COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: December 12, 2018

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of an Initial Study and Mitigated Negative Declaration, Coastal Development Permit, Design Review, and Grading Permit to allow construction of a new single-family residence with an attached garage on an undeveloped parcel located on Arbor Lane in the unincorporated Moss Beach area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2016-00444

PROPOSAL

The applicant proposes to construct a new 3,338 sq. ft. two-story single-family residence with a 468 sq. ft. attached two-car garage on an undeveloped 14,320 sq. ft. parcel. The proposal includes the removal of two Monterey cypress trees and 368 cubic yards (c.y.) of grading (186 c.y. of excavation and 192 c.y. of fill). A water well is located on the subject property and will be formally abandoned prior to construction of the proposed single-family residence.

RECOMMENDATION

That the Planning Commission adopt the Initial Study and Mitigated Negative Declaration and approve the Design Review, Coastal Development Permit, and Grading Permit, County File Number PLN 2016-00444, by making the required findings and imposing the conditions of approval in Attachment A.

SUMMARY

Setting: The project site is on an undeveloped parcel surrounded by single-family residential development with the same zoning to the north, south, and east. A vacant parcel separates the subject parcel from the coastal bluffs (located approximately 30 feet from the western property line of the subject parcel). A 3-foot tall wooden fence runs parallel to the coastal bluff on the property to the west of the subject parcel, crosses into the southwestern corner of the subject parcel, and ends at the top of the creek approximately 40 feet into the subject parcel. Dean Creek borders the parcel to the south with the top of the creek line encroaching up to approximately 50 feet into the southwestern corner of the parcel. A grove of mature Monterey cypress trees are located on the steep canyon upland slope separating the property from Dean Creek while two Monterey cypress trees are located at the middle and left side yard of the

parcel. There is a water well in the front left yard of the parcel. The subject parcel is subject to three easements: a 10-foot wide public utility easement that crosses the front yard, a scenic easement that was created as part of the Cypress Cliffs Subdivision (Case No. X6D-448) recorded in 1972 that crosses the rear yard and requires a 20-foot setback from the easement's edge, and a 75-foot wide scenic easement that was imposed by the California Coastal Commission as part of a prior lot line adjustment (Case No. X6E-122) crosses the front and right side yards of the project parcel.

General Plan Compliance: The proposed project complies with all applicable General Plan policies regarding Visual Resources, Urban Land Use, Water Supply and Wastewater, and Vegetative, Water, Fish, and Wildlife Resources. The proposed residence will be in an urban neighborhood designated for that specific land use and will connect to existing water and wastewater infrastructure. The mitigation measures listed as conditions of approval in Attachment A will be implemented to ensure that no adverse impacts to environmentally sensitive habitat areas will occur.

Local Coastal Program Compliance: The project complies with all applicable Local Coastal Program Policies for Locating and Planning New Development, Sensitive Habitats, Visual Resources, Hazards, and Shoreline Access. Mitigation measures will be implemented to protect sensitive habitats. The proposed project, as conditioned, is designed and set back to assure stability and structural integrity for the expected economic life span of the development, will neither create nor contribute significantly to erosion problems or geologic instability of the project site or surrounding area, and will not require additional shoreline protection. Condition No. 3 has been included in Attachment A to prohibit the construction of any shoreline protective devices for the purpose of protecting the development approved in this project and all future development on this property in the event that these structures are threatened with imminent damage or destruction from coastal hazards. A creek slope monitoring program will be implemented to monitor erosion of the creek slope including implementation of an emergency response program if more than 2 feet of slope movement is observed during a routine site visit. A total of three native, drought resistant trees will be planted to replace the two trees proposed for removal with one tree strategically located in the rear yard area to help with creek bank stabilization. Lastly, the Coastside Design Review Committee (CDRC) recommended approval of this project on November 9, 2017, having determined it is in compliance with all applicable Design Review Standards.

Zoning and Design Review Compliance: The project complies with all R-1/S-17 Zoning Regulations as they relate to setbacks, lot coverage, height, and parking requirements. As previously stated, the project was found to be in compliance with all Design Review Standards pursuant to the CDRC's recommendation.

Grading Ordinance: The project complies with all applicable standards in the County Building Regulations regarding grading which includes erosion and sediment control, dust control, and timing of grading activity. The project has also been reviewed and conditionally approved by the Building Inspection Section's Geotechnical Consultant.

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COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: December 12, 2018

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of an Initial Study and Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, and a Coastal Development Permit, Design Review, and Grading Permit, pursuant to Sections 6328.4 and 6565.3 of the County Zoning Regulations and Section 9283 of the County Building Regulations, to allow construction of a new single-family residence with an attached garage on an undeveloped parcel located on Arbor Lane in the unincorporated Moss Beach area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2016-00444

PROPOSAL

The applicant proposes to construct a new 3,338 sq. ft. two-story single-family residence with a 468 sq. ft. attached two-car garage on an undeveloped 14,320 sq. ft. parcel. The residence will include four bedrooms, four and a half bathrooms, office nook, two covered porches, and a second level balcony. The proposal includes the removal of two Monterey cypress trees (27-inch and 36-inch diameters at breast height (dbh)) and 368 cubic yards (c.y.) of grading (186 c.y. of excavation and 192 c.y. of fill). A water well is located on the subject property and will be formally abandoned prior to construction of the proposed single-family residence.

RECOMMENDATION

That the Planning Commission adopt the Initial Study and Mitigated Negative Declaration and approve the Design Review, Coastal Development Permit, and Grading Permit, County File Number PLN 2016-00444, by making the required findings and imposing the conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Carmelisa Morales, Project Planner, Telephone 650/363-1873

Applicant: Carlos Zubieta

Owner: Zubar LLC

Location: Arbor Lane, Moss Beach

APN: 037-123-430

Parcel Size: 14,320 sq. ft.

Parcel Legality: The subject parcel was created as part of the Cypress Cliffs Subdivision recorded on May 4, 1972 (Planning Case No. X6D-448).

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

General Plan Designation: Medium Density Urban Residential (6.1 to 8.7 dwelling units/net acre)

Local Coastal Plan Designation: Medium Density Residential

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Undeveloped Parcel

Water Supply: Municipal water service will be provided by Montara Water and Sanitary District. A water well is located on the subject parcel and will be formally abandoned and capped prior to construction of the residence.

Sewage Disposal: Municipal sewer service will be provided by Montara Water and Sanitary District

Flood Zone: The project site is located in Flood Zone X as defined by FEMA (Community Panel Number 06081C0119F, effective August 2, 2017), which is an area with minimal potential for flooding. The FEMA Flood Designation for the coast, just beyond the coastal bluffs, is Flood Zone VE (Community Panel Number 06081C0119F, effective August 2, 2017) which covers coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves. This area has a 26% chance of flooding over the life a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones. The Zone VE designated area west of the project parcel has a base flood elevation of 29 feet. The project parcel is at an elevation of approximately 50 feet above the mean sea level, with the closest point of the proposed residence set back approximately 70 feet from the bluff edge. Therefore, the potential flooding impacts would be less than significant.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration was prepared and circulated, with review and comment period running from March 2, 2018 to March 22, 2018 (see Attachment M).

Setting: The project site is on an undeveloped parcel surrounded by single-family residential development with the same zoning to the north, south, and east. A vacant

parcel separates the subject parcel and the coastal bluffs (located approximately 30 feet from the western property line of the subject parcel). A 3-foot tall wooden fence runs parallel to the coastal bluff on the property to the west of the subject parcel, crosses into the southwestern corner of the subject parcel, and ends at the top of the creek approximately 40 feet into the subject parcel. Dean Creek borders the parcel to the south with the top of the creek line encroaching up to approximately 50 feet into the southwestern corner of the parcel. A grove of mature Monterey cypress trees are located on the steep canyon upland slope separating the property from Dean Creek while two Monterey cypress trees are located at the middle and left side yard of the parcel. There is a water well in the front left yard of the parcel. A well was approved for this parcel in 1997 (Case No. CDP 96-0045), but failed to produce adequate water supply. An amendment to the Coastal Development Permit (CDP) was approved in 1998 to drill two additional test wells in an attempt to establish a single on-site potable domestic water source to serve a future single-family residence. One of the wells failed to produce adequate water supply. The other well produced adequate water supply and is the current well on the parcel.

The subject parcel is subject to three easements: a 10-foot wide public utility easement that crosses the front yard, a scenic easement that was created as part of the Cypress Cliffs Subdivision (Case No. X6D-448) recorded in 1972 that crosses the rear yard and requires a 20-foot setback from the easement's edge, and a 75-foot wide scenic easement that was imposed by the California Coastal Commission as part of a prior lot line adjustment (Case No. X6E-122) that crosses the front and right side yards of the project parcel.

Chronology:

Date		Action
October 14, 2016	-	Application submitted.
June 16, 2017	-	Application determined to be complete.
July 13, 2017	-	Coastside Design Review Committee (CDRC) meeting. The CDRC continued review of the project, recommending a redesign of the residence and landscaping to bring the design into conformance with applicable design standards and address neighbors' concerns.
September 26, 2017	-	Revised application with a revised design submitted.
October 24, 2017	-	Revised application determined to be complete.
November 9, 2017	-	CDRC meeting. The CDRC considered the project and recommended approval.
December 15, 2017	-	County was notified by a member of the public of a temporary fence installed along the property boundaries. A hold was

placed on the application until the applicant removed the fence from the property.

January 14, 2018	-	Temporary fence removed from property.
May 2, 2018	-	Release of Mitigated Negative Declaration and start of 20-day public review period.
May 22, 2018	-	Close of Mitigated Negative Declaration public review period.
June 2018	-	The Building Inspection Section's Geotechnical Consultant (County Geotechnical Consultant) conducted an additional review of the project to address comments received on the Initial Study and Mitigated Negative Declaration.
June – September 2018	-	Ongoing discussions between the Building Inspection Section's Geotechnical Consultant and the applicant's geotechnical team, Michelucci & Associates, Inc., including discussions regarding alternative foundation designs for proposed residence and a monitoring program for the Dean Creek slope.
July 19, 2018	-	County staff and applicant's geotechnical team conducted a field visit of the project site.
October 3, 2018	-	The County Geotechnical Consultant conditionally approved the project subject to the applicant's geotechnical team's recommended creek slope monitoring program and an additional tree replanting to follow the County Arborist's recommendations (see Condition Nos. 12 and 69-73 in Attachment A).
December 12, 2018	-	Planning Commission public hearing.

DISCUSSION

A. KEY ISSUES

1. Conformance with the 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:

Urban Land Use Policies

Policy 8.30 (*Infilling*) encourages the infilling of urban areas where infrastructure and services are available. The subject parcel is zoned

for single-family residential development and adjacent to residential development to the north, south, and east. The Montara Water and Sewer District (MWSD) has confirmed that water and sewer services are available for this project.

Visual Resources Policies

Policy 4.15 (*Appearance of New Development*) regulates development to promote and enhance good design, site relationships, and other aesthetic considerations. Policy 4.16 (*Supplemental Design Guidelines for Communities*) also encourages the County to have supplemental site and architectural design guidelines for communities to reflect local conditions, characteristics, and design objectives that are flexible enough to allow individual creativity. The proposed single-family residence will be in Moss Beach, one of the County's Design Review Districts. The project was reviewed under and found to be in compliance with the Design Review Standards for One-Family and Two-Family Residential Development in the Midcoast by the Coastside Design Review Committee (CDRC) at their regular meetings on July 13, 2017 and November 9, 2017 where the CDRC recommended approval of the project. The project's compliance with the applicable design review standards is discussed further in Section A.3.b of this report.

Water Supply and Wastewater Policies

Water Supply Policy 10.10 (*Water Suppliers in Urban Areas*) and Wastewater Policy 11.5 (*Wastewater Management in Urban Areas*) require consideration of water systems as the preferred method of water supply and sewerage systems as the appropriate method of wastewater management in urban areas. Montara Water and Sewer District is the water and sewer service provider for this urban area and have confirmed that their service connections are available for the subject parcel. Further, the water well on the property will be formally abandoned as required by the County Environmental Health Services.

Vegetative, Water, Fish, and Wildlife Resources

Policy 1.28 (*Regulate Development to Protect Sensitive Habitats*) regulates development activities adjacent to sensitive habitats in order to protect rare, endangered, and unique plants and animals from reduction, degradation, and a decrease in biological productivity. The immediate surrounding area around the project site includes single-family residences, the Fitzgerald Marine Reserve, and a steep gully with an intermittent creek (Dean Creek). A biological resources assessment (Kopitov assessment) (see Attachment G) was prepared by Kopitov Environmental LLC (Kopitov), dated May 9, 2015, for a 1.04-acre biological study area (BSA) centered on the project parcel. An update to the Kopitov assessment (CRE assessment) (see Attachment H), dated October 2, 2017, was also prepared by Coast

Ridge Ecology LLC (CRE) to include an updated California Natural Diversity Database (CNDDB) map, updated review of the potential presence of special-status species on the property, and a map of the riparian corridor associated with Dean Creek.

Special-Status Plant Species

As discussed in the Initial Study (IS) and Mitigated Negative Declaration (MND) for this project (see Attachment M), Kopitov identified 56 special-status plant species with a potential to occur within the BSA. No special-status species were observed during Kopitov's field visit of the project site, but Kopitov stated there still may be suitable habitat present for Hickman's potentilla and coastal marsh milk-vetch in the Dean Creek habitat located south of the project parcel. After conducting field visits during peak bloom season, Kopitov concluded that there is no potential for these species to occur in the project area and surrounding vicinity. In addition, Kopitov did not find any United States Fish and Wildlife Service (USFWS) designated critical plant species within 5 miles of the project site.

CRE updated the CNDDB list in the Kopitov assessment and the resulting list identified 13 special-status plant species within a 3-mile radius of the project site (as shown in Figure 2 of the CRE assessment). More recent special-status plant observation data on Blasdale's bent grass and perennial goldfields was discovered by CRE. An occurrence of Blasdale's bent grass was observed approximately 0.2 miles north of the project site and perennial goldfields were observed approximately 1.0 miles north of the project site at Montara State Beach. Kopitov did not observe these species during the field visits she conducted during peak blooming season and therefore neither species is expected to be present on the project parcel or surrounding area. CRE concluded that there are no additional special-status plant species with the potential to be present in the project area and surrounding vicinity.

Special-Status Wildlife Species

Kopitov identified six special-status or unique wildlife species that have the potential to occur in the BSA: the monarch butterfly, California red-legged frog (CRLF), San Francisco garter snake (SFGS), San Francisco dusky-footed woodrat (SFDW), salt marsh common yellowthroat (SMCY), and the hoary bat. These species have the potential to occur in the BSA due to nearby occurrences and/or potential suitable habitat as discussed in the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the project (see Attachment M). Kopitov concluded that construction activities, including, but not limited to, vegetation removal, grading, and staging, could result in substantial adverse effects to CRLF and SFGS such as the mortality of these species or interference with dispersal. Both species have the potential for dispersal and movement from breeding ponds and creeks into the BSA during significant rain events. Kopitov also concluded that the

proposed project may result in significant adverse effects to SFDW that may be nesting in the poison oak habitat and bats that may roost in the Monterey cypress trees.

During Kopitov's field visit in April 2015, no special-status wildlife species or signs of special status species were detected. In September 2017, CRE visited the project site and also found no observations of SFGS. The only species that was not assessed in the Kopitov assessment that was included in the CRE assessment was the fogbelt bumblebee, a species that does not have federal or state-listing protection, but is ranked as an S1/S2 (State Critically Imperiled/State Imperiled) by the State of California. CRE determined this species to not be present on the project site as it has likely been extirpated from the region for decades. No additional special-status wildlife species were determined to have any potential for presence in the project area and surrounding vicinity other than those identified in the Kopitov assessment.

Story Pole Installation

Story poles were required to be installed ten days prior to the proposed project being presented to the CDRC at their July 13, 2017 meeting. Some vegetation, primarily California blackberry, on the project parcel was mowed to accommodate the story poles installation on July 3, 2017. The CRE assessment states that there was no evidence of SFDW middens found within the mowed area during their site inspection on September 14, 2017. Additionally, no SFDW middens were observed on the remainder of the project parcel or within the Dean Creek corridor downslope of the parcel.

Kopitov, with no recommended changes from CRE, has provided mitigation measures (see Condition Nos. 33-42 in Attachment A) to ensure that adverse effects to the species identified are less than significant. With these mitigation measures, the proposed development will protect nearby sensitive habitats and the identified special-status plant and wildlife species.

2. Conformance with the Local Coastal Program

Pursuant to Section 6328.4 (*Requirement for Coastal Development Permit*) and Section 6328.5 (*Exemptions*), the proposed project, construction of a new single-family residence, requires a Coastal Development Permit for development in the Coastal Development District. Staff has determined that the proposed project is in compliance with all applicable Local Coastal Program (LCP) Policies, elaborated as follows:

Locating and Planning New Development

LCP Policy 1.23 (*Timing of New Housing Development in the Midcoast*) limits the maximum number of new dwelling units built in the urban Midcoast to 40 units per calendar year so that roads, public services and facilities,

and community infrastructure are not overburdened by impacts of new residential development. Staff anticipates that the building permits to be issued for the 2018 calendar year will not exceed this limit, based on estimates of current applications for building permits for this calendar year and those received in 2017.

Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) prohibits any development which would have a significant adverse impact on sensitive habitat areas.

As discussed in Section A.1 above, the Kopitov assessment for a 1.04-acre BSA centered on the project parcel (see Attachment G) and CRE assessment (see Attachment H), an update to the Kopitov assessment, were submitted. The Kopitov assessment identified four sensitive habitats in the BSA: habitats supporting rare and endangered species, Dean Creek, the Fitzgerald Marine Reserve, a State of California ecological reserve to protect natural areas with use restricted to scientific research relating to the management and enhancement of marine resources, and coastal bluffs.

Potential impacts to habitats supporting rare and endangered species were discussed in Section A.1 and mitigation measures are proposed as conditions of approval to ensure that no adverse impacts to environmentally sensitive habitat areas will occur. In addition to the minimum required zoning setbacks and setback required for the 75-foot scenic easement (as discussed in the Background Section of this report) bisecting the northern half of the project parcel, Kopitov determined that the proposed project will not impact the coastal bluffs. Regarding the Fitzgerald Marine Reserve, no disturbance or taking of marine life, archaeological resources, or geological formations are allowed, and no fishing or collecting is permitted unless authorization is approved by the California Department of Fish and Wildlife (CDFW) for scientific research. The proposed project does not propose any of these unauthorized activities.

As discussed in the IS/MND prepared for this project (see Attachment M), Dean Creek is an intermittent creek that flows adjacent to the project area at the bottom of a steep gully at the southern boundary. Historically, Dean Creek has intermittent flow, but during high rainfall years, such as 2016 and 2017, Dean Creek may have year-round flow. Residential uses in the surrounding area also contribute additional flow, especially during the dry season due to yard irrigation and runoff/seepage to the creek. A portion of Dean Creek flows through underground pipes while a portion flows through an open channel.

The gully along the southern boundary of the project parcel was too steep to safely traverse. However, Kopitov examined the mouth of Dean Creek that flows to Kelp Cove in the Fitzgerald Marine Reserve. An old, rusted, broken metal pipe was identified on the bed of the creek. Kopitov stated that this

pipe likely runs the length of the creek until it is undergrounded. During the field visit, the creek bed was damp with no standing water observed in the accessible portion of the creek bed, a distance of approximately 60 to 100 feet from the creek mouth. Kopitov observed a shallow amount of water (less than 1-inch deep) inside the pipe at about 100 feet upstream of the creek mouth. Kopitov also observed various hydrophytic plants on the creek bed and bank approximately 60 to 75 feet upstream of the creek mouth including arroyo willow, Typha species, hoary stinging nettle, silver weed cinquefoil, and curly dock. The hydrophytic plants were restricted to the creek bed around the pipe. Typha species was also observed further upstream covering a larger area which indicates a potential wetland or a wider stream bed. Other plant species were observed at the toe of the gully and within the creek bed and bank such as cape ivy and pampas grass. Monterey cypress trees line the top of the gully and continue down slope. A portion of the gully adjacent to the southern project boundary was degraded by human use (i.e., rope swings on the cypress trees). There was no visible understory.

Pursuant to LCP Policy 7.7 (*Definition of Riparian Corridors*), a riparian corridor is defined by the "limit of riparian vegetation" which is a line determined by the association of the following plant and animal species normally found near streams, lakes, and other bodies of freshwater: red alder, jaumea, pickleweed, big-leaf maple, narrow-leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and box elder. This corridor must contain at least a 50% cover of some combination of these plants to be considered a riparian corridor. During their field visit, over two years since Kopitov's field visit, CRE did not identify any of these plants within the corridor section of Dean Creek. CRE identified a combination of native and non-native plant species such as Bur Reed, California blackberry, stinging nettle, wild radish, nasturtium, and cape ivy. The outside edge of the riparian wetland floodplain feature of the creek was used to delineate the outside edge of the riparian zone. The boundary between the floodplain and upland area was determined by a visible soil, slope, and vegetative change. The riparian buffer zone extends upslope from the floodplain area and encompasses a large section of the steep slope dominated by Monterey cypress trees. CRE observed very little understory vegetation with the exception of invasive plants such as cape ivy. Based on these findings and the LCP definition of riparian corridor, Dean Creek does not have a riparian corridor.

LCP Policy 7.11 (*Establishment of Buffer Zones*) requires a 30-foot buffer zone for intermittent streams where no riparian vegetation exists along both sides of riparian corridors. If no riparian vegetation exists, this policy requires that the setback be taken from the midpoint of the intermittent stream. The distance from the floodplain/corridor boundary to the project parcel's southern boundary line, a distance closer than from the midpoint of the stream, varies from approximately 50 to 70 feet. CRE determined that the proposed residence complies with this buffer zone requirement

and concluded that there would be no impacts to Dean Creek with the implementation of the mitigation measures recommended by Kopitov (see Condition Nos. 33-42 in Attachment A).

Visual Resources Component

LCP Policy 8.12a (*General Regulations*) applies the Design Review Zoning District to urbanized areas of the Coastal Zone, which include Moss Beach. The project is, therefore, subject to Section 6565.20 of the Zoning Regulations. As discussed in Section A.1 of this report, the CDRC considered this project at their regularly scheduled meeting on November 9, 2017, and determined it to be in compliance with applicable Design Review Standards (DR Standards), and recommended approval. Compliance is further discussed in Section 3.b of this report. The proposed project is also required to comply with LCP Policy 8.13a (*Special Design Guidelines for Coastal Communities*) which establishes design guidelines for Montara, Moss Beach, El Granada, and Miramar. The proposed residence complies with these guidelines as follows:

a. The project does not require extensive grading and does not significantly alter the existing topography. Both the Department of Public Works and Building Inspection Section's Geotechnical Consultant have reviewed and conditionally approved the project, including the grading work involved.

b. The proposed residence uses materials and colors with a natural appearance such as Western red cedar siding, natural wood for the decks and overhangs, and non-reflective, built up roofing finished with a layer of granite that will blend with the vegetative cover of the site and surrounding area.

c. The proposed residence uses butterfly and flat roofs and non-reflective, built up roofing finished with a layer of granite (as cited above) as the primary roof material. The varying roof slopes allow the house to be nested into the low-lying neighborhood, while the granite on the exterior roofing will reflect the rocks along the cliff. The size of the house was reduced in footprint under the direction of the CDRC at their meeting on July 13, 2017 in the interest of preserving the views of the neighborhood. The second story of the house was also reduced and second level deck was relocated to the back of the property to preserve privacy and minimize the visual impacts from many of the neighboring residences.

d. The proposed design of the house features was strategically designed to relate to the immediate neighborhood while the new structure uses contemporary strategies for incorporating passive solar, opening up the house to the outdoor spaces and retaining the native surrounding habitat as recommended by the project biologist. From the street, the

project scale is kept low to create visibility and reduce solid two-story wall surfaces.

e. The proposed design of the house respects the scale of the neighborhood through enhanced facade articulation bringing the proposed structure to a scale compatible with the residences in the neighborhood.

Furthermore, LCP Policy 8.4 (*Cliffs and Bluffs*) requires the set back of 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.

As discussed in the IS/MND prepared for this project (see Attachment M), the proposed 24.5-foot high residence will be visible from the Pacific Ocean and bluff-top area to the west, and residential area to the north and east. A grove of mature Monterey cypress trees will partially screen the proposed residence from the residential area south of Dean Creek. As discussed in Section A.1, as proposed and conditioned, the CDRC at their November 9, 2017 meeting recommended approval of the proposed residence to the Planning Commission, based on the findings that included compliance with all applicable Design Review (DR) standards. Specifically, the CDRC found that the proposed project complies with Section 6565.20(B) (Neighborhood Definition and Neighborhood Character) of the Standards for Design for One-Family and Two-Family Residential Development in the Midcoast due to the original design presented to the CDRC at their July 13, 2017 meeting being revised with the interest of preserving the views and ensuring compatibility with the surrounding neighborhood. The applicant responded to the CDRC's concerns from the July 13, 2017 meeting with improved massing, articulation, colors and materials, and a slightly reduced height. The second story of the proposed residence was reduced and the second story deck was relocated to the back of the property to preserve privacy and minimize visual impacts from many of the neighboring residences. As a result, the CDRC was able to make the findings to recommend approval of the design of the proposed residence as it complies with all applicable DR standards. Furthermore, with the constraints of the two scenic easements mentioned in the Background Section of this report and as demonstrated by the recommendation of approval by the CDRC, the visual impact of the proposed residence will not be significant. The trees proposed to be planted for the project will also be located in the rear yard of the project parcel close to the Monterey cypress grove to minimize visual impacts and to help with creek slope stability as will be discussed in later sections of this report.

Hazards Component

LCP Policy 9.8 (*Regulation of Development on Coastal Bluff Tops*) requires bluff and cliff top development to be permitted 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. This policy requires 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. LCP Policy 9.10 (*Geological Investigation of Building Sites*) also requires the Building Inspection Section's Geotechnical Consultant (County Geotechnical Consultant) to review all building and grading permits in designated hazardous areas for evaluation of potential geotechnical problems and to review and approve all required investigations for adequacy. Furthermore, this policy requires site specific geotechnical investigations to determine mitigation measures for the remedy of such hazards as may exist for structures of human occupancy. Lastly, LCP Policy 9.11 (*Shoreline Development*) aims to locate new development where no additional shoreline protection is needed.

The project site and surrounding area were evaluated by both the County Geotechnical Consultant and the applicant's geotechnical team consisting of Joseph Michelucci, Geotechnical Engineer, David Hoexter, Certified Engineering Geologist, of Michelucci & Associates, Inc. A geotechnical report (Michelucci report) (see Attachment J) was prepared by Michelucci & Associates, Inc. (Michelucci), dated July 6, 2016. The Michelucci report includes an aerial photographic interpretation discussing sixteen sets of aerial photographic stereo pairs taken from 1941 and 2005.

Dean Creek

As discussed in the IS/MND prepared for this project (see Attachment M), Michelucci observed the sloping creek bluff to the south of the project parcel to be subject to minor sloughing, erosion, and growth of dense vegetation, but observed that the top of the bluff did not appear to retreat. Michelucci compared 1997 and 2016 site surveys and found that there was negligible, minor slope retreat, which, based on the general slope appearance in the historical aerial photographs, is applicable to a longer period of time.

Coastal Bluffs

The western property line of the project parcel is located approximately 30 feet at its closest point from the edge of the ocean bluffs. Michelucci observed indications of failure of the ocean bluffs during the winter of 2015-2016 with debris from the slope present at the base of the slope and a bare "scar" on the bluff face at the location of where the debris fell. Comparing the 1997 and 2016 site surveys, the bluff retreated at four representative locations from the north to the south were 8, 16, 12, and 6 feet, an average of 10.5 feet corresponding to an average retreat rate of

0.55 feet per year. The Michelucci report states that the most conservative average bluff retreat rate of 1.25 feet per year (taken from a published calculation of average annual ocean bluff retreat prepared by Gary Griggs and Lauret Savoy in 1985) was used in their projection, resulting in approximately 24 years for the bluff to reach the western property line of the project parcel. At this rate, the ocean bluff would retreat an additional 30 feet to the western building setback line in approximately 48 years, and to the closest point of the proposed residence, approximately 17 feet further inland, in approximately 14 additional years. At the maximum rate of 1.25 feet per year, Michelucci estimated that the bluff would reach the proposed residence in approximately 62 years. The Michelucci report acknowledges that the 62-year period is conservative and that their calculations (based on the same 1866 site survey used by Griggs and Savoy) resulted in a lower average rate of 0.73 feet per year. Further, additional calculations based on the historical aerial photographs and site surveys also resulted in lower average rates of retreat ranging from 0.40 to 0.78 feet per year. The Michelucci report concluded that the average retreat rate is likely slower and with a more reasonable rate of 0.78 feet per year, the ocean bluffs would reach the western property line, western building setback line, and closest point of the proposed residence in approximately 38, 76, and 99 years, respectively. Michelucci notes that these calculated rates of bluff retreat are based on an assumed constant retreat rate. Ocean bluff failures occur episodically and not uniformly through time. Therefore, the measured/calculated rates of retreat must be assumed to be indicative, but not strictly representative of long-term rates. An individual failure episode may involve several feet of bluff retreat followed by many years, even decades, of no retreat.

The Michelucci report also discusses a qualitative evaluation of ocean bluff seismic stability. Michelucci states that geologic literature suggests that ocean bluff failures have occurred along the San Mateo County coast during earthquakes, specifically during the 1906, 1957, and 1989 San Francisco, Daly City, and Loma Prieta events. The events appear to generally consist of “peeling” and “slumping” of bluff face material similar to undercutting by wave erosion, as opposed to circular or block glide-type failures. The Michelucci report concluded that earthquake-caused instability would be similar in scope to the periodic, primarily winter wave undercut failures, and would likely replace or occur at the location of an imminent undercutting failure. Thus, seismic bluff failure would be incorporated into as opposed to being additive to the long-term bluff retreat.

Based on their observations, the Michelucci report concluded that the project can be developed as planned, provided that the recommendations in their report are followed. Their primary geotechnical consideration involves the upper 2 to 4 feet of surface soil that is generally weak. This material is compressible and consideration should be given to supporting the planned slab on grade floor. Michelucci recommends drilled reinforced concrete piers that will gain support in the strong Marine Terrace Deposits that were

encountered below the weak surface soils in the three test borings conducted. In order to fortify the foundation and make it resistant to bluff retreat, Michelucci stated consideration should be given to constructing deep drilled piers along the edge of the structure closest to the bluffs and utilizing the slab and more conventional interior and perimeter piers as "tie backs."

Updates to Geotechnical Report

Michelucci prepared a subsequent geotechnical update and review of structural plans and calculations (updated Michelucci reports) (see Attachments K & L) dated August 29, 2017 and November 22, 2017, respectively, due to the length of time since the original report was prepared. The additional geotechnical review and updated Michelucci reports were also prompted by comments from neighbors regarding their concerns and reviewing agencies about the Dean Creek slope retreat rate received by the County. The updated Michelucci reports concluded that the slope down from the project site to Dean Creek was visually unchanged with no indication of further erosion or retreat after the 2016-2017 winter season. The top of the slope continues to be protected by trees with ground surface only minimally exposed to wind and direct rainfall.

Regarding the ocean bluff, Michelucci observed a retreat of approximately 6 feet closer to the existing fence on the adjacent parcel, specifically, the fence post at the southwest corner, and a maximum of 11 feet further north, approximately 60 feet from the corner post since the original report was prepared in 2016. The updated Michelucci reports state that their measurements are accurate to a distance on the order of 1 to 2 feet due to the possible differences in interpretation of the top of bluff location. Michelucci states that the 2016-2017 bluff retreat is representative of past episodic events (in occurrence, not necessarily in magnitude), and their previous estimates of average annual rates and anticipated time until the retreat reaches the proposed residence remain unchanged. Based on these findings, the updated Michelucci reports concluded that the proposed project continues to be feasible from a geologic and geotechnical viewpoint provided that the recommendations in the original Michelucci report are incorporated into the final building plans and followed during construction.

The recommendations have been included as Condition No. 44 in Attachment A to ensure they are implemented, thus ensuring that impacts are less than significant.

Geotechnical Review after IS/MND Review Period

Comments received from reviewing agencies and concerned neighbors during the public review period for the IS/MND prepared for the project prompted additional geotechnical review of the project site by the County's Geotechnical Consultant. From June to September 2018, Michelucci has

reevaluated the retreat rate of the coastal bluffs and Dean Creek slope, explored alternatives to the proposed foundation design, and proposed a creek slope monitoring program. The discussions between the County Geotechnical Consultant and Michelucci which led to the County Geotechnical Consultant's conditional approval of the proposed project on October 3, 2018 are summarized below:

On June 7, 2018, the applicant submitted a Supplemental Foundation Criteria letter (see Attachment O) prepared by Michelucci that provides an alternative foundation design consisting of a shallow spread footing foundation system for the proposed project. Although this is the alternative foundation design proposed, Michelucci reiterates in the letter that the drilled piers foundation design is still the recommended foundation type for the proposed project. The County Geotechnical Consultant has reviewed and conditionally approved the project to require that a finalized foundation design be submitted at the building permit stage (see Condition No. 67 in Attachment A) and that design must take into account bluff retreat and creek slope stability. The design will require review and approval by the Building Inspection Section including the County Geotechnical Consultant.

On July 11, 2018, Michelucci submitted a response letter (see Attachment P) addressing some questions raised by the County Geotechnical Consultant regarding the coastal bluff retreat rate and sea level rise. The response letter provides supplemental recommendations and setback criteria related to ocean bluff retreat on the project parcel. Michelucci observed the protective wall and rip-rap at the toe of the slope that was constructed on a neighboring property located northwest of the Arbor Lane cul-de-sac. Based on historic Google Earth imagery, the rip-rap was installed between 2002 and 2003 when the top of the ocean bluff was linear while the wall was constructed in 2004. The wall does not extend down to the beach. Michelucci observed that the top of the bluff adjacent to the wall has receded approximately 3 to 4 feet since the wall was constructed. Although it is logical to assume that the wall has deflected wave energy to the south toward the project site, the actual impact immediately adjacent to the wall appears to have been minimal, thus it is expected that the wall has had a similar, or less, effect on retreat of the bluff below the project site.

Michelucci also acknowledges that sea level rise was not factored into the bluff retreat calculation in the original Michelucci report. After reviewing numerous references and consultant reports related to sea level rise impacts on bluff retreat rate, Michelucci was not able to identify any reliable discussion or proposed calculations to apply to the project site. The consensus was that sea level rise increases the retreat rate, but that the rate of increase is highly variable. Michelucci discovered a geotechnical report prepared in 2016 for a project in the immediate site vicinity (approximately 950 feet north) with a similar geologic setting. Although unable to obtain a copy of the report, Michelucci was able to discuss the

report with the principal author, Moses Cuprill, who indicated that Haro, Kasunich & Associates had utilized a factor of 125% (which means an additional 25% was added to the calculated historic average retreat rate) to calculate anticipated bluff retreat for the project and other projects along the California coast from Monterey to San Mateo County, with judgment modifications for soil and/or rock type. Cuprill also stated the 125% factor has been widely accepted by regulatory agencies such as the California Coastal Commission. Therefore, Michelucci modified the initial retreat rate with a corresponding increase of 25% which resulted in an increased rate of retreat, from 0.78 to 0.98 feet per year. With these revised numbers, the bluff retreat would reach the western property line, western setback line, and closest point of the proposed residence in approximately 26, 40, and 75 years respectively. Michelucci states these values are very conservative since the bluff top was measured within a year of the episodic 2016-2017 slope retreat. Further, if the factor was increased to 50%, it would take 63 years to reach the proposed residence. Michelucci states that sea level rise may impact the Dean Creek drainage along the south side of the project site. The creek currently discharges with a drop on the order of 3 to 4 feet down to the beach. An increase of sea level could result in erosion of the creek channel entry location which could then lower the creek channel base on the order of 1 to 2 feet. However, based on their research and findings, Michelucci concluded that the impact of this occurrence to the adjacent channel wall and resulting impact to the top of the channel adjacent to the project site would be negligible.

Creek Slope Monitoring Program

After a site visit was conducted by County staff and David Hoexter, Certified Engineering Geologist of Michelucci, on July 19, 2018 to observe any new conditions to the project site and surrounding area, the County Geotechnical Consultant required Michelucci to prepare a creek slope monitoring program for post-construction observation of the Dean Creek slope. The purpose of the monitoring program would be to identify potential occurrences of creek bank retreat prior to the retreat impacting the residence. The closest point of the proposed residence is approximately 25 feet from the top of the creek slope. The County Geotechnical Consultant required that the proposed residence to be set back from a line projecting up from the toe of the slope at an inclination of 2:1 (horizontal to vertical). This line projects a point approximately 9 feet from the proposed residence.

Michelucci recommended a program of visual observation of the slope twice per year by a California licensed professional. The County Geotechnical Consultant has reviewed and approved the creek slope monitoring program proposal outlined in the Post-Construction Creek Bank Observation letter prepared by Michelucci, dated September 17, 2018 (see Attachment Q). The program will require two monuments to be staked along the projected 2:1 creek setback line and a letter documenting the observations and recommendations after each site visit conducted twice a year for the

subsequent ten years after project completion to be submitted to the County Geotechnical Consultant for review and approval (see Condition Nos. 69- 73 in Attachment A). If slope movement of more than 2 feet is observed during a site visit, the applicant's geotechnical engineer shall prepare and implement an emergency response program for review and approval by the County (see Condition No. 71 in Attachment A).

Tree Removal and Replanting for Creek Slope Stabilization

The proposed project was reviewed by the County Arborist to determine the potential impacts of removing the two significant-sized trees proposed for removal to accommodate the proposed residence. The County Arborist determined the two trees may be removed under the supervision of a qualified arborist. A qualified arborist must also be consulted for recommendations on proper removal methods for the tree closest to the creek slope edge. The arborist's analysis and recommendations must be submitted at the building permit stage in the form of a report and will be subject to review and approval by the Planning Department. The applicant will also be required to plant three trees of at least 15-gallon stock each prior to obtaining the final building inspection for the associated building permit. One of the three trees must be planted in the rear yard area to help with creek bank stabilization. The species of all trees to be planted are required to be native and drought resistant and will be subject to the review and approval of the Community Development Director.

Based on the discussion above, the proposed project has been designed and set back to assure stability and structural integrity for the expected economic life span of the development, will neither create nor contribute significantly to erosion problems or geologic instability of the project site or surrounding area, and will not require additional shoreline protection. Condition No. 3 has been included in Attachment A to prohibit the construction of any shoreline protective devices for the purpose of protecting the development approved in this project and all future development on this property in the event that these structures are threatened with imminent damage or destruction from coastal hazards. The property owner will be required to record a deed restriction on the subject property prohibiting the construction of any shoreline protective devices for the current project and any future projects prior to completing the final building inspection for this project. Furthermore, as discussed, the proposed project has been reviewed and conditionally approved by the County Geotechnical Consultant.

Shoreline Access Component

LCP Policy 10.1 (*Permit Conditions for Shoreline Access*) requires some provision for shoreline access as a condition of granting development permits for any private development permits (except as exempted by LCP Policy 10.2 (*Definition of Development*)) between the sea and the nearest road. Although the proposed project does not meet the exemption criteria

outlined in LCP Policy 10.2, the project parcel is constrained by a 75-foot wide scenic easement (as mentioned in the Background Section of this report) that crosses the front and right side yards of the project parcel. This easement was enacted by the California Coastal Commission and includes the declaration of Lot 11, the adjacent parcel west of the project parcel, within the easement for public access. The proposed project would not affect public access and therefore no provision for shoreline access is required.

3. Conformance with Zoning Regulations

a. Conformance with the S-17 District Development Standards

The proposal complies with the property's R-1/S-17/DR/CD (Single-Family Residential District/S-17 Combining District/Design Review District/Coastal Development District) zoning designation, as outlined in the table below:

	S-17 Development Standards	**Proposed**
Minimum Building Site Area	5,000 sq. ft.	14,320 sq. ft.
Minimum Building Site Width	50 ft.	54.39 ft.
Maximum Building Site Coverage	5,012 sq. ft. (35%)	3,994 sq. ft. (27%)
Maximum Floor Area	6,200 sq. ft. (43%)	3,806 sq. ft. (26%)
Minimum Front Setback	20 ft.	21 ft.[1]
Minimum Rear Setback	20 ft.	21.75 ft.[2]
Minimum Right Side Setback	5 ft.	33 ft.[3]
Minimum Left Side Setback	5 ft.	5 ft.
Minimum Combined Side Yard	15 ft.	38 ft.
Maximum Building Height	28 ft.	24.5 ft.
Minimum Covered Parking	2 spaces	2 spaces
Daylight Plane or Facade Articulation	Daylight Plane	Complies

[1] *A 10-ft wide public utilities easement is located in the front yard area on the subject parcel. The proposed setback is taken from the front property line.*

[2] *A scenic easement included as part of the Cypress Cliffs Subdivision (Case No. X6D-448, approved on February 23, 1972 and recorded on May 4, 1972), the subdivision that created the subject parcel, bisects the southern section of the subject parcel and encroaches a maximum of 31 feet. into the subject parcel. A 20-foot setback from the easement's edge is required. The proposed setback includes both the easement encroachment and required setback from the easement.*

[3] *A 75-foot wide scenic easement that starts at Wienke Way and runs west through Arbor Lane to the coastal bluffs bisects the northern section of the subject parcel. This scenic easement was enacted by the California Coastal Commission (CCC) as part of Resolution No. 74-270 (approved on July 15, 1974 and recorded on November 24, 1975) in association with a Lot Line Adjustment (LLA) (Case No. X6E-122) affecting Lots 16 through 21 to ensure that future*

	S-17 Development Standards	Proposed
development does not intrude onto the scenic easement. The easement encroaches 33 feet into the subject parcel. The proposed setback is taken from the right property line.		

The proposed two-story single-family residence with an attached two-car garage meets the zoning district height standards and include a design, scale, and size compatible with other residences located in the vicinity. The proposed overall lot coverage is 27% (3,994 sq. ft.) of the total lot size, where 35% (5,012 sq. ft.) is the maximum allowed. The total overall floor area proposed is 26% (3,806 sq. ft.) of total lot size, where 43% (6,200 sq. ft.) is the maximum allowed. The attached garage will also allow the proposed residential use to comply with the two covered parking spaces requirement in Section 6119 (*Parking Spaces Required*) of the County Zoning Regulations.

b. Conformance with the Design Review Standards

The project was reviewed by the CDRC on July 13, 2017 who recommended a redesign of the residence and landscaping to bring the design into conformance with applicable design standards and to address neighbors' concerns. The applicant revised the designs of the residence and landscaping in response to the CDRC's recommendations. The project was reviewed by the CDRC on November 9, 2017 and was found to be in compliance with the Design Review Standards for One-Family and Two-Family Residential Development in the Midcoast under Section 6565.20 of the San Mateo County Zoning Regulations (see Attachment F), specifically elaborated as follows:

(1) The size of the house was reduced in footprint in the interest of preserving the views of the neighborhood. The second story of the house was reduced and the deck was relocated to the back of the property to preserve privacy and minimize visual impacts from many of the neighboring homes. Additionally, the CDRC recommends reducing the rear doorway from double doors to a single door to allow for a reduction in square footage in the living and guest rooms and to shift the first floor by the width of the doorway. This minor modification will achieve a sizable reduction in square footage and will be more in line with neighboring structures.

(2) As proposed and conditioned, the project includes downward-directed exterior lighting that is architecturally integrated with the house's design, style, material and colors, and is designed and located so light and glare are directed away from neighbors and confined to the property. Condition No. 5.a. requires the

reduction of Dark Sky-compliant light fixtures in the front entry by one light fixture. Condition No. 5.b. also limits the Dark Sky-compliant light fixtures in the front yard area to not exceed 12 inches in height.

(3) As proposed and conditioned, the landscape plan (see Attachment D) has been revised and is consistent with recommendations presented in the July 13, 2017 meeting such as revising the plant plan to include only plants that are suitable for an exposed marine environment. Additionally, the CDRC recommends that the applicant consider the environmental benefits of preserving instead of removing the 36-inch dbh cypress tree located close to the creek edge at the rear of the property. The County Arborist has reviewed and conditionally approved the tree removal proposed for this project as discussed in Section A.2 of this report.

4. Conformance with the Grading Ordinance

The applicant proposes to perform grading involving 368 cubic yards (c.y.) of grading (186 c.y. of excavation and 192 c.y. of fill) for the construction of the proposed single-family residence. Although the project involves less than 1,000 c.y. of grading, the project is appealable to the California Coastal Commission and is therefore subject to the review of the Planning Commission.

In order to approve this project, the PC must make the required findings as specified in Section 9290 (*Findings, Conditions, and Actions*) of the County Building Regulations. The findings and supporting evidence are outlined below:

a. That the project will not have a significant adverse effect on the environment. An IS/MND was prepared and circulated for this project in compliance with the California Environmental Quality Act (CEQA) (see Attachment M). Staff determined that although the proposed project could have a significant effect on the environment, the impacts will be less than significant with the implementation of mitigation measures, included as Condition Nos. 31-42 in Attachment A, as discussed in the sections above.

b. That the project conforms to the criteria of Chapter 5 (*Regulations for Excavating, Grading, Filling, and Clearing on Lands in Unincorporated San Mateo County*) of the County Building Regulations including the standards referenced in Section 9296. The project, as proposed and conditioned, conforms to the standards in the County Building Regulations, including timing of grading activity, erosion and sediment control, and dust control. The project has also been reviewed and

conditionally approved by the Department of Public Works and the Building Inspection Section's Geotechnical Consultant.

c. That the project is consistent with the General Plan. The project parcel has a General Plan land use designation of Medium Density Residential within an urban area (6.1 – 8.7 dwelling units per acre). Although the proposed single-family residence, an allowed use of this land use designation will have a lower density (3.04 dwelling units per acre) than the allowed density for this land use designation, the residence meets all other locational criteria including its location within an existing medium density area, near major transportation corridors, and outside of areas within high perceived noise levels, and the availability of adequate public services and facilities. Additionally, as proposed and conditioned, the project complies with all applicable General Plan policies, as discussed in Section A.1 of this report.

d. That the project is consistent with the provisions of the Significant Tree Removal Ordinance, the provisions of which must be considered and applied as part of the planning permit approval process (Significant Tree Removal Ordinance Section 12.020.1(e)). That the project is consistent with the provisions of the Significant Tree Removal Ordinance, the provisions of which must be considered and applied as part of the planning permit approval process (Significant Tree Removal Ordinance Section 12.020.1(e)). The applicant will plant three trees of at least 15-gallon stock each for the two significant-sized trees proposed for removal. One of the three trees will be planted in the rear yard area to help with creek bank stabilization. The species of all trees to be planted are required to be native and drought resistant and will be subject to the review and approval of the Community Development Director. Furthermore, as required by the County Arborist, a qualified arborist is required to recommend proper removal methods for the tree closest to the creek slope edge, supervise the removal of the two significant-sized trees, and prepare a report on the analysis and recommendations for the project that will be subject to review and approval by the County Planning Department.

B. REVIEW BY THE MIDCOAST COMMUNITY COUNCIL

The County has received three sets of comments from the Midcoast Community Council (MCC) regarding this project. Below is a summary of the comments with staff's response:

1. **Comments Received on November 9, 2016:** A referral of the project was sent to the MCC on October 28, 2016. The comments received from the MCC on November 9, 2016 (see Attachment R) summarized their concerns regarding public coastal access and erosion hazards on the project site. The MCC requested that the applicant submit a coastal erosion study and

recommended that a public shoreline access and a hiking thread of the California Coastal Trail be included in the proposed project.

2. **Comments Received on September 26, 2017:** The proposed project was reviewed by the MCC at their meeting on August 23, 2017. The comments discussed at the meeting were summarized in a letter submitted to the County on September 26, 2017 (see Attachment S). The comments include a request that the applicant submit a coastal erosion study and impose conditions of approval on the proposed project regarding coastal hazards such as prohibiting future shoreline armoring and requiring removal of the development if it becomes unsafe to occupy due to threat from coastal hazards. The MCC also included a request for updated creek bluff retreat measurements and an alternative foundation design due to the future potential difficulty of removing the deep-drilled piers when the coastal bluff reaches the proposed residence.

3. **Comments Received on May 9, 2018:** The MCC submitted comments to the County on May 9, 2018 during the public review period for the IS/MND prepared for the proposed project (see Attachment T). Their comments restated their concerns from the comments letter submitted on September 26, 2017 regarding coastal and creek bluff instability and erosion and requests for an alternative foundation design and to prohibit future shoreline armoring.

   Staff's Response: As discussed in Section A.2 of this report, the applicant's geotechnical team, Michelucci & Associates, Inc. (Michelucci), conducted a geotechnical analysis of the project site and surrounding area including an analysis of the coastal bluffs west of the project parcel and the creek slope south of the project parcel. The original Michelucci report was updated and additional review was conducted after the IS/MND public review period. Although Michelucci still recommends the drilled piers foundation design, they have also recommended an alternative foundation design consisting of a shallow spread footing foundation system for the proposed project (see the Michelucci Supplemental Foundation Criteria letter in Attachment O). The County Geotechnical Consultant has reviewed and conditionally approved the project to require that a finalized foundation design be submitted at the building permit stage (see Condition No. 67 in Attachment A). The finalized design must take into account bluff retreat and creek slope stability and will require review and approval by the Building Inspection Section including the County Geotechnical Consultant. A creek slope monitoring program will be implemented. Pursuant to the County Arborist's recommendations, the proposed project has been conditioned (see Condition No. 11 in Attachment A) to require consultation from a certified arborist for an adequate tree removal method to remove the tree closest to the creek slope. In addition, the applicant is required to plant an additional 15-gallon sized tree (for a total of three 15-gallon sized trees) in the rear yard area to help with creek bank stabilization (see Condition No. 12 in Attachment A). Regarding the request to impose coastal hazard

conditions of approval on the proposed project, Condition No. 3 has been included to prohibit bluff protection work including but not limited to the construction of shoreline protective devices for this project and any future projects associated with this property. The applicant is required to record a deed restriction on the subject property prohibiting bluff protection work prior to the issuance of the building permit for this project.

C. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

The County has received two sets of comments from the California Coastal Commission (CCC) staff regarding this project. Below is a summary of the comments with staff's response:

1. **Comments Received on July 14, 2017:** The CCC responded to staff's referral for this project with a letter dated July 14, 2017 (see Attachment U). The response letter requested that the applicant remove all proposed development encroaching into the 75-foot wide scenic easement and recommended that County staff evaluate the project's consistency with LCP policies for development on coastal bluff tops and the protection of visual resources and sensitive habitats.

2. **Comments Received on May 22, 2018:** The CCC submitted comments to the County on May 22, 2018 during the public review period for the IS/MND (see Attachment V). The comments include a request for clarification on the floor area of the proposed residence and a recommendation that County staff evaluate the project's consistency with LCP policies including policies on potential hazards from coastal and creek bluff retreat, protection of visual resources and sensitive habitats, and shoreline access.

   Staff's Response: As discussed in Section A.2 of this report, the proposed project is in compliance with all applicable LCP policies including sensitive habitats, hazards, and visual resources. With the implementation of mitigation measures recommended by the applicant's biologist, Kopitov Environmental LLC, and geotechnical team, Michelucci & Associates, Inc., potential environmental impacts will be lowered to a less than significant level. Additionally, the designs of the proposed residence and landscaping have been reviewed and recommended for approval by the CDRC. Lastly, all proposed development has been removed from the 75-foot wide scenic easement that crossed the front and right side yards of the project parcel and no development is proposed within any easements on the project parcel.

D. ENVIRONMENTAL REVIEW

An Initial Study (IS) and Mitigated Negative Declaration (MND) have been prepared and circulated for this project in compliance with the California Environmental Quality Act (CEQA) (see Attachment M). The public comment period began on May 2, 2018 and ended on May 22, 2018. Mitigation measures

from the IS/MND have been included as Condition Nos. 31-49 in Attachment A. As of the publication of this report, County staff received comments from the California Coastal Commission (CCC), Midcoast Community Council (MCC), and three neighbors during the 20-day public review period (see Attachments N). The comments from the CCC and MCC and staff's responses to their comments are discussed in Sections B and C of this report. A summary of the comments received from neighbors is provided below followed by staff's response.

1. **The CDRC at their November 9, 2017 meeting voted to require, not recommend, that the applicant remove the rear entry door and reduce the square footage of the proposed residence.**

   Staff's Response: The CDRC drafts the findings, conditions, and recommendations for each project presented at their meetings. County staff drafts a letter to incorporate these items and sends a draft of the letter to the CDRC for review prior to finalizing the document. County staff then incorporates the edits and finalizes the document. This directive to remove the rear entry door and reduce the square footage of the proposed residence by the CDRC to County staff was proposed as a recommendation and there were no issues or objections to this recommendation by the CDRC or County staff. Therefore it was included in the final recommendation letter for this project (see Condition No. 2(2) in Attachment F and as Condition No. 5.d in Attachment A).

2. **The proposed residence should be reduced in size and scale to address erosion and site instability and protect adjacent sensitive habitats. The proposed foundation design to use deep drilled piers is also not adequate and should be reconsidered.**

   Staff's Response: As discussed in Sections A.1 and A.2 of this report, the proposed project has been analyzed to determine if there will be any potential environmental impacts. An IS/MND was prepared for the proposed project and concluded that potential environmental impacts will be reduced to a less than significant level with the implementation of mitigation measures included as Condition Nos. 31-49 in Attachment A. Regarding the proposed foundation design, Michelucci & Associates, Inc. has prepared an alternative foundation design that was reviewed and conditionally approved by the County Geotechnical Consultant. The County Geotechnical Consultant approved the design on the condition that the finalized foundation design takes into account bluff retreat and creek slope stability (see Condition No. 67 in Attachment A). The finalized design will require review and approval by the Building Inspection Section including the County Geotechnical Consultant prior to issuance of the associated building permit to ensure compliance with this condition of approval.

3. **The proposed project will be located on a parcel that is adjacent to two eroding bluff tops and should be analyzed against the same standards and be adequately set back to last until at least year 2100 pursuant to**

the Seal Level Rise Policy Guidance Document prepared by the California Coastal Commission.

Staff's Response: The proposed project requires a Coastal Development Permit and therefore requires an analysis of consistency with all applicable LCP policies. Sections A.1 and A.2 provide a comprehensive discussion of the proposed project's compliance with all applicable LCP policies, specifically LCP Policy 9.8 (*Regulation of Development on Coastal Bluff Tops*) which requires bluff and cliff top development to be permitted 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 LCP Policy 7.11 (*Establishment of Buffer Zones*) which requires a 30-foot buffer zone taken from the midpoint of an intermittent creek where no riparian vegetation exists. In addition, the County Geotechnical Consultant has required a creek slope monitoring program be implemented for at least the first ten years after project completion (see Condition Nos. 69-73 in Attachment A). The IS/MND and additional geotechnical review conducted after the IS/MND was prepared concluded that with the implementation of the mitigation measures included as Condition Nos. 31-49 in Attachment A, the proposed project, as approved and conditioned, will reduce its potential environmental impacts to a less than significant level. Furthermore, the CCC's Sea Level Rise Adopted Policy Guidance Document is not specific to a particular geographic location or development intensity, and is not a policy applicable to the proposed project. The CCC states that readers should view the content as a menu of options to use only if relevant, rather than a checklist of required actions.

4. The proposed removal of the Monterey cypress tree closest to the creek bluff top will cause increased erosion and will threaten the stability of adjacent residences.

Staff's Response: As discussed in Section A.2 of this report, the proposed project was reviewed by the County Arborist to determine the potential impacts of removing the two significant-sized trees proposed for removal to accommodate the proposed residence. The County Arborist determined the two trees may be removed under the supervision of a qualified arborist. A qualified arborist must also be consulted for recommendations on proper removal methods for the tree closest to the creek slope edge. The arborist's analysis and recommendations must be submitted at the building permit stage in the form of a report and will be subject to review and approval by the Planning Department. The applicant will also be required to plant three trees of at least 15-gallon stock each prior to obtaining the final building inspection for the associated building permit. One of the three trees must be planted in the rear yard area to help with creek bank stabilization. Lastly, the species of all trees to be planted are required to be native and drought resistant and will be subject to the review and approval of the Community Development Director.

5. County staff has not reviewed all available data and studies on coastal hazards for other projects in Moss Beach.

Staff's Response: The applicant has submitted the required assessments prepared by qualified professionals to assess the potential environmental impacts of the proposed project. The IS/MND prepared for this project concluded that all potential environmental impacts will be reduced to a less than significant level provided that all mitigation measures included in Attachment A are implemented. Lastly, all reviewing agencies including the County Planning Section, Building Inspection Section, Department of Public Works, County Geotechnical Consultant, and Coastside Fire Protection District have reviewed and conditionally approved the project. Please refer to Sections A.1 and A.2 of this report which provides discussions of the proposed project's compliance with all applicable General Plan and LCP Policies.

E. REVIEWING AGENCIES

Building Inspection Section
Building Inspection Section's Geotechnical Consultant
Coastside Fire Protection District
Department of Public Works
Montara Water and Sanitary District

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Parcel Map
C. Easement Map
D. Project Plans
E. Coastside Design Review Committee Letter for the July 13, 2017 Meeting
F. Coastside Design Review Committee Letter for the November 9, 2017 Meeting
G. Kopitov Environmental LLC Biological Resources Assessment, dated May 9, 2015
H. Coastal Ridge Ecology LLC Update to Biological Resources Assessment, dated October 2, 2017
I. Coastal Ridge Ecology LLC Response to Comments on Update to Biological Resources Assessment, dated November 3, 2017
J. Michelucci & Associates, Inc. Geotechnical and Geologic Investigation, dated July 6, 2016
K. Michelucci & Associates, Inc. Geotechnical and Geologic Investigation Update, dated August 29, 2017
L. Michelucci & Associates, Inc. Response to Steven R. King, Ph.D, October 22, 2017 Memo, dated November 22, 2017
M. Initial Study and Mitigated Negative Declaration, dated May 2, 2018
N. Comments from Neighbors Received During Public Review Period for Initial Study and Mitigated Negative Declaration
O. Michelucci & Associates, Inc. Supplemental Foundation Criteria Letter, dated June 7, 2018

P. Michelucci & Associates, Inc. Response to Request of Sherry Liu Letter, dated July 11, 2018
Q. Michelucci & Associates, Inc. Post-Construction Creek Bank Observation Letter, dated September 17, 2018
R. Midcoast Community Council Letter, dated November 9, 2016
S. Midcoast Community Council Letter, dated August 23, 2017
T. Midcoast Community Council Letter, dated May 9, 2018
U. California Coastal Commission Letter for Project Referral, dated July 14, 2017
V. California Coastal Commission Letter for IS/MND, dated May 22, 2018

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Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2016-00444 Hearing Date: December 12, 2018

Prepared By: Carmelisa Morales
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment of San Mateo County.

2. 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.

3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. The Initial Study and Mitigated Negative Declaration identify potential significant impacts to biological resources, cultural resources, geology and soils, climate change, hydrology and water quality, and noise. The mitigation measures contained in the Mitigated Negative Declaration have been included as conditions of approval in this attachment. As proposed and mitigated, the project would not result in any significant environmental impacts.

4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the property owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Find:

5. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program. The plans and materials have been reviewed against the application requirements of Section 6328.7 of the Zoning

Regulations, and the project has been conditioned to minimize impacts to the location of new development, sensitive habitats, visual resources, hazards, and shoreline access in accordance with the components of the Local Coastal Program. The project was also recommended for approval by the Coastside Design Review Committee on November 9, 2017 in which the CDRC determined that it is in compliance with all applicable Design Review Standards.

6. That where the project is located between the nearest public road and the sea, 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). The project parcel is subject to a 75-foot wide scenic easement that crosses the front and right side yards of the project parcel. This easement was imposed by the California Coastal Commission and includes the declaration of Lot 11, the adjacent parcel west of the project parcel, within the easement for public access. The proposed project will not interfere with the public's right-of-access to the sea and therefore no provision for shoreline access is required.

7. 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. Staff anticipates that the building permits to be issued for the 2018 calendar year will not exceed this limit, based on estimates of current applications for building permits for this calendar year and those received in 2017.

Regarding the Design Review, Find:

8. The project has been reviewed under and found to be in compliance with the Design Review Standards for One-Family and Two-Family Residential Development in the Midcoast under Section 6565.20 of the San Mateo County Zoning Regulations, specifically elaborated as follows:

    a. The size of the house was reduced in footprint in the interest of preserving the views of the neighborhood. The second story of the house was reduced and the deck was relocated to the back of the property to preserve privacy and minimize visual impacts from many of the neighboring homes. Additionally, the CDRC recommends reducing the rear doorway from double doors to a single door to allow for a reduction in square footage in the living and guest rooms and to shift the first floor by the width of the doorway. This minor modification will achieve a sizable reduction in square footage and will be more in line with neighboring structures.

    b. As proposed and conditioned, the project includes downward-directed exterior lighting that is architecturally integrated with the house's design, style, material and colors, and is designed and located so light and glare are directed away from neighbors and confined to the property. Condition No. 5.a. requires the reduction of Dark Sky-compliant light fixtures in the front entry by one light fixture. Condition No. 5.b. also limits the Dark

Sky-compliant light fixtures in the front yard area to not exceed 12 inches in height.

c. As proposed and conditioned, the landscape plan has been revised and is consistent with recommendations presented by the Coastside Design Review Committee in their July 13, 2017 meeting such as revising the plant plan to include only plants that are suitable for an exposed marine environment.

Regarding the Grading Ordinance, Find:

9. That the granting of the permit will not have a significant adverse effect on the environment. An Initial Study and Mitigated Negative Declaration was prepared and circulated for this project in compliance with the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, the impacts will be less than significant with the implementation of mitigation measures, included as conditions of approval.

10. That the project conforms to the criteria of Chapter 5 (*Regulations for Excavating, Grading, Filling, and Clearing on Lands in Unincorporated San Mateo County*) of the County Building Regulations including the standards referenced in Section 9296. The project, as proposed and conditioned, conforms to the standards in the County Building Regulations, including timing of grading activity, erosion and sediment control, and dust control. The project has also been reviewed and conditionally approved by the Department of Public Works and the Building Inspection Section's Geotechnical Consultant.

11. That the project is consistent with the General Plan. The project parcel has a General Plan land use designation of Medium Density Residential within an urban area (6.1 – 8.7 dwelling units per acre). Although the proposed single-family residence, an allowed use of this land use designation will have a lower density (3.04 dwelling units per acre) than the allowed density for this land use designation, the residence meets all other locational criteria including its location within an existing medium density area, near major transportation corridors, and outside of areas within high perceived noise levels, and the availability of adequate public services and facilities. Additionally, as proposed and conditioned, the project complies with all applicable General Plan policies regarding urban land use, visual resources, water supply and wastewater, and vegetative, water fish, and wildlife resources.

12. That the project is consistent with the provisions of the Significant Tree Removal Ordinance, the provisions of which must be considered and applied as part of the planning permit approval process (Significant Tree Removal Ordinance Section 12.020.1(e)). The applicant will plant three trees of at least 15-gallon stock each for the two significant-sized trees proposed for removal. One of the three trees will be planted in the rear yard area to help with creek bank stabilization. The species of all trees to be planted are required to be native and drought resistant and will be subject to the review and approval of the Community

Development Director. Furthermore, as required by the County Arborist, a qualified arborist will recommend proper removal methods for the tree closest to the creek slope edge, supervise the removal of the two significant-sized trees, and prepare a report on the analysis and recommendations for the project that will be subject to review and approval by the County Planning Department.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved and reviewed by the Coastside Design Review Committee on November 9, 2017. 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 Coastal Development, Design Review, and Grading Permit final approval shall be valid for five (5) years from the date of approval, in which time a building permit shall be issued and a completed inspection (to the satisfaction of the Building Inspector) shall have occurred within 180 days of its issuance. The design review approval may be extended by one 1-year increment with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.

3. The construction of any shoreline protective device(s) for the purpose of protecting the development approved in this project including, but not limited to, the approved building and associated foundation, and all future development on this property 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 and bluff and geologic instability is prohibited. Prior to the final building inspection for this project, the property owner shall record a deed restriction on the subject property prohibiting the construction of any shoreline protective devices for the subject project and any future development on the subject property and submit a copy of the recorded document to the Planning and Building Department.

4. The applicant shall include the approval letter on the top pages of the building plans.

5. The applicant shall indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee:

    a. Reduce front entry Dark Sky-compliant light fixtures by one light fixture.

b. Dark Sky-compliant light fixtures in front yard area shall not exceed 12 inches in height.

Recommendations for Applicant's Consideration

c. Consider the environmental benefits of preserving instead of removing the 36" diameter at breast height (dbh) cypress tree at the rear of the property located close to the creek edge.

d. Consider reducing the rear doorway from double doors to a single door to allow for a reduction in square footage in the living and guest rooms and to shift the first floor by the width of the doorway. This minor modification will achieve a sizable reduction in square footage and be more in line with neighboring structures.

6. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, Department of Public Works, Coastside Fire Protection District, and Building Inspection Section's Geotechnical Consultant.

7. At the building permit stage, a boundary survey is required.

8. 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 the County Planning Department 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) the 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 the Community Development Director.

9. A survey verification letter will be required during the construction phase of this project. Once the building permit has been issued and the forms have been set, the surveyor of record shall field measure the setback dimensions of the set forms from applicable property lines and compose a survey verification letter, with stamp and signature, of the field measurements to be submitted to the Planning and Building Department for review and approval.

10. At the building permit stage, a Tree Protection Plan shall be submitted showing the accurate driplines of all trees within and near the project site. All trees that have been removed or are proposed for removal and all trees to be preserved shall be labeled.

11. Two (2) significant-sized trees (36-inch dbh and one 27-inch dbh Monterey cypress trees) have been approved for removal. Removal of these trees may occur upon final approval of the building permit for this project. At the building permit stage, a qualified arborist shall be consulted to recommend proper removal methods for the 36-inch dbh tree. The arborist's analysis and recommendations shall be submitted at the building stage in the form of a report and be subject to review and approval by the Planning Department.

12. The applicant shall be responsible for planting three (3) trees of at least 15-gallon stock each prior to obtaining the final building inspection for the associated building permit. One of the three trees shall be planted in the rear yard area to help with creek bank stabilization. The species of all trees to be planted shall be native, drought resistant, and subject to the review and approval of the Community Development Director.

13. Installation of the approved landscape plan is required prior to final building inspection.

14. The landscape plan shall comply with the Water Efficient Landscape Ordinance (WELO):

a. At the building permit application stage, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELO) and provide the required forms. WELO applies to new landscape projects equal to or greater than 500 sq. ft. A prescriptive checklist is available as a compliance option for projects under 2,500 sq. ft. WELO also applies to rehabilitated landscape projects equal to or greater than 2,500 sq. ft.

The following restrictions apply to projects using the prescriptive checklist:

(1) Compost: Project must incorporate compost at a rate of at least four (4) cubic yards per 1,000 sq. ft. to a depth of 6 inches into landscape area (unless contra-indicated by a soil test).

(2) Plant Water Use (Residential): Install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.

(3) Mulch: A minimum 3-inch layer of mulch should be applied on all exposed soil surfaces of planting areas, except in areas of turf or creeping or rooting groundcovers.

(4) Turf: Total turf area shall not exceed 25% of the landscape area. Turf is not allowed in non-residential projects. Turf (if utilized) is limited to slopes not exceeding 25% and is not used in parkways less than 10 feet in width. Turf, if utilized in parkways, is irrigated by sub-surface irrigation or other technology that prevents overspray or runoff.

(5) Irrigation System: The property shall certify that Irrigation controllers use evapotranspiration or soil moisture data and utilize a rain sensor; Irrigation controller programming data will not be lost due to an interruption in the primary power source; and Areas less than 10 feet in any direction utilize sub-surface irrigation or other technology that prevents overspray or runoff.

15. The exterior color samples submitted to the Coastside Design Review Committee are approved. 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.

16. 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.

17. The applicant shall include an erosion and sediment control plan to comply with the County's Erosion Control Guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures to be installed upon the commencement of construction in order to maintain the

stability of the site and prevent erosion and sedimentation off-site. A separate tree protection plan may also be required as part of the building permit. Species and size of trees shall be indicated on the plan (size shall be measured by diameter at breast height (dbh) method).

18. Once approved, erosion and sediment control measures of the erosion control plan shall be installed prior to beginning any work and maintained throughout the term of the grading permit and building permit as confirmed by the County through a pre-site inspection if project initiation occurs immediately prior to or during the wet season. 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.

19. An Erosion Control and/or Tree Protection Pre-Site Inspection shall be conducted prior to the issuance of a grading permit "hard card" and building permit to ensure the approved erosion control and/or tree protection measures are installed adequately prior to the start of ground disturbing activities.

20. No site disturbance shall occur, including any grading, until a building permit has been issued.

21. The proposed project is subject to Provision C.3.i of the County's Municipal Regional Stormwater Permit and therefore shall implement at least one of the following site design measures listed below:

    a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.

    b. Direct roof runoff onto vegetated areas.

    c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

    d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.

    e. Construct sidewalks, walkways, and/or patios with permeable surfaces.

    f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

22. No grading activities shall commence until the applicant has been issued a grading permit "Hard Card," which will only be issued concurrently with the associated building permit.

23. No grading shall be allowed during the wet weather season (October 1 through April 30) to avoid increased potential soil erosion, unless the applicant applies for an Exception to the Winter Grading Moratorium and the Community Development Director grants the exception. Exceptions will only be granted if dry weather is

forecasted during scheduled grading operations, and the erosion control plan includes adequate winterization measures (amongst other determining factors).

24. The site is considered a Construction Stormwater Regulated Site (SWRS). Any grading activities conducted during the wet weather season (October 1 to April 30) will require monthly erosion and sediment control inspections by the Building Inspection Section, as well as prior authorization from the Community Development Director to conduct grading during the wet weather season.

25. The provision of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Per San Mateo County Ordinance Section 9296.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.

26. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 9297.2 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 9297.4 of the Grading Ordinance.

27. Erosion and sediment control during the course of grading work shall be installed and maintained according to a plan prepared and signed by the engineer of record, and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer, and must be reviewed and approved by the Department of Public Works and the Current Planning Section.

28. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

29. 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 impede through traffic along Arbor Lane. All construction vehicles shall be parked

on-site outside of Arbor Lane, or in locations which do not impede safe access along Arbor Lane. There shall be no overnight storage of construction vehicles or equipment on Arbor Lane.

30. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and adjacent water bodies by:

    a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.

    b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater and watercourses.

    c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges, to storm drains and watercourses.

    d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.

    e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.

    f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.

    g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.

    h. Performing clearing and earth moving activities only during dry weather.

    i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.

    j. Limiting construction access routes and stabilizing designated access points.

    k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.

    l. The contractor shall train and provide instruction to all employees and subcontractors regarding the Construction Best Management Practices.

31. **Mitigation Measure 1:** The applicant shall submit an Air Quality Best Management Practices Plan to the Planning and Building Department prior to the issuance of any grading permit "hard card" or building permit that, at a minimum, includes the "Basic Construction Mitigation Measures" as listed in Table 8-1 of the BAAQMD California Environmental Quality Act (CEQA) Guidelines (May 2011). The following Bay Area Air Quality Management District Best Management Practices for mitigating construction-related criteria air pollutants and precursors shall be implemented prior to beginning any grading and/or construction activities and shall be maintained for the duration of the project grading and/or construction activities:

    a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

    b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

    c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day.

    d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.

    e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

    f. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

    g. Idling times shall be minimized either by shutting equipment or vehicles off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

    h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.

    i. Minimize the idling time of diesel powered construction equipment to two minutes.

    j. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

32. **Mitigation Measure 2:** The applicant shall submit a dust control plan to the Planning Department for review and approval prior to the issuance of a building permit for the project. The approved plan shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The plan shall include the following control measures:

    a. Water all active construction areas at least twice daily.

    b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.

    c. Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least 2 feet of freeboard.

    d. Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at the construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.

    e. Sweep daily (preferably with water sweepers) all paved access roads, parking, and staging areas at the construction sites.

    f. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.

    g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).

    h. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour (mph).

    i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

    j. Replant vegetation in disturbed areas as quickly as possible.

33. **Mitigation Measure 3:** Within 48 hours prior to the onset of any project-related activities, a qualified biologist should conduct a pre-construction survey of the project area to ensure that no California red-legged frogs or San Francisco garter snakes are present. In addition, immediately prior to vegetation removal or other construction activities, a qualified biologist familiar with the habitat requirements of California red-legged frogs and San Francisco garter snakes shall conduct a pre-construction survey to determine whether any of these species is located within the project area.

34. **Mitigation Measure 4:** A minimum 3-foot high exclusion fence shall be installed around the limits of construction, including clearing, grading, and staging, unless otherwise directed by San Mateo County, United States Fish and Wildlife Service,

or California Department of Fish and Wildlife, to create a barrier to prevent the California red-legged frog and San Francisco garter snake from entering the project site. No polymesh or similar materials shall be used as fencing materials. The fencing should be removed only when all construction equipment is removed from the project site. Fencing shall be inspected and any opening shall be repaired immediately. If openings are found, the project area shall be inspected by a biological monitor to ensure that special-status species have not entered the project area. The designated biological monitor may be a construction team manager or supervisor trained in the identification of special-status species.

35. **Mitigation Measure 5:** Vegetation or other materials shall not be stockpiled at the project site as it provides potential hiding areas for California red-legged frogs, San Francisco garter snakes, and other wildlife species. Vegetation shall be placed directly into a disposal container and removed from the construction area, as practicable. If vegetation is stockpiled on the ground, removal shall be conducted under the supervision of a qualified biologist.

36. **Mitigation Measure 6:** To avoid, minimize, and mitigate impacts to the California red-legged frogs, San Francisco garter snakes, and their respective habitats, a worker education program and/or education materials prepared by a qualified biologist shall be provided to all workers prior to onset of construction activities.

37. **Mitigation Measure 7:** If required by San Mateo County, California Department of Fish and Wildlife, or United States Fish and Wildlife Service, a biological monitor shall inspect the project area prior to the beginning of construction activities to ensure that the California red-legged frogs and San Francisco garter snakes have not entered the project area. The designated biological monitor may be a construction team manager or supervisor trained in the identification of special-status species.

38. **Mitigation Measure 8:** Under no circumstances should California red-legged frogs and San Francisco garter snakes be handled, relocated, or otherwise harmed or harassed at any time. San Mateo County, United Stated Fish and Wildlife Service, and California Department of Fish and Wildlife shall be notified immediately upon discovery of these species in the project site or surrounding area.

39. **Mitigation Measure 9:** Prior to the start of vegetation removal, a qualified biologist familiar with the San Francisco dusky-footed woodrat and its habitat requirements shall survey for their nests within or immediately adjacent to the potential habitat (i.e., poison oak scrub).

    a. If no nests are observed, no further mitigation is required.

    b. If nests are observed, but would not be directly impacted by construction activities, a qualified biologist shall establish a 10-ft. buffer around the nests using exclusion fencing to ensure that they are not accidentally destroyed by

construction activities. Exclusion fencing shall remain in place until project completion.

c. If a nest is observed within the vegetation clearing area, a qualified biologist shall disassemble the nest by hand and relocate and reconstruct the nest away from the construction area.

40. **Mitigation Measure 10:** If trees are removed or pruned, a qualified biologist shall conduct a pre-construction bat roost survey to determine if bats are present in the trees on or near the project parcel. If bats are detected, suitable measures to avoid and/or exclude bats shall be determined by the California Department of Fish and Wildlife.

41. **Mitigation Measure 11:** Where sediment and erosion control materials are installed, repaired, or removed (i.e., wattles, silt fences, etc.), a qualified biologist should check the work area to ensure that sensitive species are not present or entrapped. Polymesh and/or other similar materials should not be used as these can entrap or snag reptiles, amphibians, or other small animals.

42. **Mitigation Measure 12:** If the construction activities coincide with the nesting bird season (February 1 to September 15), pre-construction nesting bird surveys shall be conducted by a California Department of Fish and Wildlife-approved biologist no more than 10 days prior to planned construction activities in order to locate nests within and adjacent to the proposed construction area. For all migratory bird species, the survey will include nesting birds within a 100-ft. radius from the project site.

a. If no active nests are detected, construction activities may take place as scheduled.

b. If an active nest is observed, the project shall be modified as necessary to avoid direct take of identified nest, eggs, and/or young. Modifications may include establishment of protective buffer as determined by a qualified biologist. Typical protective buffer zones are 50 feet for passerine nests and 250 feet for raptors. If construction activities are significantly impacted by the buffer zones, California Department of Fish and Wildlife shall be contacted to request a reduced buffer that would still protect nesting birds.

43. **Mitigation Measure 13:** In the event that should cultural, paleontological, or archaeological resources be encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or

protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

44. **Mitigation Measure 14:** The design of the proposed development (upon submittal of the building permit) on the subject parcel shall generally follow the recommendations cited in the Geotechnical and Geologic Investigation prepared by Michelucci & Associates, Inc. and its subsequent updates regarding seismic criteria, grading, drilled piers, slab-on grade construction, and surface drainage. Any such changes to the recommendations by the project geotechnical engineer cited in this report and subsequent updates shall be submitted for review and approval by the County's geotechnical engineer.

45. **Mitigation Measure 15:** Prior to the issuance of the building permit for the proposed project, the applicant shall submit to the Planning Department and the Department of Public Works, for review and approval, erosion and drainage control plans that show how the transport and discharge of soil and pollutants from and within the project site will be minimized. The plans shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plans shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

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

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

    c. Clear only areas essential for construction.

    d. Within five (5) days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching, or vegetative erosion control methods, such as seeding. Vegetative erosion control shall be established within two (2) weeks of seeding/planting.

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

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

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

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

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

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

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

l. No erosion or sediment control measures will be placed in vegetated areas.

m. Environmentally-sensitive areas shall be delineated and protected to prevent construction impacts.

n. Control of fuels and other hazardous materials, spills, and litter during construction.

o. Preserve existing vegetation whenever feasible.

46. **Mitigation Measure 16:** Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo Ordinance Code Section 4.88.360). Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.

47. **Mitigation Measure 17:** Should any traditionally or culturally affiliated Native American tribe respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

48. **Mitigation Measure 18:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a

qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

49. **Mitigation Measure 19:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

Department of Public Works

50. Prior to the issuance of the building permit, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Civil Section of the County Planning and Building Department for review and approval. The drainage analysis shall consist of a written narrative and a set of plans. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Civil Section of the County Planning and Building Department for review and approval.

51. Prior to the issuance of the building permit, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.

52. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.

53. 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.

54. The applicant shall provide sidewalks along the edge of the property to conform with existing sidewalks pursuant to County Standards.

Coastside Fire Protection District

55. At the building permit stage, all Coastside Fire Protection District (Fire) conditions of approval and requirements shall be incorporated into the building plans. The applicant shall be responsible for notifying the project's contractor, architect, and engineer of these conditions of approval and requirements.

56. All buildings with a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public right-of-way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by Fire. Numerals shall be contrasting in color to their back-ground and shall be no less than 4 inches in height, and have a minimum 3/4-inch stroke. Remote signage shall be a 6-inch x 18-inch green reflective metal sign.

57. A fire flow of 1,000 gallons per minute (gpm) for 2 hours with a 20 pounds per square inch (psi) residual operating pressure must be available as specified by additional project conditions to the project site. The applicant shall provide documentation including hydrant location, main size, and fire flow report at the building permit application stage. An Inspection is required prior to Fire's final approval of the building permit or before combustibles are brought on site.

58. A fuel break/fire break shall be maintained around and adjacent to such buildings or structures by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures, or to the property line, if the property line is less than 30 feet from any structure.

59. The applicant shall install the proper occupancy separations pursuant to current California Building and Residential Codes. At the building permit stage, building plans shall include listing and construction details. Inspections will occur throughout construction and prior to Fire's final approval of the building permit.

60. All roof assemblies shall have a minimum CLASS-B fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Residential Codes.

61. Smoke alarms and carbon monoxide detectors shall be installed in accordance with the California Building and Residential Codes. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.

62. An approved Automatic Fire Sprinkler System meeting the requirements of National Fire Protection Association (NFPA)-13D shall be installed for this project. The fire sprinkler plans shall be submitted to the San Mateo County Building Department for review and approval.

63. An interior horn/strobe and exterior audible alarm activated by automatic fire sprinkler system water flow shall be installed in all residential systems. All hardware must be included on the submitted fire sprinkler plans.

64. The applicant shall contact the Fire Marshal's Office at 650/726-5213 to schedule a Final Inspection prior to occupancy and final inspection by a Building Inspector. A minimum 72-hour notice is required.

Environmental Health Services

65 Upon obtaining approval of the planning permits required for this project, the applicant shall obtain a well abandonment permit from the Environmental Health Services and properly abandon the existing well on the property to the satisfaction of the Environmental Health Services.

Building Inspection Section's Geotechnical Consultant

66. At the building permit stage, the applicant shall submit a payment of $940.00 for the additional geotechnical review conducted during the planning permit stage.

67. At the building permit stage, the project geotechnical engineer shall provide a finalized foundation design that will take into account bluff retreat and creek slope stability. The design shall be submitted to the Building Inspection Section for review and approval.

68. At the building permit stage, the project geotechnical engineer shall review the drainage design to ensure there is no adverse impact on either the bluff side or creek side of the subject parcel since no piezometer will be established on the parcel.

69. Prior to the start of construction, a licensed surveyor shall locate and stake the positions of two monuments located along the projected 2:1 creek setback line as recommended by the project geotechnical engineer and outlined in the Post-Construction Creek Bank Observation letter prepared by Michelucci & Associates, Inc. dated September 17, 2018. The project contractor shall drive and set flush to the finish grade a minimum of 3-foot long metal stake at these two locations.

70. Prior to the start of construction, a licensed civil engineer or geologist or designated member of the professional's staff shall visit the project site and confirm the monument placement and measure the distance of each monument to the face of the adjacent residence foundation. The closest point of the residence to the creek setback line shall also be surveyed so that monitoring can begin as construction commences and during the course of construction. A letter

documenting the monument placement and measurements shall be prepared and submitted to the County. The letter shall be reviewed and approved by the County prior to the issuance of the building permit.

71. A California licensed professional shall visit the project site in February and May of each year of the subsequent 10 years after project completion. The professional shall measure the approximate distance to the top of the creek bank and document the top of the bank with photographs. The professional shall prepare a letter with photographs detailing the observations and recommendations, if any. The letter and payment of applicable review fees shall be submitted to the County for review and approval. If the letter and payment are not submitted to the County within 30 days of the site visit, a Notice of Violation on the property shall be recorded in the Office of the County Recorder for noncompliance. If slope movement of more than 2 feet is observed during a site visit, the project geotechnical engineer shall prepare and implement an emergency response program for review and approval by the County. If there are no significant changes to the creek bank slope after 10 years, the observation interval may be reduced to an annual event in May of each year.

72. The property owner may submit a formal written request to the County to terminate the required site visits detailed in Condition No. 71 following the 10-year period. The request shall be reviewed and approved by the County.

73. If there is any change in ownership of the subject parcel, the current property owner shall be responsible for notifying the County within 30 days of deed recordation. The current property owner shall be responsible for disclosing the creek slope monitoring program outlined in Condition Nos. 69-72 to the new property owner.

Montara Water and Sanitary District

74. Prior to the issuance of the building permit, the applicant shall obtain a Domestic Water Connection Permit (Connection Permit) from the Montara Water and Sanitary District (District). The connection fee for domestic water must be paid prior to the issuance of the Connection Permit. Proof of well abandonment to the County Environmental Health Services standards may be required. A mainline extension may also be required.

75. Prior to the issuance of the building permit, the applicant shall obtain a Sewer Permit from the District. Sewer connection fees must be paid prior to issuance of the Connection Permit. A sewer grinder pump and/or a sewer mainline extension may be required.

76. Connection to the District's fire protection system is required. A certified Fire Protection Contractor must certify adequate fire flow calculations. Connection fees for the fire protection system is required and must be paid prior to the issuance of the permit for the fire sprinklers.

77. The applicant must first apply directly to the District for the required permits and not their contractor.

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