

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE

710 E STREET • SUITE 200

EUREKA, CA 95501-1865

VOICE (707) 445-7833

FAX (707) 445-7877



# F9b

Filed:	3/20/12
180 <sup>th</sup> day:	9/16/12
Staff:	M. Kraemer-E
Staff Report:	5/25/12
Hearing Date:	6/15/12

## STAFF REPORT: REGULAR CALENDAR

<b>Application No.:</b>	<b>1-12-010</b>
<b>Applicant:</b>	<b>Ilan Kinori and Laurel Lobovits</b>
<b>Agent:</b>	Royer Design/Build
<b>Location:</b>	1397 Buhne Drive, King Salmon, Humboldt County (APN 305-073-42).
<b>Project Description:</b>	Develop a two-story, 28-foot-tall structure housing a 996-square-foot first-floor transient habitation unit and a 944-square-foot second-story caretaker's unit.
<b>Staff Recommendation:</b>	Approval with conditions.

---

## SUMMARY OF STAFF RECOMMENDATION

The applicants propose to develop a transient habitation facility (two-bedroom vacation rental) and on-site caretaker's unit on an approximately 5,200-square-foot property located at 1397 Buhne Drive in the King Salmon area of Humboldt County (APN 305-073-42) (**Exhibits 1-3**). The standard of review for the proposed CDP application is the Coastal Act.

The property is currently developed with a single-story 576-square-foot residential structure. The applicants propose to develop a two-story, 28-foot-tall structure with a 996-square-foot, 2-bedroom, first-floor transient habitation unit, a 130-square-foot covered porch, and an attached

944-square-foot, 1-bedroom, second-story caretaker's unit. The proposed development also involves converting the existing 576-square-foot residential structure on the lot to a 13-foot-tall two-car garage. The existing structure would be moved from its current location near the western end of the lot to a proposed new concrete slab foundation on the eastern side of the lot. Project plans are attached as **Exhibit 4**.

The King Salmon subdivision, located on the shores of Humboldt Bay a few miles south of Eureka, consists of former tidelands that were partially filled during the mid-1900s and later subdivided, mostly into 25-foot-wide lots that were originally used for resort cabins. The subject lot, which is ~50-foot-wide and ~110 feet long/deep, is planned and zoned for Commercial Recreational uses under the Humboldt County LCP. The surrounding neighborhood is developed primarily with single-family residences of varying sizes and heights that display a variety of architectural styles.

Significant Coastal Act issues raised by this project include: a) protection of priority visitor-serving uses at the site; b) minimizing the risks associated with flood hazards in the area; and c) protection of water quality.

Staff believes that the project if conditioned as recommended below would be carried out consistent with the Coastal Act's policies protecting recreational and visitor-serving uses, hazards, visual resources, ESHA, and water quality. **Special Conditions 1** and **2** would ensure a priority commercial visitor-serving recreational use of the site and not allow changes to legally authorized uses without a new CDP or an amendment to this permit. **Special Conditions 4, 5, and 6** would minimize flood hazard risks by ensuring (respectively) that (a) the siting of the new structure will be at least 1 foot above base flood elevation, (b) the landowners assume the risks of flooding hazards to the property and waive any claim of liability on the part of the Commission, and (c) a tsunami safety plan is prepared and implemented so that guests and caretakers of the transient habitation facility understand the tsunami risk at the subject site and how to evacuate if necessary. **Special Conditions 8 and 9** would protect environmentally sensitive habitat areas and water quality by specifying landscaping restrictions and construction responsibilities, respectively. **Special Condition 3** would require recordation of a deed restriction that imposes the special conditions of this coastal development permit as covenants, conditions, and restrictions on the use of the property.

Commission staff recommends **approval** of coastal development application 1-12-010, as conditioned. The recommended motion and resolution are shown on page 4.

## TABLE OF CONTENTS

<b>I.</b>	<b>MOTION AND RESOLUTION</b>	<b><u>4</u></b>
<b>II.</b>	<b>STANDARD CONDITIONS</b>	<b><u>4</u></b>
<b>III.</b>	<b>SPECIAL CONDITIONS</b>	<b><u>5</u></b>
<b>IV.</b>	<b>FINDINGS AND DECLARATIONS</b>	<b><u>8</u></b>
	<b>A. PROPOSED PROJECT DESCRIPTION</b>	<b><u>8</u></b>
	<b>B. ENVIRONMENTAL SETTING</b>	<b><u>9</u></b>
	<b>C. OTHER AGENCY APPROVALS</b>	<b><u>9</u></b>
	<b>D. STANDARD OF REVIEW</b>	<b><u>9</u></b>
	<b>E. LOCATING AND PLANNING NEW DEVELOPMENT</b>	<b><u>9</u></b>
	<b>F. PROTECTION OF RECREATIONAL AND VISITOR-SERVING USES</b>	<b><u>10</u></b>
	<b>G. FLOOD HAZARDS</b>	<b><u>12</u></b>
	<b>H. VISUAL RESOURCES</b>	<b><u>14</u></b>
	<b>I. ENVIRONMENTALLY SENSITIVE HABITAT AREAS</b>	<b><u>15</u></b>
	<b>J. WATER QUALITY PROTECTION</b>	<b><u>16</u></b>
	<b>K. PUBLIC ACCESS</b>	<b><u>17</u></b>
	<b>L. CALIFORNIA ENVIRONMENTAL QUALITY ACT</b>	<b><u>18</u></b>

## APPENDICES

[Appendix A – Substantive File Documents](#)

## EXHIBITS

Exhibit 1 – Regional location map  
Exhibit 2 – Project vicinity map/Aerial photo  
Exhibit 3 – Assessor Parcel's Map  
Exhibit 4 – Project plans

## MOTION AND RESOLUTION

The staff recommends that the Commission adopt the following resolution:

### Motion:

*I move that the Commission approve coastal development permit 1-12-010 pursuant to the staff recommendation.*

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

### Resolution:

*The Commission hereby approves coastal development permit 1-12-010 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*

## I. 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 of interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment:** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land:** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

## II. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Future Development Restriction.** This permit is only for the development described in coastal development permit application 1-12-010. All development authorized by this permit must occur in strict compliance with the proposal set forth in the application for the permit as modified by the special conditions. Any change in the legally authorized uses of the approved new structure with a first floor transient habitation unit and a second floor caretaker's unit and use of the structure to be relocated and converted to a garage including, but not limited to, lease or use of the transient habitation unit for residential purposes, lease or use of the caretaker's unit by a tenant who is not a caretaker for the property, or any other changes to the proposed project and its approved uses may require a new coastal development permit or an amendment to this permit, unless the Executive Director determines that no amendment is legally required.
2. **Annual Reporting on the Use of the Structure for Transient Occupancy.** By May 1 of each year for the life of the authorized development beginning the first year following occupancy clearance, the permittee shall submit to the Executive Director documentation demonstrating the use of the structure for transient occupancy for the previous reporting year. Documentation shall include a record of transient occupancy tax (TOT) payments to the Humboldt County Treasurer-Tax Collector, copies of the current marketing brochure/mailer or other device used to promote the business, and copies of TOT quarterly reports.
3. **Deed Restriction.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit to the Executive Director for review and written approval documentation demonstrating that the landowners have executed and recorded 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 (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and 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 applicant's entire parcel or parcels. 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.

4. **Approved Flood Elevation Certificate.** The finished floor elevation of the new transient habitation/caretaker structure shall be constructed at least one foot (1') above the Base Flood Elevation (BFE). PRIOR TO COMMENCEMENT OF CONSTRUCTION, the applicants shall provide to the Executive Director a copy of a Flood Elevation Certificate, prepared by a qualified, registered land surveyor, engineer, or architect and approved by the Humboldt County Building Department demonstrating that the finished floor elevation of the residence will be sited at least one foot above the BFE. The applicants shall inform the Executive Director of any changes to the project required by the Humboldt County Building Department. Such changes shall not be incorporated into the project until the applicants obtain a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.
5. **Assumption of Risk, Waiver of Liability, and Indemnity Agreement.** By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from earthquakes, erosion, flooding, inundation, extreme high tide events, and tsunami wave run-up; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
6. **Tsunami Safety Plan.** PRIOR TO ISSUANCE OF THIS PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a plan for mitigating the hazards associated with tsunami wave run-up.
  - A. The plan shall demonstrate all of the following:
    - (i) The existence of the threat of tsunamis from both distant and local sources will be adequately communicated to all guests and caretakers of the transient habitation facility;
    - (ii) Information will be made available regarding personal safety measures to be undertaken in the event of a potential tsunami event in the area;
    - (iii) Efforts will be provided to assist less physically mobile employees and guests in seeking evacuation from the site during a potential tsunami event; and
    - (iv) Staff will be adequately trained to carry out the safety plan.
  - B. The plan shall include, at a minimum, the following:
    - (i) Tsunami Information Component, detailing the provision of informational materials to facility guests and the posting of placards, flyers, or other materials at conspicuous locations within the transient habitation unit, provided in English and Spanish, explaining tsunami risks, the need for evacuation if strong

- earthquake motion is felt or alarms are sounded, and the location of evacuation routes;
- (ii) Tsunami Evacuation Assistance Component, detailing the efforts to be undertaken by property management staff to assist the evacuation of physically less mobile persons during a tsunami event; and
  - (iii) Staff Training Component, detailing the instruction to be provided to all property management staff to assure that the Tsunami Safety Plan is effectively implemented.
- C. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
7. **Lighting Limitations.** All exterior lighting attached to the authorized structures shall be low-wattage and downcast shielded such that no glare will be directed beyond the bounds of the property or into adjoining coastal waters.
8. **Landscaping Restrictions.** The permittee shall comply with the following landscaping-related requirements:
- A. Only native and/or non-invasive plant species shall be planted. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California, shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the governments of the State of California or the United States shall be utilized within the bounds of the property; and
  - B. The use of rodenticides containing any anticoagulant compounds, including but not limited to, Bromadiolone, Brodifacoum, or Diphacinone, shall not be used.
9. **Construction Responsibilities.** The permittee shall adhere to all the various construction-related best management practices (BMPs) described and listed on project plans dated March 2, 2012 submitted with CDP application 1-12-010 including, but not limited to, the following:
- A. No construction materials, debris, or waste shall be placed or stored where it may be subject to entering coastal waters or environmentally sensitive areas;
  - B. Any and all debris resulting from construction activities shall be removed from the project site and disposed of properly;
  - C. During the course of the project work, all trash shall be properly contained, removed from the work site on a regular basis, and properly disposed of to avoid contamination of habitat during demolition and construction activities;
  - D. All on-site stockpiles of construction debris and soil or other earthen materials shall be covered and contained whenever there is a potential for rain to prevent polluted water runoff from the site; and
  - E. BMPs shall be used to prevent the entry of polluted stormwater runoff into coastal waters and wetlands during construction and post-construction, including the use of

BMPs to capture and clean up any accidental releases of oil, grease, fuels, lubricants, or other hazardous materials. In addition, relevant BMPs as detailed in the current California Storm Water Quality Best Management Handbooks (<http://www.cabmphandbooks.com>) shall be used including, but not limited to, construction BMPs for the use of silt fencing and protection of storm drain inlets and post-construction BMPs for site design and landscape planning, roof runoff controls, alternative building materials, vegetated buffer strips, and bioretention.

### III. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

#### A. PROPOSED PROJECT DESCRIPTION

The subject property is located at 1397 Buhne Drive, at the intersection of Buhne Drive and Herring Avenue, in the unincorporated community of King Salmon in Humboldt County (APN 305-073-42) (**Exhibits 1-3**). The existing approximately 5,200-square-foot lot is developed with a single-story 576-square-foot residential structure.

The applicants propose to develop a two-story, 28-foot-tall structure with a 996-square-foot, 2-bedroom, first-floor transient habitation unit (vacation rental), a 130-square-foot covered porch, and an attached 944-square-foot, 1-bedroom, second-story caretaker's unit. The proposed development also involves converting the existing 576-square-foot residential structure on the lot to a 13-foot-tall two-car garage. The existing structure would be moved from its current location near the western end of the lot to a proposed new concrete slab foundation on the eastern side of the lot. A new ~650-square-foot paved driveway would be constructed off of Herring Avenue to provide access to the garage as well as off-street ADA-accessible parking. A new 5-foot-wide sidewalk with ADA-compliant access would be constructed along the length of the property between the corner of Buhne Drive and Herring Avenue and the eastern end of the proposed new driveway. In addition, a covered walkway would be constructed between the new garage and the proposed new transient habitation/ caretaker's structure. Finally, a small shed on the property would be demolished prior to construction as part of the proposed project. Project plans are attached as **Exhibit 4**.

As described in notes on the project plans dated March 2, 2012, the applicants have proposed to require that the contractor for the proposed development implement various water quality protection measures and best management practices (BMPs) during construction. These include instituting an on-site spill prevention and control response program consisting of BMPs to capture and clean up any accidental releases of oil, grease, fuels, lubricants, or other hazardous materials. The applicants also have proposed the use of BMPs as detailed in the current California Storm Water Quality Best Management Handbooks (<http://www.cabmphandbooks.com>) including, but not limited to, BMPs for site design and landscape planning, roof runoff controls, alternative building materials, vegetated buffer strips, and bioretention. Furthermore, various BMPs would be used for construction work that occurs during the rainy season, including the use of silt fencing, protecting storm drain inlets, covering dirt stockpiles, and various other measures.



## **B. ENVIRONMENTAL SETTING**

The King Salmon subdivision, located on the shores of Humboldt Bay a few miles south of Eureka, consists of former tidelands that were partially filled during the mid-1900s and later subdivided, mostly into 25-foot-wide lots that were originally used for resort cabins. The tidelands were filled in a manner that created interior tidal channels within the subdivision, all of which connect to Fisherman's Channel, which ultimately leads to the open waters of Humboldt Bay. Although many of the lots within the subdivision include shoreline area along the tidal channels, the subject lot does not contain or abut any coastal waters or wetlands, nor does it contain any other type of environmentally sensitive area.

Buhne Drive flanks the northwest and western sides of the subdivision, separating the developed areas of the subdivision from a mudflat and dune area that borders the open waters of Humboldt Bay. This dune and bay shoreline area is accessible to the public. The subject property is located directly across the road (inland) from the public beach and dune area.

Most of the lots in King Salmon are planned and zoned for either Residential Single Family (RS) or Commercial Recreation (CR) uses under the Humboldt County LCP. Most of the lots are 25 feet wide and less than 5,000 square feet in size. The subject lot, which is ~50-feet-wide and ~110 feet long/deep, is planned and zoned for CR uses. Principally permitted uses allowed in the CR zone include Visitor Serving Facilities, Transient Habitation, Commercial Recreation, Coastal Dependent Recreation, Resource Related Recreation, Coastal Access Facilities, and Minor Utilities to serve these uses. The property is within a small cluster of CR-designated lots surrounded by a larger RS district. The surrounding neighborhood is developed primarily with single-family residences of varying sizes and heights that display a variety of architectural styles.

## **C. OTHER AGENCY APPROVALS**

The proposed project requires a conditional use permit from Humboldt County to allow for the proposed caretaker's unit in the CR zone. The project also requires a Special Permit from the County to waive the required 10-foot by 60-foot loading space required for the CR zone. The County approved CUP-10-02 and SP-10-06 on August 23, 2011.

## **D. STANDARD OF REVIEW**

The proposed project is located in the Commission's retained jurisdiction. Humboldt County has a certified local coastal program (LCP), but the site is within an area shown on State Lands Commission maps over which the state retains a public trust interest. Therefore, the standard of review that the Commission must apply to the project is the Chapter 3 policies of the Coastal Act.

## **E. LOCATING AND PLANNING NEW DEVELOPMENT**

Section 30250(a) of the Coastal Act states that new development shall be located within or near existing developed areas able to accommodate it or in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The intent of this policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized.

The subject property, which is developed with a residential structure, is located in a small commercial neighborhood that is surrounded by a densely developed residential neighborhood. The property is served by community water and sewer systems provided by the Humboldt Community Services District. Thus, there are adequate services to accommodate the proposed new transient habitation/caretaker structure given that the existing residential structure would be converted to a two-car garage. Although the subject site is located in a designated flood hazard combining zone, as discussed in Finding IV.G below, the development has been conditioned to minimize flood hazards. Furthermore, as discussed in Findings IV.H, I, and J below, the project has been conditioned to protect visual resources, nearby environmentally sensitive habitat areas, and water quality.

Therefore, the Commission finds that as conditioned, the proposed development is consistent with Coastal Act Section 30250(a), in that it is located in a developed area, has adequate water and sewer capability to accommodate it, and will not cause significant adverse effects, either individually or cumulatively, to coastal resources.

#### **F. PROTECTION OF RECREATIONAL AND VISITOR-SERVING USES**

Section 30213 of the Coastal Act states, in applicable part, as follows:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...*

Section 30221 of the Coastal Act states as follows:

*Oceanfront land suitable for recreational use shall be protection for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30222 of the Coastal Act states as follows:

*The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Section 30223 of the Coastal Act states as follows:

*Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

The Coastal Act establishes provisions for the protection and reservation of areas for development of facilities for a variety of high-priority coastal-dependent, coastal-related, and visitor-serving uses. Priority is to be given to such highly desired uses, especially those functionally dependent upon locations on or near open coastline and watercourses.

As discussed above, the property is zoned Commercial Recreation (CR) under the County's certified LCP. The proposed project will support activities consistent with the priority use policies of the Coastal Act. The transient habitation component of the project is a lower-cost visitor-serving facility that provides an option for transient overnight use. This use is consistent with the requirements of Coastal Act Sections 30213, 30222, and 30223. Since the proposed caretaker's unit is a conditionally permitted use in the CR zone, the County issued a conditional use permit for that component of the proposed development. The County permit includes a condition intended to ensure that the proposed structure is indeed used for its intended visitor-serving purpose. County condition of approval #6 reads as follows: *"The applicant shall contact the Planning Division one (1) year after occupancy clearance to schedule a performance review before the Planning Commission. At this time the applicant shall provide documentation of the use of the structure for transient occupancy, including the date the unit was available for transient occupancy, a record of the number of guests served, number of days occupied on a transient basis, room occupancy rate, and verification of transient occupancy tax (TOT) payments to the Treasurer-Tax Collector. Copies of the current marketing brochure/mailed or other device used to promote the business shall be part of the annual report submittal."* In addition, the County use permit includes a number of additional "on-going requirements/development restrictions which must be satisfied for the life of the project." These include two restrictions related to the proposed transient occupancy use:

- *The lodging (i.e., vacation rental) units are a "transient habitation use type" and shall be operated and maintained as provided by Section 313-172.17 of the Humboldt County Code (H.C.C.)... Failure to operate the facility as transient habitation use type would constitute a violation of County Code and grounds for permit revocation among other enforcement remedies.*
- *This use constitutes "transient services" and will subject the operator to the collection and reporting requirements of the County's Transient Occupancy Tax regulations... Upon initiation of the use and for the life of the project, the operator shall submit to the Planning Division a copy of each Transient Occupancy Tax (TOT) quarterly report as documentation of the operator's compliance with Code requirement restricting use of the vacation rental units to "transient" occupancy only.*

The introduction or substitution of new uses in the proposed structure could adversely affect the support of the lower-cost visitor-serving overnight accommodations at the site or preclude the establishment of other priority uses at the site. For example, the conversion of the proposed development to a residential use in the future would result in the privatization of the use of space that otherwise is planned and zoned for priority visitor-serving and commercial recreational uses. Accordingly, to prevent displacement of needed priority uses and the uses that facilitate such priority uses, the Commission attaches **Special Condition 1**. This condition sets restrictions on future development at the project site, requiring that any change in the legally authorized use of the approved development including, but not limited to, lease or use of the transient habitation unit for residential purposes, lease or use of the caretaker's unit by a tenant who is not a caretaker for the property, or any other changes to the proposed project shall require a new CDP

or permit amendment. In its review of any coastal development permit application submitted pursuant to this special condition, the Commission will be able to review whether any proposed change in a legally authorized use is consistent with the priority use policies of the Coastal Act. Furthermore, **Special Condition 2** requires submittal of annual reports to the Executive Director documenting the use of the transient habitation unit for transient occupancy. Finally, to ensure that all future owners of the property are aware of the restrictions on future development at the project site and of annual reporting requirements, **Special Condition 3** requires recordation of a deed restriction that imposes the special conditions of the permit as covenants, conditions, and restrictions on the use of the property. As conditioned, the proposed development and any future new development will be fully consistent with policies of the Coastal Act requiring the protection, prioritization, and reservation of these priority uses and developments.

Therefore, as the development as conditioned will (a) ensure a priority commercial visitor-serving recreational use of the site, and (b) not allow changes to legally authorized uses without a new CDP or an amendment to this permit, the Commission finds the development as conditioned is consistent with Sections 30213, 30221, 30222, and 30223 of the Coast Act.

## **G. FLOOD HAZARDS**

Section 30253 states, in applicable part:

*New development shall do all of the following:*

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

The primary natural hazard affecting development of the subject property is flooding. The entire King Salmon subdivision lies within the FEMA-mapped 100-year flood zone and is subject to flooding from extreme high tides. The elevation at the site is approximately 5 feet above mean sea level.

The primary way to minimize flooding risks from extreme high tides is to site proposed structures above flood elevations. According to the County Building Department, the 100-year Base Flood Elevation (BFE) in the King Salmon area as established by the Federal Emergency Management Agency's National Flood Insurance Program is estimated to be +6 feet NGVD29. In implementing the federal flood protection program, Humboldt County building permit regulations require new residences to have a finished floor elevation at least one-foot above BFE. The applicant has submitted a flood elevation certificate based on surveys by a licensed land surveyor stating that the finished floor elevation of the proposed structure will be above +7 feet NGVD29. The certificate has not yet been approved by the Humboldt County Building Department. **Special Condition 4** is required to ensure that the proposed siting of the new structure at least 1 foot above BFE is approved by Humboldt County, and any changes to the project that the County may require will not be incorporated into the project until the applicant obtains a Commission amendment to this CDP. Therefore, the proposed development is conditioned to minimize the risk of flooding associated with extreme high tides.

Extreme high tide events in conjunction with future sea-level rise will increase the vulnerability of the subject site and the entire King Salmon community. According to the State's 2010 sea-level rise interim guidance document, sea level is projected to rise 5 to 8 inches by 2030 and 10 to 17 inches by 2050. Throughout the first half of the 21<sup>st</sup>-century, sea-level rise alone is not expected to cause significant flooding, inundation, or erosion, but rather the highest probability and most damaging events likely will take place when increasingly elevated sea-level occurs simultaneously with high tides and large waves (e.g., during El Niños). Between 2050 and 2100, when sea-levels approach 18 to 69 inches above the present, the effects of sea level rise alone (flooding and inundation) and the combined effects of sea-level rise and large waves (e.g., damage to coastal structures, cliff erosion, beach loss) are projected to have much greater impacts. As the design life of the proposed new structure is presumed to be 75-100 years, a minimum 55-inch rise in sea-level (state-adopted projection for the year 2100) is assumed over the life of the project. Since the finished floor elevation of the proposed structure (transient habitation unit) will be at approximately 7 feet, or approximately three feet below the projected minimum sea level elevation in 2100, the siting and design of the proposed structure at one foot above BFE will not fully account for sea-level rise projected during the proposed residence's economic life. It must be noted however that the subject site is located inland of a County road and other County infrastructure that serves the King Salmon subdivision, which to some degree buffers the property from future sea-level rise impacts.

In order to further minimize flood hazard risks to life and property consistent with the requirements of Section 30253, the Commission finds that if the applicants and future landowners receive notification of the flood risks associated with the property, then the applicants and future landowners of the property can decide whether to implement development on the site despite the risks. Therefore, the Commission attaches Special Condition 5 and 3. **Special Condition 5** requires the landowners to assume the risks of flooding hazards to the property and to waive any claim of liability on the part of the Commission. Given that the applicants have chosen to implement the project despite flooding risks, the applicants must assume the risks. In this way, the applicants are notified that the Commission is not liable for damage as a result of approving the permit for development. The condition also requires the applicants to indemnify the Commission in the event that third parties bring an action against the Commission as a result of the failure of the development to withstand hazards. To ensure that all future owners of the property are aware of the flood hazard present at the site, the Commission's immunity from liability, and the indemnity afforded the Commission, **Special Condition 3** requires recordation of a deed restriction that imposes the special conditions of the permit as covenants, conditions, and restrictions on the use of the property.

In addition to the risk of flood hazards associated with extreme high tides and future sea level rise, the subject property, along with many others around Humboldt Bay, is shown on emergency planning maps published in 2009 by the California Emergency Management Agency, California Geologic Survey, and University of Southern California as being within the zone of potential inundation by a tsunami. If the region were to suffer a major earthquake along the Cascadia Subduction Zone, a local tsunami could hit the Humboldt Bay shoreline within minutes. The primary way to ensure that the proposed development would be safe from tsunami wave run-up would be to require that the habitable living spaces be positioned only above tsunami inundation levels. However, it would not be feasible to design a structure in this location that would position

all of the habitable living space above tsunami inundation levels, which are believed to be at least 30 feet above mean sea level (the maximum height of the proposed structure is proposed to be 28 feet). Construction of a new structure at a design elevation high enough to minimize the hazard of tsunami wave run-up would be glaringly out of character with the surrounding area, where most existing structures are below 20 feet in height. Furthermore, constructing a building where the floor area is at least 30 feet above mean sea level would be inconsistent with zoning code restrictions, which limit maximum building heights in the CR district to 45 feet. Therefore, the Commission finds that the flood risk from tsunami wave run-up at the site cannot be fully mitigated.

Nevertheless, to minimize risks to life and property from tsunami inundation, the Commission attaches **Special Condition 6**. This condition requires that prior to issuance of the coastal development permit, the applicants submit for the review and approval of the Executive Director, a tsunami safety plan. The plan must detail the provision of informational materials to guests of the transient habitation facility, provided in English and Spanish, explaining tsunami risks, the need for evacuation if strong earthquake motion is felt or alarms are sounded, and the location of evacuation route. In addition, the plan must detail the efforts to be undertaken by property management staff to assist the evacuation of physically less mobile persons during a tsunami event. Finally the plan must include a staff training component, detailing the instruction to be provided to all property management staff to assure that the Tsunami Safety Plan is effectively implemented.

Furthermore, as discussed above, **Special Condition 5** requires the landowner to assume the risks of flooding hazards to the property and waive any claim of liability on the part of the Commission. **Special Condition 3** requires recordation of a deed restriction that imposes the special conditions of the permit as covenants, conditions, and restrictions on the use of the property.

Therefore, the Commission finds that the proposed project, as conditioned, will minimize risk to life and property from hazards, consistent with Section 30253 of the Coastal Act.

## **H. VISUAL RESOURCES**

Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. The Section requires, in applicable part, that permitted development be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas.

The project site is located in a densely developed neighborhood. No public views of Humboldt Bay or the shoreline are afforded through the property, which is a developed lot located inland of Buhne Drive. Expansive and unobstructed public views of Humboldt Bay and coastal dunes are available for motorists and pedestrians from Buhne Drive adjacent to (seaward of) the subject site. In addition, public parking is available along Buhne Drive for access to the dunes and shoreline. Thus, the proposed development will not have a significant adverse impact on views to or along the shoreline as seen from publicly-accessible vantage points.

As the site is relatively flat and does not require significant grading that would change the basic topography of the site, the proposed project minimizes the alteration of natural landforms.

Since the proposed new structure would be visible from Buhne Drive, the Commission must consider whether the proposed development would be compatible with the character of the surrounding area. The character of the King Salmon area is largely defined by its bay-shore setting and predominantly single-family residential and commercial composition. The community consists of a diversity of architectural styles and sizes of structures ranging from small, old cabins and manufactured homes to larger two- and even a few three-story homes. The proposed two-story structure that would be a maximum of 28 feet tall and would be of similar size, scale, and architectural style to some of the other development in this neighborhood of diverse structures. Thus, the proposed design of the residence will be visually compatible with the residential and commercial character of the surrounding area.

Although the development pattern is very compact in the area, consisting primarily of rows of 25-foot-wide by 125-foot-deep lots clustered along a series of narrow, non-through streets, the overall nighttime character of the area in terms of outside illumination is largely suburban in nature, with very little exterior lighting evident. As a result, with the exception of nominally shielded street lighting along the main collector street Buhne Drive and security lighting within the parking areas of several of the commercial properties within the community, King Salmon has fewer problems with glare from external nighttime lighting than many communities of similar size and density currently experience.

Accordingly, to prevent the cumulative impacts of glare to the visual resources of the area, the Commission attaches **Special Condition 7**, which requires that all exterior lighting associated with the proposed development be low-wattage and downcast shielded such that no glare is directed beyond the bounds of the property or into adjoining coastal waters or environmentally sensitive areas.

In summary, the proposed project as conditioned will be consistent with Section 30251, as the development will not adversely affect views to or along the coast, result in major landform alteration, or be incompatible with the character of the surrounding area.

## **I. ENVIRONMENTALLY SENSITIVE HABITAT AREAS**

Section 30240(b) of the Coastal Act requires that environmentally sensitive habitat areas (ESHAs) be protected against any significant disruption of habitat values potentially resulting from adjacent development. Section 30240(b) of the Coastal Act states, in applicable part, the following:

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

The subject property, which is ~5,200 square feet in size, is currently developed with a small residential structure and does not contain any known environmentally sensitive habitat.



However, the site is located immediately across the County road from coastal dune habitat adjacent to Humboldt Bay. Coastal dune habitats in the North Coast region in general often support populations of rare, threatened, and endangered plant species, including beach layia (*Layia carnosa*), Humboldt Bay wallflower (*Erysimum menziesii* ssp. *eurekaense*), pink sand verbenia (*Abronia umbellata* var. *breviflora*), dark-eyed gilia (*Gilia millefoliata*), and other rare species. Both the Commission and the County in past permitting actions for projects in the region have considered these rare plant habitat areas to be ESHA under the Coastal Act and certified LCP. Additionally, the Commission has considered coastal dune habitat in and of itself in the absence of rare species to be ESHA, since the habitat in general is both rare and especially valuable because of its special nature and role in an ecosystem and could be easily disturbed or degraded by human activities and developments.

The Commission finds that the coastal dunes located across the street from the proposed development do constitute ESHA, and the ESHA could be adversely affected if nonnative, invasive plant species were introduced in landscaping at the subject site. If any of the proposed landscaping were to include introduced invasive exotic plant species, the weedy landscaping plants could colonize (e.g., via wind or wildlife dispersal) the nearby dune ESHA over time and displace native dune vegetation, thereby disrupting the functions and values of the dune ESHA. The applicants have proposed to landscape the site with native plants, and the Commission attaches **Special Condition 8** to ensure that only native and/or non-invasive plant species are planted on the subject property. As conditioned, the proposed project will ensure that the ESHA near the site is not significantly degraded by any future landscaping that would contain invasive exotic species.

In addition, the Commission notes that certain rodenticides, particularly those utilizing blood anticoagulant compounds such as brodifacoum, bromadiolone and diphacinone, have been found to pose significant primary and secondary risks to non-target wildlife present in urban and urban/wildland interface areas. As these target species are preyed upon by raptors or other environmentally sensitive predators and scavengers, the pest control compounds can bio-accumulate in the animals that have consumed the rodents to concentrations toxic to the ingesting non-target species. To avoid this potential cumulative impact to environmentally sensitive wildlife species, Special Condition 8 also contains a prohibition on the use of such anticoagulant-based rodenticides.

With the mitigation measures discussed above, which are designed to minimize any potential impacts to the adjacent ESHA, the project as conditioned will not significantly degrade adjacent ESHA and will be compatible with the continuance of the habitat area. Therefore, the Commission finds that the project as conditioned is consistent with Section 30240(b) of the Coastal Act.

## **J. WATER QUALITY PROTECTION**

Section 30230 of the Coastal Act states, in applicable part, as follows:

*Marine resources shall be maintained, enhanced, and where feasible, restored.  
Special protection shall be given to areas and species of special biological or*



*economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states as follows:

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

As cited above, Coastal Act Sections 30230 and 30231 require, in part, that marine resources and coastal wetlands and waters be maintained, enhanced, and where feasible restored. These policies specifically call for the maintenance of the biological productivity and quality of marine resources, coastal waters, streams, wetlands, and estuaries necessary to maintain optimum populations of all species of marine organisms and for the protection of human health.

As described in notes on the project plans dated March 2, 2012 (**Exhibit 4**), the applicants have proposed to require that the contractor for the proposed development implement various water quality protection measures and best management practices (BMPs) during construction. These include instituting an on-site spill prevention and control response program consisting of BMPs to capture and clean up any accidental releases of oil, grease, fuels, lubricants, or other hazardous materials. The applicants also have proposed the use of BMPs as detailed in the current California Storm Water Quality Best Management Handbooks (<http://www.cabmphandbooks.com>), including, but not limited to, BMPs for site design and landscape planning, roof runoff controls, alternative building materials, vegetated buffer strips, and bioretention. Furthermore, various BMPs will be used for construction work that occurs during the rainy season, including the use of silt fencing, protecting storm drain inlets, covering dirt stockpiles, and various other measures.

To ensure that the project implements the measures proposed and minimizes potential impacts to water quality associated with stormwater runoff and construction practices, the Commission attaches **Special Condition 2**. This condition requires that various construction-related responsibilities are adhered to during the course of the proposed construction work, including those described above and on the March 2, 2012 plans submitted by with CDP application 1-12-010. Thus, as conditioned, the Commission finds that the proposed project will maintain and enhance the functional capacity of the habitat, maintain and restore optimum populations of marine organisms, and protect human health as mandated by the requirements of Sections 30230 and 30231 of the Coastal Act.

#### **K. PUBLIC ACCESS**

Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects, except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or where adequate access exists nearby. Section 30211 of the Coastal Act requires that development not interfere with the public's right to access gained by use or legislative authorization. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. In applying Sections 30210, 30211, 30212, and 30214, the Commission is also limited by the need to show that any denial of a permit application based on these sections or any decision to grant a permit subject to special conditions requiring public access is necessary to avoid or offset a project's adverse impact on existing or potential access.

The proposed project will not adversely affect public access. The project site does not front directly on Humboldt Bay, as it is separated from the bay shoreline by Buhne Drive. In addition, the subject parcel does not front on any of the interior tidal channels within the interior of the King Salmon subdivision. As noted previously, the entire bay front of the King Salmon subdivision along the west side of Buhne Drive is open and available for public access use. Therefore, the Commission finds that the proposed project does not have any significant adverse effect on public access to the shoreline, and the project as proposed without new public access is consistent with the public access policies of Coastal Act cited above.

#### **L. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 13906 of the Commission's administrative regulation requires Coastal Commission approval of coastal development permit applications to be supported by a finding showing the application, as modified by any conditions of approval, is consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are any feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect the proposed development may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. As discussed above, the proposed project has been conditioned to be consistent with the policies of the Coastal Act. The findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As specifically discussed in these above findings, which are hereby incorporated by reference, mitigation measures that will minimize or avoid all significant adverse environmental impacts have been required. As conditioned, there are no other feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act to conform to CEQA.

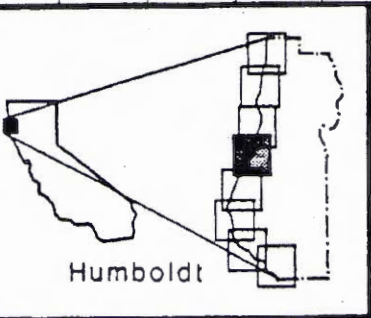
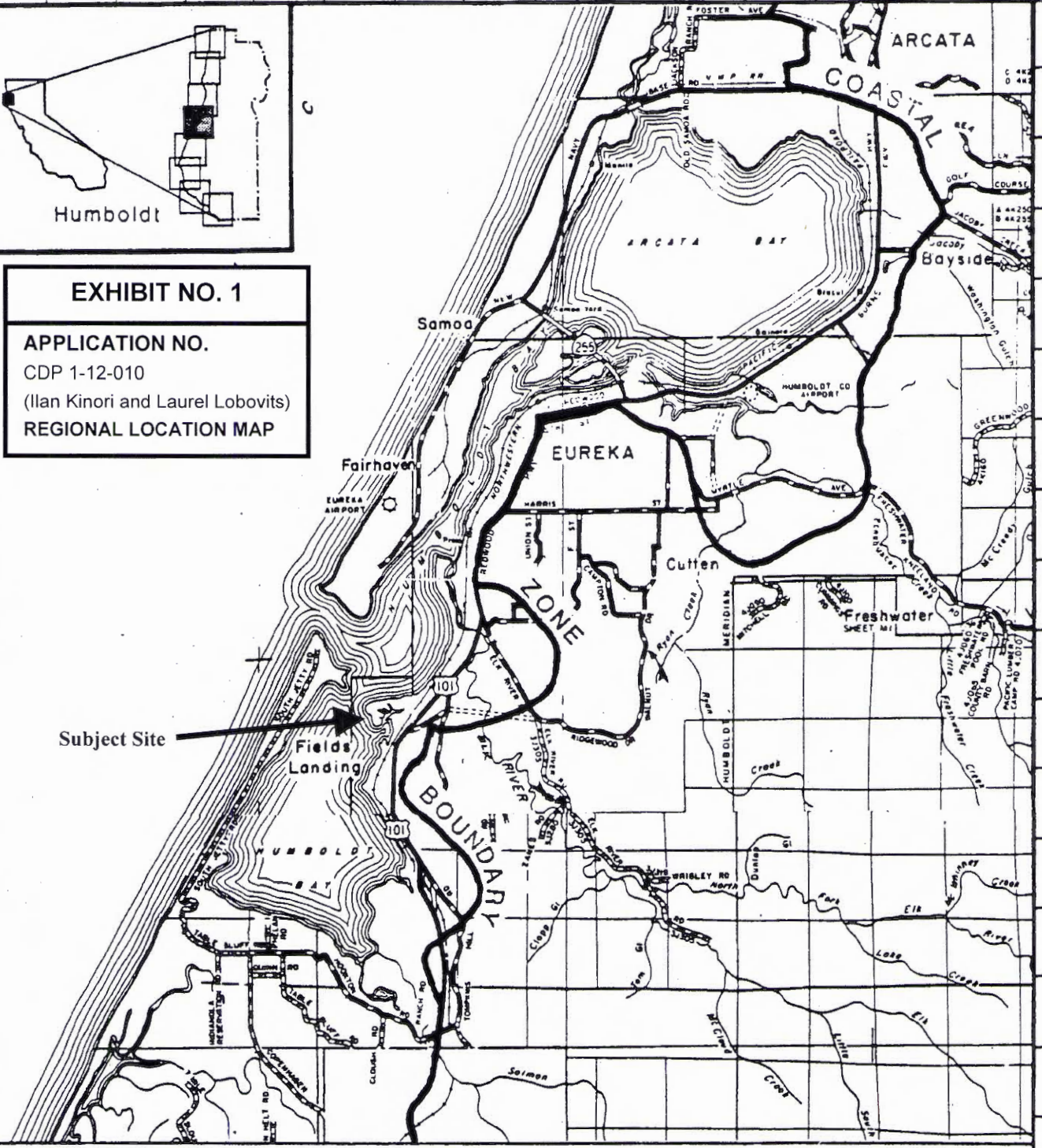
**APPENDIX A: SUBSTANTIVE FILE DOCUMENTS**

Application File for Coastal Development Permit No. 1-12-010, received March 20, 2012

Humboldt County Conditional Use Permit No. CUP-10-02 and Special Permit No. SP-10-06

County of Humboldt Local Coastal Program

A B C D E F G H I J K L M N O



**EXHIBIT NO. 1**

APPLICATION NO.  
CDP 1-12-010  
(Ilan Kinori and Laurel Lobovits)  
REGIONAL LOCATION MAP

Subject Site

**LOCATION MAP**

 California Coastal Commission



County of Humboldt





**EXHIBIT NO. 2**

**APPLICATION NO.**

1-12-010

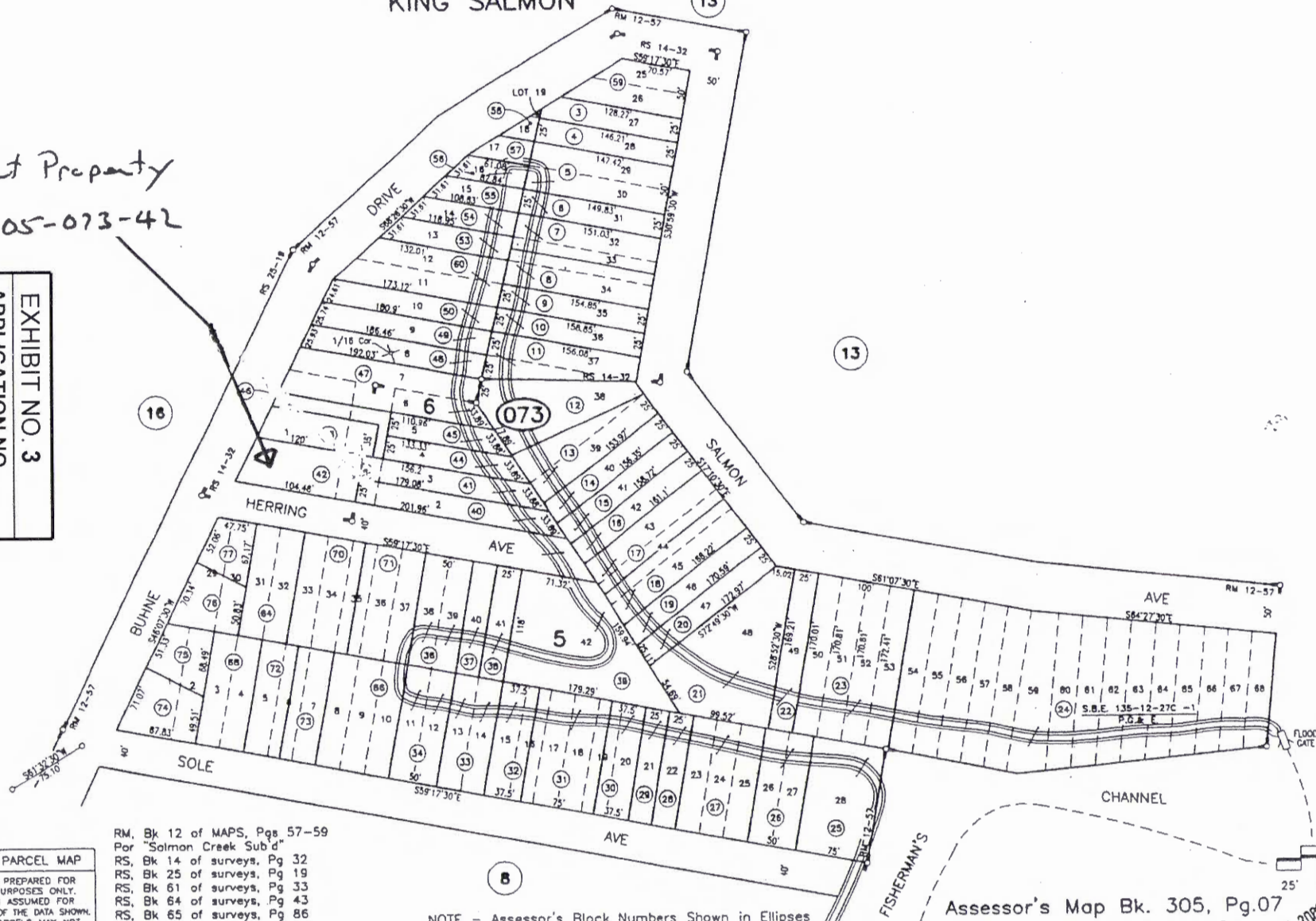
KINORI & LOBOVITS

VICINITY MAP



Subject Property  
AP# 305-073-42

EXHIBIT NO. 3  
APPLICATION NO.  
1-12-010  
KINORI & LOBOVITS  
ASSESSOR'S PARCEL MAP



ASSESSOR'S PARCEL MAP

1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

RM, Bk 12 of MAPS, Pgs 57-59  
For "Salmon Creek Sub'd"  
RS, Bk 14 of surveys, Pg 32  
RS, Bk 25 of surveys, Pg 19  
RS, Bk 61 of surveys, Pg 33  
RS, Bk 64 of surveys, Pg 43  
RS, Bk 65 of surveys, Pg 86

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 305, Pg. 07  
County of Humboldt, CA.

AUG 11 2008  
July 24, 2008

July 9, 2010

**ROYER**  
Design / Bu

Timothy Royer ( Agent for Ilan Kinori)  
Royer Design \ Build  
8263 West End Road  
Arcata, CA 95521

Humboldt County Community Development Dept.  
Planning Division  
3015 H Street  
Eureka, CA 95501-4484

Re: AP# 305-073-42

**PLAN of OPERATION**

Transient Habitation Unit

The proposed 996 square foot vacation rental to be located on the corner of Buhne & Herring streets in King Salmon will be available for a minimum of two night stays or rental by the week. The rental unit will be advertised locally and on the internet. The rental unit will be wheel chair accessible and will have an accessible bathroom. A caretaker / manager's unit with separate entrance will be located upstairs. The caretaker / manager will be responsible for booking rentals, receiving rental payments and maintaining the rental unit for guests. ~~No cooking or laundry facilities will be provided for the rental unit.~~

Timothy Royer ( Agent for Ilan Kinori )

---

**EXHIBIT NO. 4**

**APPLICATION NO.**

1-12-010

KINORI & LOBOVITS

PROJECT PLANS (1 of 8)

# TRANSIENT HABITATION UNIT W/ CARETAKER'S RESIDENCE ABOVE

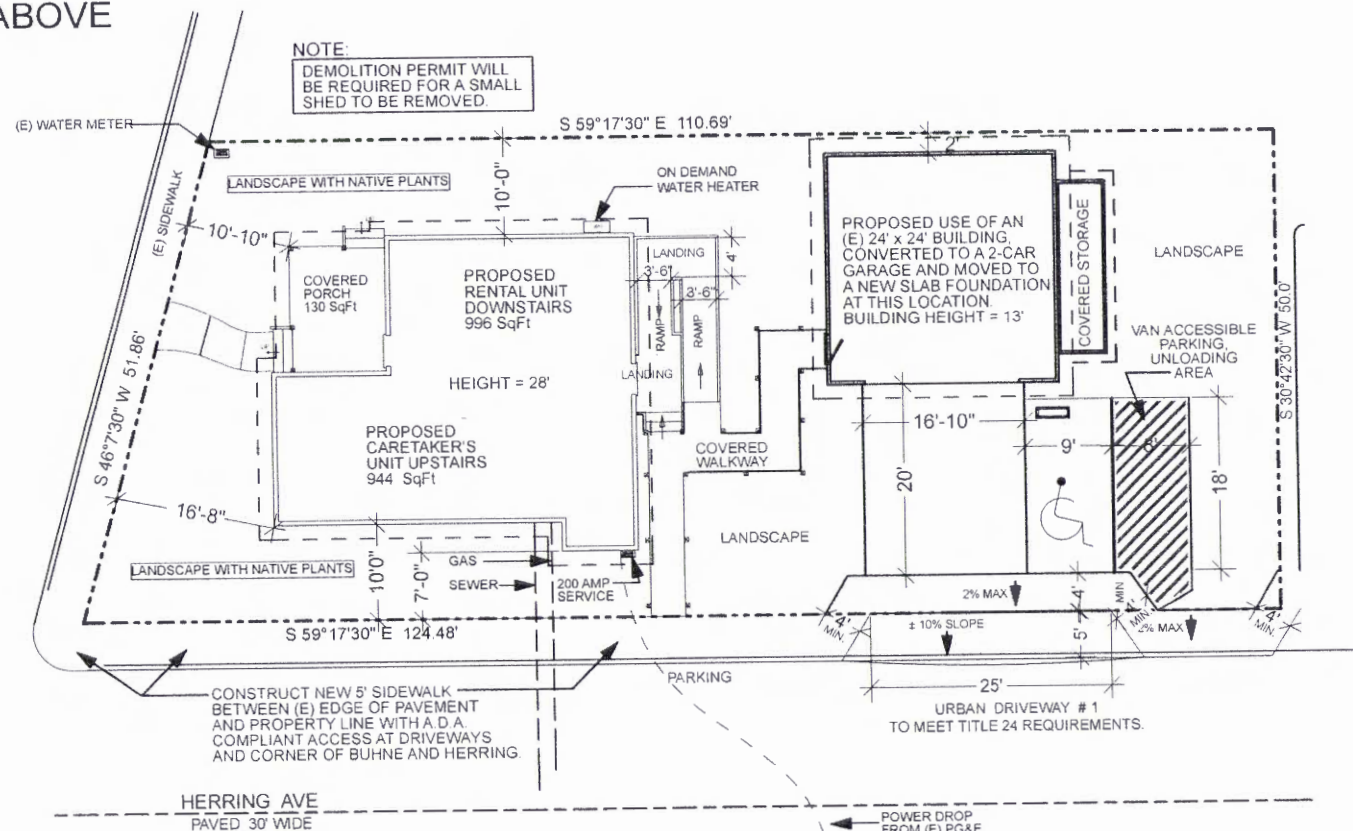
ILAN KINORI

2 SOUTH STREET

MILFORD

CT, 06460

PHONE: 203-500-8522



## PLOT PLAN

SCALE: 1" = 20'-0"

PROJECT LOCATION :

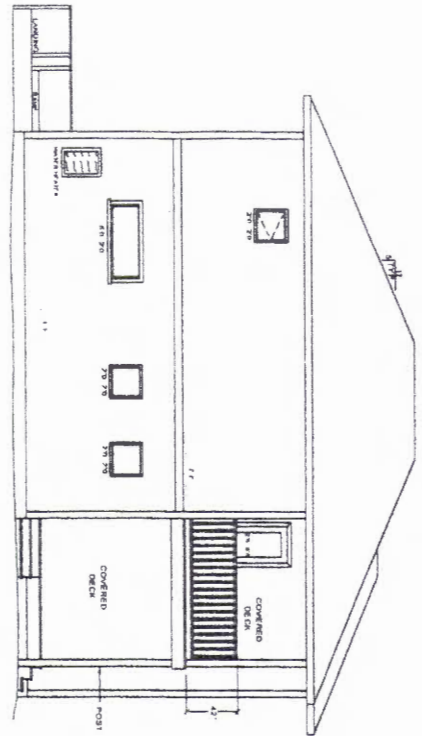
HERRING AVENUE

KING SALMON

CA, 95503

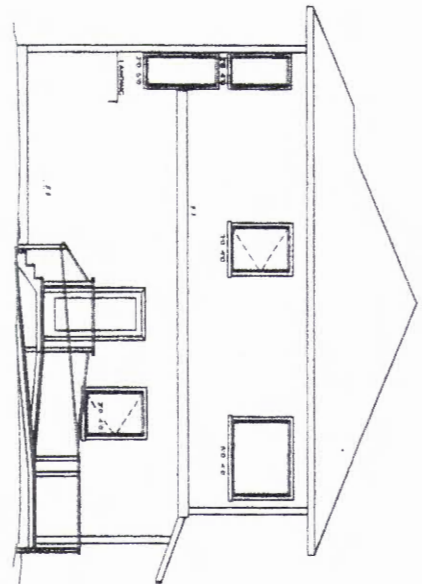
APN 305-073-42





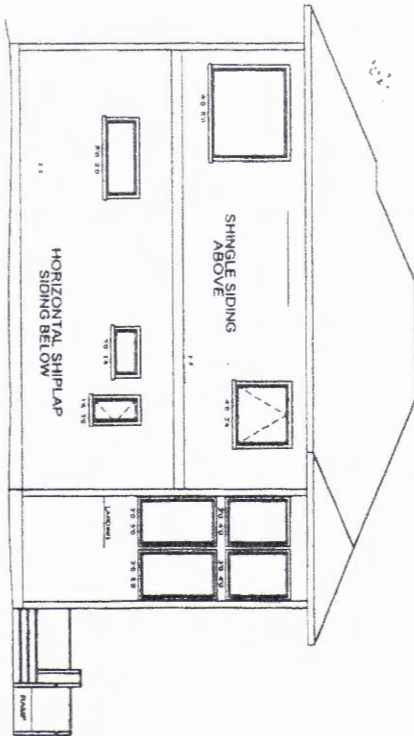
NORTH ELEVATION

SCALE : 1/4" = 1'-0"



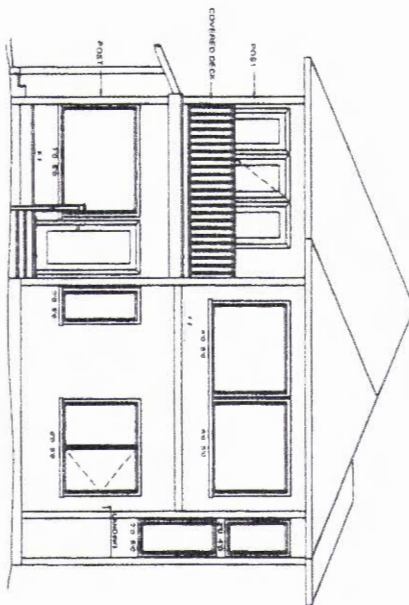
EAST ELEVATION

SCALE : 1/4" = 1'-0"



SOUTH ELEVATION

SCALE : 1/4" = 1'-0"



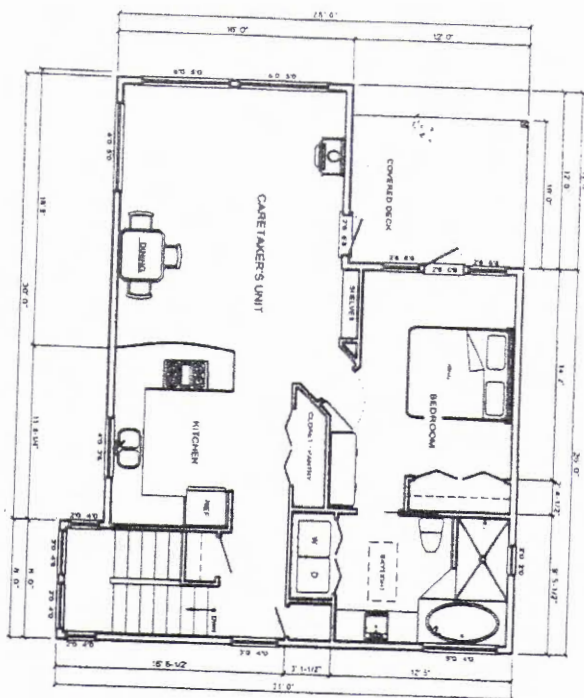
WEST ELEVATION

SCALE : 1/4" = 1'-0"

328

<p><b>DATE:</b> 7/7/10</p> <p><b>SHEET</b> 2 of 3</p>	<p><b>DRAWN BY:</b> TIMOTHY ROYER</p>	<p><b>TRANSIENT HABITATION UNIT &amp; CARETAKERS UNIT for:</b> ILAN KINORI</p>	<p><b>PROJECT LOCATION:</b> HERRING AVE. KING SALMON, CA 95503</p>	<p><b>ROYER DESIGN BUILD</b></p> <p>8263 WEST END RD., ARCATA, CA 95521 GENERAL CONTRACTING, CA LIC# 716487 PHONE: (707) 826-1965</p>
		<p>106 SOLE KING SALMON, CA 95503</p>	<p>AP# 305-073-42</p>	
		<p>PHONE: 203-500-8522</p>		

4 of 8



SECOND FLOOR PLAN  
945 SqFt

SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN  
996 SqFt

SCALE: 1/8" = 1'-0"

DATE:  
7/7/10  
SHEET  
3 of 3

DRAWN BY:  
TIMOTHY ROYER

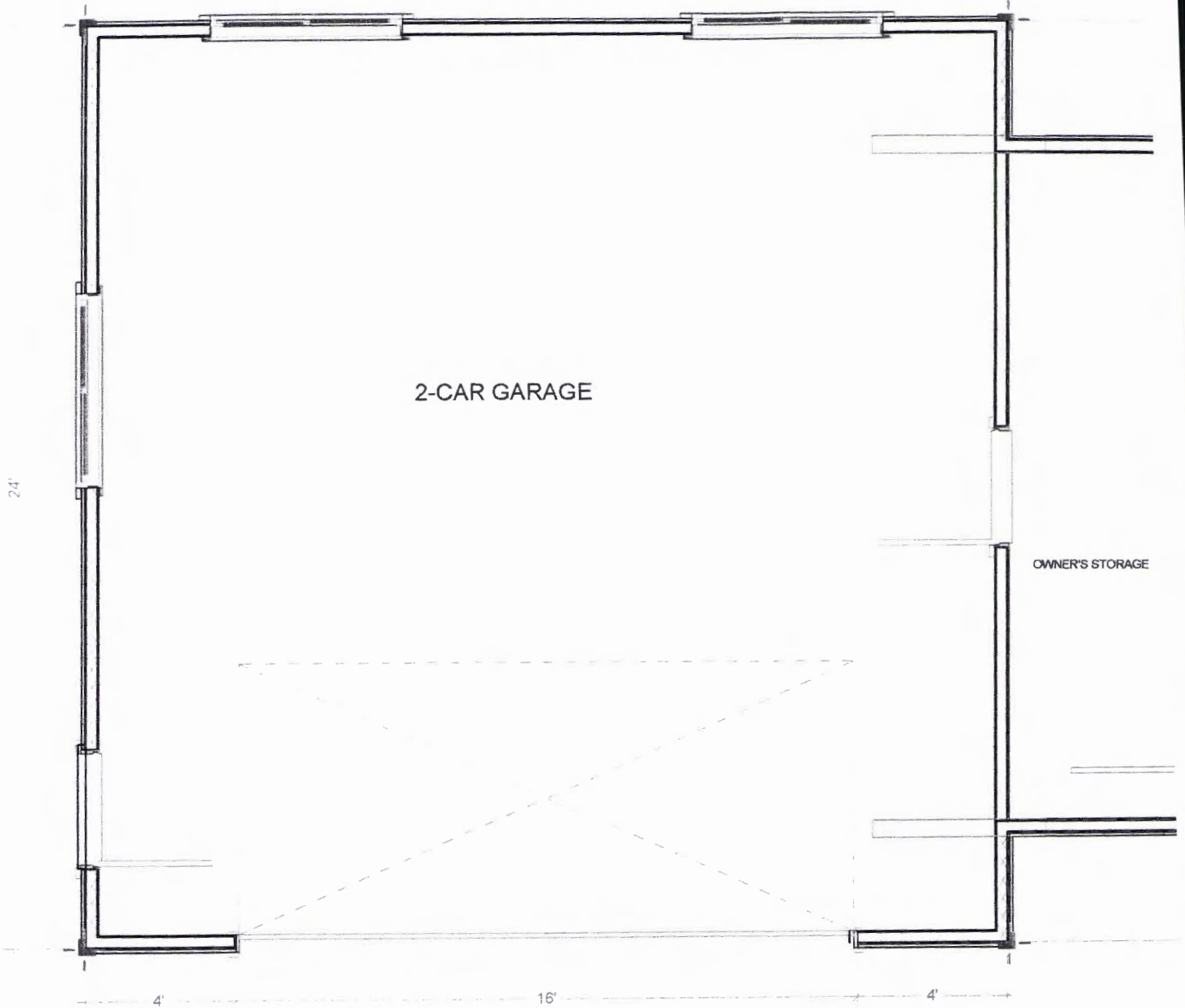
TRANSIENT HABITATION UNIT  
& CARETAKERS UNIT for:

ILAN KINORI  
106 SOLE  
KING SALMON, CA 95503  
PHONE: 203-500-8522

PROJECT LOCATION:  
HERRING AVE.  
KING SALMON, CA 95503  
AP# 305-073-42

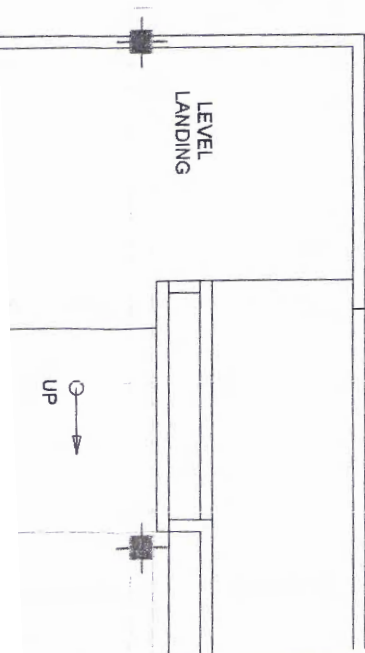
ROYER  
DESIGN BUILD

8263 WEST END RD., ARCATA, CA 95521  
GENERAL CONTRACTING, CA LIC# 716487  
PHONE: (707) 826-1965



# FLOOR PLAN - GARAGE

SCALE: 1/4" = 1'



9'-5 7/8"

2'-9"

5 of 8



## NOTE:

CONTRACTOR SHALL INSTITUTE AN ON-SITE SPILL PREVENTION AND CONTROL RESPONSE PROGRAM, CONSISTING OF BEST MANAGEMENT PRACTICES FOR THE STORAGE OF CLEAN-UP MATERIALS, TRAINING, DESIGNATION OF RESPONSIBLE INDIVIDUALS, AND REPORTING PROTOCOLS TO THE APPROPRIATE PUBLIC AND EMERGENCY SERVICE AGENCIES IN THE EVENT OF A SPILL. THIS PROGRAM SHALL BE IMPLEMENTED AT THE PROJECT TO CAPTURE AND CLEAN UP ANY ACCIDENTAL RELEASES OF OIL, GREASE, FUELS, LUBRICANTS, OR OTHER HAZARDOUS MATERIALS FROM ENTERING COASTAL WATERS.

THE PROGRAM SHALL INCLUDE A SCHEDULE FOR INSTALLATION AND MAINTENANCE OF APPROPRIATE CONSTRUCTION SOURCE CONTROL BEST MANAGEMENT PRACTICES TO PREVENT ENTRY OF STORMWATER RUN-OFF INTO THE CONSTRUCTION SITE AND THE ENTRAINMENT OF EXCAVATED MATERIALS INTO RUN-OFF LEAVING THE CONSTRUCTION SITE.

THE PROGRAM SHALL INCLUDE A SCHEDULE FOR INSTALLATION, USE AND MAINTENANCE OF APPROPRIATE CONSTRUCTION MATERIALS HANDLING AND STORAGE BEST MANAGEMENT PRACTICES TO PREVENT THE ENTRY OF POLLUTED STORMWATER RUN-OFF FROM THE COMPLETE DEVELOPMENT INTO COASTAL WATERS.

## NOTE:

RUN-OFF FROM THE PROJECT SITE SHALL NOT INCREASE SEDIMENTATION IN THE SURROUNDING COASTAL WATERS.

RUN-OFF FROM THE PROJECT SITE SHALL NOT RESULT IN POLLUTANTS ENTERING THE SURROUNDING COASTAL WATERS.

BEST MANAGEMENT PRACTICES AS OUTLINED IN THESE PLANS SHALL BE USED TO PREVENT THE ENTRY OF POLLUTED STORMWATER RUN-OFF INTO COASTAL WATERS DURING CONSTRUCTION.

USE BEST MANAGEMENT PRACTICES AS DETAILED IN THE CALIFORNIA STORMWATER BEST MANAGEMENT PRACTICE HANDBOOK, INCLUDING, BUT NOT LIMITED TO, SD-10 (SITE DESIGN & LANDSCAPE PLANNING, SD-11 (ROOF RUNOFF CONTROLS), SD-21 (ALTERNATIVE BUILDING MATERIALS), TC-31 (VEGETATED BUFFER STRIP), AND TC-32 (BIORETENTION).

## BEST MANAG

### BEST MA

#### SILT FENCING:

- INSPECT AND MAINTAIN
- MAKE SURE THE BOTTOM
- SECURELY ATTACH THE
- DON'T PLACE SILT FENCING AS A CHECK DAM.
- MAKE SURE STORMWATER

#### SITE STABILIZATION:

- VEGETATE, MULCH, OR SOON AS LAND ALTER

#### STORM DRAIN INLET:

- USE ROCK, HAY BALE, OR THE STORM DRAIN INLET
- MAKE SURE THE ROCK DIAMETER.
- IF YOU USE INLET FILTER

#### DIRT STOCKPILES:

- COVER OR SEED ALL

#### SLOPES:

- ROUGH GRADE OR TERRACE
- BREAK UP LONG SLOPES OR DIVERT STORMWATER

DIRECT ALL DOWNSPOUTS WITH AN UNDERGROUND SYSTEM (PERFORATED) TO DISPERSE RUNOFF

SIDEWALK

# BEST MANAGEMENT PRACTICES

BEST MANAGEMENT PRACTICES ARE REQUIRED AFTER OCT. 15 AND THROUGHOUT THE RAINY SEASON.

## SILT FENCING:

- INSPECT AND MAINTAIN SILT FENCES AFTER EACH RAINSTORM.
- MAKE SURE THE BOTTOM OF THE SILT FENCE IS BURIED IN THE GROUND.
- SECURELY ATTACH THE MATERIAL TO THE STAKES.
- DON'T PLACE SILT FENCES IN THE MIDDLE OF A WATERWAY OR USE THEM AS A CHECK DAM.
- MAKE SURE STORMWATER IS NOT FLOWING AROUND THE SILT FENCE.

## SITE STABILIZATION:

- VEGETATE, MULCH, OR OTHERWISE STABILIZE ALL EXPOSED AREAS AS SOON AS LAND ALTERATIONS HAVE BEEN COMPLETED.

## STORM DRAIN INLET PROTECTION:

- USE ROCK, HAY WADDLES OR OTHER APPROPRIATE MATERIAL TO COVER THE STORM DRAIN INLET TO FILTER OUT TRASH AND DEBRIS.
- MAKE SURE THE ROCK SIZE IS APPROPRIATE, (USUALLY 1 TO 2 INCHES IN DIAMETER).
- IF YOU USE INLET FILTERS, MAINTAIN THEM REGULARLY.

## DIRT STOCKPILES:

- COVER OR SEED ALL DIRT STOCKPILES.

## SLOPES:

- ROUGH GRADE OR TERRACE SLOPES.
- BREAK UP LONG SLOPES WITH SEDIMENT BARRIERS, OR UNDER DRAIN, OR DIVERT STORMWATER AWAY FROM SLOPES.

## CONSTRUCTION ENTRANCES:

- ROCK ENTRANCES TO REMOVE MUD AND DIRT FROM TIRES OF CON VEHICLES BEFORE THEY ENTER A PAVED ROADWAY.
- PROPERLY SIZE ENTRANCE **BMPs** FOR ALL ANTICIPATED VEHICLES.
- MAKE SURE THAT THE CONSTRUCTION ENTRANCE DOES NOT BECC IN SOIL.

## VEGETATIVE BUFFERS:

- INSTALL AND PROTECT VEGETATIVE BUFFERS ALONG WATER BODIE AND FILTER STORMWATER RUNOFF.
- MAINTAIN BUFFERS BY MOWING OR REPLANTING PERIODICALLY TO I THEIR EFFECTIVENESS.

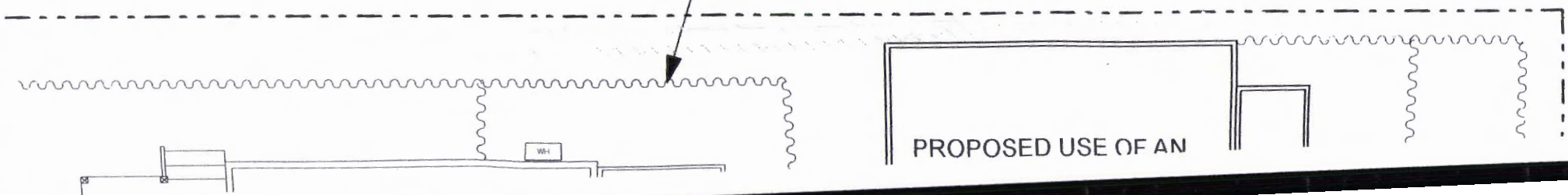
## PROTECT NATURAL FEATURES:

- MINIMIZE CLEARING AND AMOUNT OF EXPOSED SOIL.
- IDENTIFY AND PROTECT AREAS WHERE EXISTING VEGETATION WILL I DISTURBED BY CONSTRUCTION ACTIVITY.
- PROTECT STREAMS, STREAM BUFFERS, WILD WOODLANDS, WETLAN OTHER SENSITIVE AREAS FROM ANY DISTURBANCE OR CONSTRUCTI ACTIVITY BY FENCING OR OTHERWISE CLEARLY MARKING THESE ARE

## CONSTRUCTION PHASING:

- SEQUENCE CONSTRUCTION ACTIVITIES SO THAT THE SOIL IS NOT EXP LONG PERIODS OF TIME.
- SCHEDULE OR LIMIT GRADING SMALL AREAS.
- INSTALL KEY SEDIMENT CONTROL PRACTICES BEFORE SITE GRADING
- SCHEDULE SITE STABILIZATION ACTIVITIES, SUCH AS LANDSCAPING, TO COMPLETED IMMEDIATELY AFTER THE LAND HAS BEEN GRADED TO ITS CONTOUR.

DIRECT ALL DOWNSPOUTS INTO LANDSCAPING WITH AN UNDERGROUND BIO-INFILTRATION SYSTEM ( PERFORATED DRAIN LINE) DESIGNED TO DISPERSE RUNOFF FROM THE ROOF.





WITH AN UNDERGROUND BIO-INFILTRATION  
SYSTEM ( PERFORATED DRAIN LINE) DESIGNED  
TO DISPERSE RUNOFF FROM THE ROOF.

