recommendations for Shoreline Destinations (Table 10.6) requires one.*

c. *Require bluff top setbacks, based upon site specific geologic and erosion conditions, to ensure safe and continued use.*

IP Development and Design Standards

LCP IP Section 6300.2 (REGULATIONS FOR “S-17” COMBINING DISTRICT (MIDCOAST)), states:

The following regulations shall apply in any single-family residential district with which the “S-17” District is combined.

- 1. Building Site Width. The minimum building site width shall be an average of 50 feet.*
- 2. Building Site Area. The minimum building site area shall be 5,000 sq. ft.*
- 3. Building Setbacks. The minimum setbacks shall be:*

Front Setback - 20 feet

Rear Setback - 20 feet

Side Setback - For structures 16 feet in height or less: 5 feet each side.

For structures over 16 feet in height: combined total of 15 feet with a minimum of 5 feet on any side.

In any area where the “S-17” District is combined with the “DR” District, the minimum side yard setback may be reduced to provide for creative design concepts such as “zero” side yard setbacks provided that: (1) the Design Review Committee approves, (2) the application involves joint development of two or more adjacent parcels, (3) the total side yard requirement is met and (4) a minimum side yard of 5 feet is maintained adjacent to any parcel not included with the application.

- 4. Parcel Coverage. The maximum parcel coverage shall be:*

a. For structures 16 feet in height or less: 50%.

b. For structures greater than 16 feet in height: 35%.

Parcel coverage shall include all: (1) buildings, (2) accessory buildings, or (3) structures such as patios, decks, balconies, porches, bridges, and other similar uses which are eighteen (18) inches or more above the ground.

- 5. Building Floor Area. The maximum building floor area shall be established according to the following table.*

Parcel Size Maximum Building Floor Area

2,500 - 4,749 sq. ft., or less than 45 feet parcel width - 0.48 (parcel size)

4,750 - 4,999 sq. ft. - 0.53 - ((5,000-parcel size) x 0.0002) x parcel size

5,000 - 11,698 sq. ft. - 0.53 (parcel size)

More than 11,698 sq. ft. - 0.62 (parcel size)

The maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a building site. Maximum building floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

6. Building Height. The maximum building height shall be established, as follows:
a. Up to 30% Slope. Where the average slope of the parcel area covered by the main residence is less than 30%, maximum building height is 28 feet.

[....]

LCP IP Section 6565.20(D) states:

[...]

3. Roof Design

Roof shape and type can be the most obvious elements in defining the appearance of a house and a neighborhood. When designing a new home or an addition, it is important to consider the massing of roof forms and neighborhood roof patterns and compatibility.

a. Massing and Design of Roof Forms

Discussion: *The mass of a roof and how it is articulated into different shapes contributes to the character of a house. Most houses with sloped roofs, and many with flat roofs, have a primary roof form and smaller secondary and minor forms that contribute to the overall style of the house. Evaluate the massing of the roof form and determine how it will benefit the appearance of the house and be compatible with the neighborhood.*

Standards:

(1) When planning a new home or second story addition, begin with a primary roof form. Consider additions to the primary roof such as secondary roof forms and dormers that may serve to reduce the home's apparent mass and scale, provide visual interest and have an appropriate number of roof forms. Additional roof forms shall be architecturally compatible with the primary roof form's slope and material.

(2) Pitched roofs are encouraged; flat roof designs may be acceptable if the height does not exceed 22 feet from existing grade for the flat roof portion, the flat roof portion does not exceed 20% of the total roof area, and it is compatible with neighboring homes.

(3) Non-reflective roof materials and colors are encouraged. Solar panels are acceptable in appropriate locations where they will blend with the rest of the roof.

[....]

Th 126

Comments from appellants Ann Forrister and Casey Schaufler for the California Coastal Commission hearing regarding permit A-2-SMC-11-044 (263 Nevada Avenue, Moss Beach) December 13, 2012.



RECEIVED

DEC 07 2012

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COASTAL COMMISSION

South facing elevation superimposed on the existing structure. This picture was taken facing north from the northernmost bluff view point at the Fitzgerald Marine Reserve. The picture was taken October 13, 2012.

We would like to thank the California Coastal Commission staff for their report and recommendations. We are especially pleased by the recommendations regarding bluff setback and restriction of future potential coastal armoring. We have concern that one particular section of the local coastal program has not been adequately addressed. The relevant section from the Local Coastal Program is 8.13.a.4:

STRUCTURAL AND COMMUNITY FEATURES--URBAN AREAS AND RURAL SERVICE CENTER

8.13 Special Design Guidelines for Coastal Communities

The following special design guidelines supplement the design criteria in the Community Design Manual:

a. Montara-Moss Beach-El Granada

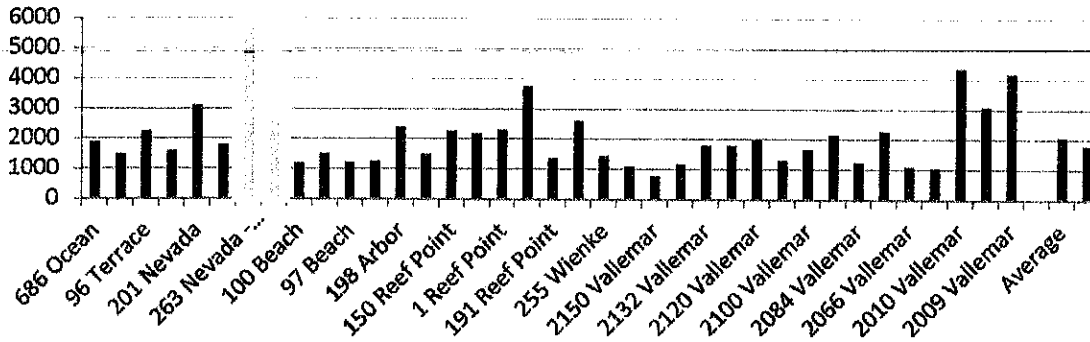
(4) Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban scape.

It is our belief that the staff recommendation does not address this section of the LCP satisfactorily. In particular, the scale of the proposed addition is out of character with the existing urban scape. Three graphs are offered in support of this position.

The resulting structure would be 2.7 times the average size of bluff top houses in Moss Beach. It would be 1,325 ft² larger than the next largest bluff top house. The fact that the house is situated on a large parcel changes the comparison slightly. The proposed expansion would be 2.1 times the average size of houses on large lots in the existing urban scape. The existing house at 263 Nevada already has the largest Floor Area Ratio (FAR) of any large lot structure, and after expansion would have an FAR of 3.1 times the average of large lot houses on the bluff top in Moss Beach.

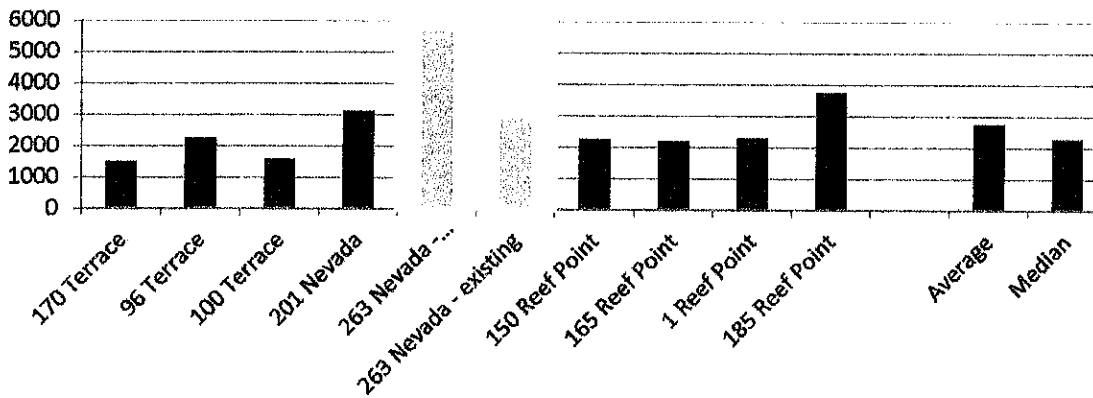
We ask that you deny a permit for the structure as designed or stipulate that you will permit only a smaller expansion of the current structure. The proposed house would be thoroughly out of character with the existing urban scape. If a permit is granted we would request that it be for a structure that is in keeping with the size of other structures in the urban scape. We base this request on the objective characteristics of absolute and relative sizes of structures.

House Size - All Bluff Top Houses in Moss Beach



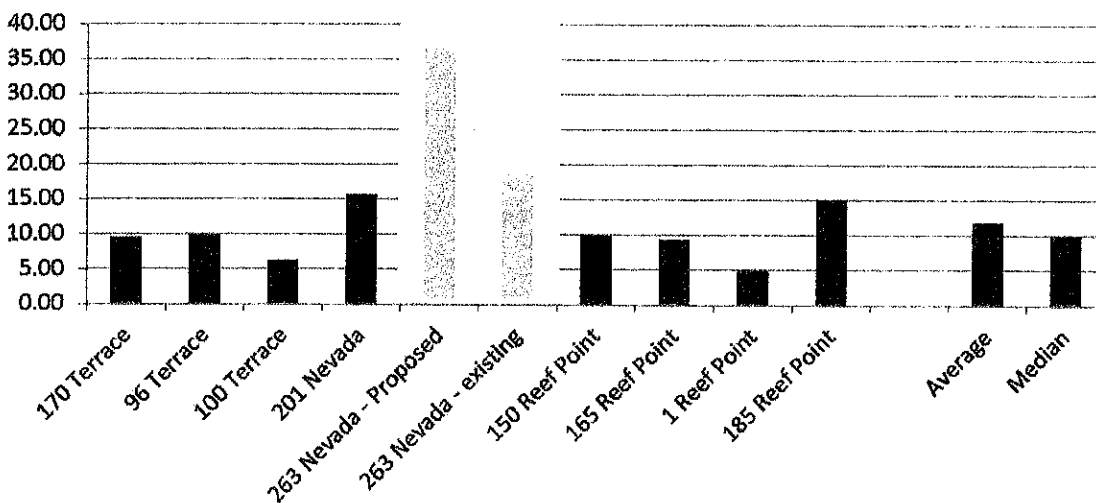
The proposed structure would be 2.7 times the 2,085 ft² average for bluff top houses in Moss Beach. It would be 1,325 ft² larger than the next largest house, 2010 Vallemar.

House Size - Large Lot Bluff Top Houses



Comparing only against other large lot (15,000 ft² or larger) properties shows the proposed structure would be 2.1 times the 2,769 ft² average. It would be 1,935 ft² larger than the next largest house, 185 Reef Point.

Floor Area Ratio - Large Lot Bluff Top Houses



The proposed project expands the house with the largest current FAR for similar lots by 48%. The new FAR would be 3.1 times the average for similar large lot (15,000 ft² or larger) bluff top properties in Moss Beach.

Th12b

From: **Ted Harris** <tharris@calstrat.com>

Date: Tue, Dec 11, 2012 at 3:22 AM

Subject: Th12b – 263 Nevada Avenue, Moss Beach - Existing Home Infill

To: "zimmerccc@gmail.com" <zimmerccc@gmail.com>

Commissioner Zimmer,

Hope you are doing well.

This Thursday a remodel and infill addition to the existing home and garage/coach house at 263 Nevada Ave, Moss Beach, San Mateo County will be before you. Please see the attached summary below.

We've worked with staff to address issue raised in the appeal and we are glad to report that staff is recommending approval with conditions <http://documents.coastal.ca.gov/reports/2012/12/Th12b-12-2012.pdf>, which we support.

Since the appeal to the Coastal Commission, the applicant has agreed to every request from CCC staff to address each item, including:

1. Conducted final geotechnical evaluations that demonstrate the home addition will be safely sited for its design life and will not rely on future shoreline protection.
2. Removed all proposed patio improvements seaward of existing home.
3. The applicant has agreed to no future shoreline protection
4. Provided supplemental visual impact simulations that show proposed improvements are consistent with the LCP and not visible from the beach or any public road, and barely visible and minimized from the Fitzgerald Marine Reserve Bluff.
5. This additional visual analysis and exhibits show that the project will not dominate or distract public viewpoints and will complement the character of the community and blend with the overall urban landscape and natural vegetation; see Exhibit 6 in the staff report.
6. The blended design and complementary landscaping are consistent with the community character.
7. The removal of the proposed patio improvements further minimizes visual impacts.
8. The agreement to prohibit future shoreline armoring permanently avoids potential future visual and biological impacts of rock revetment or other shoreline protections.

Hope you will support staff's recommendation to approve CDP A-2-SMC-11-044 on Thursday.

Please let us know if you have any questions.

My cell number is below and I'd love to connect beforehand if you can spare the time.

Thank you again!

Ted

Ted Harris, Principal
California Strategies, LLC
980 9th Street, Suite 2000
Sacramento, CA 95814
office: 916.266.4575
cell: 916.997.7715
tharris@calstrat.com

Th/2b

From: Ted Harris [mailto:tharris@calstrat.com]

Sent: Tuesday, December 11, 2012 2:09 AM

To: Dreher, Nicholas@Coastal

Subject: 263 Nevada Ave Summary

Hi Nick,

Thank you again for the well-prepared staff report and all of your time and work on this.

Please see a project summary below that I'm sharing with Commissioners FYI.

Please let me know if you have any comments or suggestions and anything further I can do to help.

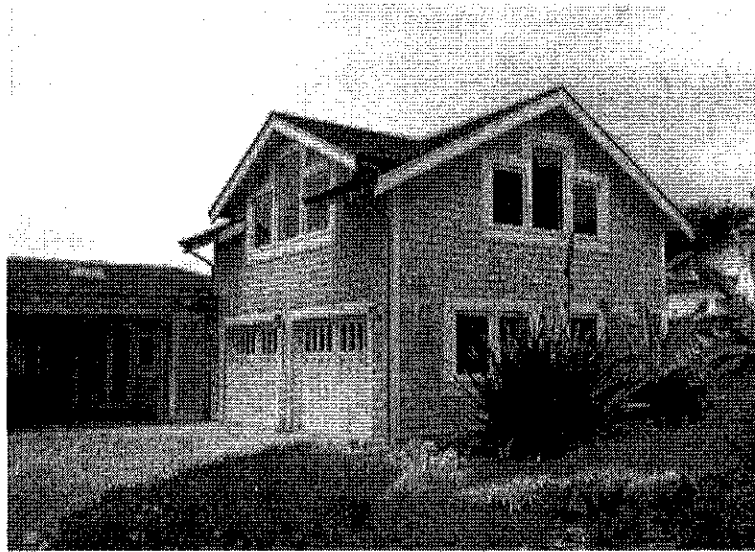
My cell is below. Please feel free to call anytime.

Thanks,

Ted

Ted Harris, Principal
California Strategies, LLC
980 9th Street, Suite 2000
Sacramento, CA 95814
office: 916.290.6152
cell: 916.997.7715
tharris@calstrat.com

**Th12b – 263 Nevada Avenue, Moss Beach
Existing Home Improvement**



Hearing Date:	December 13, 2012
Project Appeal No.:	A-2-SMC-11-044
Staff Recommendation:	Approval with Conditions
Request:	Support Staff Recommendation

Background

The project is the remodel and addition to the existing home and garage/coach house at 263 Nevada Ave, Moss Beach, San Mateo County.

The existing home at 263 Nevada Ave. includes living and dining rooms, 2 bedrooms, 2 baths, rear patio facing the ocean, and a front porch on the first floor and a two-car garage with a second floor level office space (a “coach” house) directly over the garage in front of the home, shown above. The proposed project adds a family room on the grade floor in the gap connecting the existing main house with the existing detached garage/coach house. A new second floor is added over the main house with a master bedroom, bath, office guest bedroom and bath and balcony.

Proposed design utilizes the existing structural foundation of the house and garage and:

- Does not expand the existing foundation toward the ocean or the street.
- Only slightly increases the footprint for the proposed infill connection between the existing house and existing clustered two-story garage/coach house.
- Does not impact existing views through the property from the street.
 - Existing second-story coach house already is in the view from the street
 - Proposed second-story improvements will be directly behind the existing second-story garage coach house.

The San Mateo Coastsides Design Review Committee Findings state that:

- The location "is setback from the bluff's edge to mitigate negative view impacts,"
- "Public views to and along the shoreline from public roads and other public lands are not impacted by the proposed addition."
- The project "harmonizes with the adjacent buildings"
- The setback design "blends with the natural vegetation and landforms of the site and insures adequate space for light and air to itself and adjacent properties,"
- The setback and blended design, including the proposed scale and massing, "harmonizes with the adjacent buildings" and was found consistent with all applicable community character and visual policies in the LCP.

The project will be one of the first LEED certified homes in the Half Moon Bay area, and the exterior of the proposed project includes a natural color pallet and a non-reflective roof.

Blending with the landscape and complementing the character of community were primary considerations throughout the design process. The shingled architectural style, site location, natural and varied materials, setback design elements, varied massing and scale, and natural colors designed for the site were continuously evaluated by the project team. Additional analyses, project changes, and conditions were achieved by working with local planners and agreeing to every request from Coastal staff.

Key Project Changes and Conditions

Since the appeal to the Coastal Commission, the applicant has worked with Coastal staff to fully address issues raised in the appeal, including:

Geotechnical evaluation and related project reductions and conditions:

1. Conducted final geotechnical evaluations that demonstrate the home addition will be safely sited for its design life and will not rely on future shoreline protection.
2. Removed all proposed patio improvements seaward of existing home.
3. The applicant has agreed to no future shoreline protection.

Visual resource design, landscaping, and project reduction and conditions:

4. Provided supplemental visual impact simulations that show proposed improvements are consistent with the LCP and not visible from the beach or any public road, and barely visible and minimized from the Fitzgerald Marine Reserve Bluff.
5. This additional visual analysis and exhibits show that the project will not dominate or distract public viewpoints and will complement the character of the community and blend with the overall urbanscape and natural vegetation; see Exhibit 6 in the staff report.
6. The blended design and complementary landscaping are consistent with the community character.
7. The removal of the proposed patio improvements further minimizes visual impacts.
8. The agreement to prohibit future shoreline armoring permanently avoids potential future visual and biological impacts of rock revetment or other shoreline protections.

Request

We respectfully request a yes vote for staff's recommendation to approve CDP A-2-SMC-11-044.