



Scenic Pacifica

Incorporated Nov. 22, 1957

PLANNING COMMISSION Agenda

DATE: January 17, 2017
LOCATION: Council Chambers, 2212 Beach Boulevard
TIME: 7:00 PM
ROLL CALL:
SALUTE TO FLAG:
ADMINISTRATIVE BUSINESS:

Approval of Order of Agenda

Approval of Minutes: December 19, 2016

Designation of Liaison to City Council Meeting: None required

Oral Communications:

This portion of the agenda is available to the public to address the Planning Commission on any issue within the subject matter jurisdiction of the Commission that is not on the agenda. The time allowed for any speaker will be three minutes.

CONSENT ITEMS: None

PUBLIC HEARINGS:

- CDP-336-13** **AMENDMENT OF COASTAL DEVELOPMENT PERMIT CDP-336-13**, filed by owner Neil Kopping, to modify an existing permit to construct a 400-square foot addition to an existing three-story single-family residence on a 5,700-square foot lot located at 111 Kent Road (APN 023-032-070) in Pacifica. The proposed amendment would alter the location and size of the proposed addition such that the project would no longer substantially conform to the original approval. Recommended California Environmental Quality Act (CEQA) status: Class 1 Categorical Exemption, Section 15301(e). Recommended Action: Approved, as conditioned.

CONSIDERATION ITEMS:

- CDP-379-16** **EMERGENCY COASTAL DEVELOPMENT PERMIT CDP-379-16**, informational report regarding issuance of Emergency Coastal Development Permit to demolish a vacant apartment building located at 310 Esplanade Avenue (APN 009-413-010). Proposed Action: Receive and file.

COMMUNICATIONS:

Commission Communications:

Staff Communications:

ADJOURNMENT

Anyone aggrieved by the action of the Planning Commission has 10 calendar days to appeal the decision in writing to the City Council. If any of the above actions are challenged in court, issues which may be raised are limited to those raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing. Judicial review of any City administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide special assistance for persons with disabilities upon 24 hours advance notice to the City Manager's office at (650) 738-7301, including requests for sign language assistance, written material printed in a larger font, or audio recordings of written material. All meeting rooms are accessible to persons with disabilities.

NOTE: Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.



Scenic Pacifica
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PLANNING COMMISSION Staff Report

DATE: January 17, 2017

FILE: CDP-336-13

ITEM: 1

PUBLIC NOTICE: Notice of Public Hearing was published in the Pacifica Tribune on January 4, 2017, and mailed to 36 surrounding property owners and occupants.

APPLICANT Neil Kopping
AND OWNER: 111 Kent Road
Pacifica, CA 94044
(415) 522-5906

PROJECT LOCATION: 111 Kent Road, Pacifica (APN 023-032-070) – Pedro Point

PROJECT DESCRIPTION: Modify an existing permit to construct a 400-square foot addition to an existing three-story single-family residence on a 5,700-square foot lot located at 111 Kent Road (APN 023-032-070) in Pacifica. The proposed amendment would alter the location and size of the proposed addition such that the project would no longer substantially conform to the original approval.

SITE DESIGNATIONS: General Plan: Low Density Residential (LDR)
Zoning: R-1 (Single-Family Residential) / CZ (Coastal Zone Combining)

RECOMMENDED CEQA STATUS: Class 1 Categorical Exemption, Section 15301.

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the City Council and California Coastal Commission.

RECOMMENDED ACTION: Approve as conditioned.

PREPARED BY: Robert Smith, Assistant Planner

PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS

ZONING STANDARDS CONFORMANCE:

<u>Major Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size (sq. ft.)	5,000	5,700	No change
Coverage	40% max	17%	18%
Height	35'-0" max	28'-5"	33'-8"
Landscaping	20% min	25%	25%
Setbacks			
-Front	15'-0" min (house) 20'-0" min (garage)	15' 20'	15' 20'
-Side	5'-0" min	15' (Interior) 10' (Street Side)	5'-0" (Interior) No change (Street Side)
-Rear	20'-0" min	34'	34'
Parking	Two garage spaces (18'-0" W X 19'-0" L min)	Two garage spaces 20'-11" X 20'-2"	Two garage spaces (20'-7" X 19'-11")

PROJECT SUMMARY

The applicant received approval to construct a 400-square foot addition in August 2014, with Planning Commission approving an extension of time for the approved scheme on October 3rd, 2016. The overall additional floor area proposed through this modified Coastal Development Permit is 652 square feet.

1. General Plan, Zoning, and Surrounding Land Uses

The subject site's General Plan land use designation is Low Density Residential (LDR). The LDR land use designation permits residential development at an average density of three to nine units per acre (an average lot area of 4,840-14,520 square feet per unit). The existing single-family residence on a 5,700 square feet (sq. ft.) lot is consistent with the use type and densities allowed within the LDR land use designation.

The subject site's location is within the R-1 (Single-Family Residential) and CZ (Coastal Zone Combining) zoning districts. The R-1 zone allows development of single-family dwellings including additions to existing single-family dwellings as a permitted use. The CZ zone supplements the underlying zoning district (R-1) with additional standards.

Land uses surrounding the project site consist entirely of single-family residences in the R-1/CZ zoning districts. Most are two- and three-story structures built on steep slopes. The neighborhood surrounding the project site features a rather steep downward grade to the south east, towards Essex Way and Stanley Avenue.

2. Municipal Code

The previously approved scheme required Planning Commission approval of a Coastal Development Permit (CDP) prior to issuance of a building permit because (i) the addition will increase building height,

bulk, or floor area of an existing single-family structure by 10 percent or more [PMC Sec. 9-4.4303(h)(2)]; and, (ii) the project does not qualify as a category of excluded development since it is located within the Coastal Commission's appeal jurisdiction [PMC Sec. 9-4.4303(i)(2)]. The applicant is proposing to amend the previously approved scheme that would increase the floor area of development approximately 190 square feet, therefore the Planning Commission are required to consider a further Coastal Development Permit as required by the PMC.

The Planning Commission must make two findings in order to approve a CDP application [PMC Sec. 9-4.4304(k)]:

i. The proposed development is in conformity with the City's certified Local Coastal Program; and

ii. Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

3. Project Description

A. Single-family Residence

The applicant proposes to construct multi-level additions to an existing three-story single-family residence. The 5,700 sq. ft. lot slopes downwards towards the south and south east, with screening from existing trees in views from both Kent Road and Blackburn Terrace.

The main alteration to the 2014 approved scheme is alterations to the front elevation of the building to allow the existing access stairs to increase in width to meet current building code requirements. In addition to enclosure of the first to third floor stairs, alterations are proposed at roof level to facilitate the installation of solar panels. At second floor alterations to the north east (rear) position of the proposed deck to modify its orientation to the south east (interior side) elevation are proposed with an overall increase in the deck size.

i. First Floor

At first floor the modified proposal will create an additional 30 square feet of habitable space to the play room. The existing first floor is currently not connected to the rest of the habitable space above. Largely due to challenging nature of the design, creating a connection via the stairs to the first floor would impact the usability of both the first floor and second floor living space. The first floor is proposed to retain separate access as part of the modified proposal.

The existing garage is set back 20' feet from the street. Structural columns will be positioned either side of the existing garage entrance to provide support to work on the upper floors. The wall sections will retain the open nature of the garage entrance, thus preserving the required 20' feet setback from the street and maintaining conformance with the Zoning Code requirements.

ii. Second Floor

The main alterations to the internal living area at second floor will be the enclosed entrance stairs adding 106 square feet. This enclosure is largely the same as previously approved with the main modification being the slight build out of the exterior wall on the front elevation.

ii. Third Floor

At third floor the previous approval allowed an addition of approximately 80 square feet in place of an existing deck with creation of a new den and bathroom of 135 square feet. The revised scheme expands the additions at third floor to accommodate redesign of the floors access stairs in order to achieve building code compliance. The expanded area for the stairs will also create an area for a hallway. A proposed walk in closet is increased in floor area as a result of structural alterations required for a cantilevered roof to allow the applicant to install solar panels. The impact of the new roof and expanded stair create approximately 120 square feet of additional floorspace.

B. Decks and Stairways

At second floor the location of the deck is amended to a location on the south east of the building, to take advantage of views towards Linda Mar. The size of the deck will increase from the approved 391 square feet to approximately 560 square feet, representing over 40% increase in the approved size. The amended location and increased size of the deck would remain in conformance with the Municipal Code and the proposed deck remains acceptable as part of this proposed scheme.

On the south east side of the deck a 9'feet high screen is proposed to help protect deck users from the weather. The increased height of the railing on this elevation would not be prohibited in the Municipal Code.

C. Architectural Styling

The minor modifications will affect the elevational treatments of the building. All elevations will eliminate unnecessary step-backs and protrusions. Modified windows and elevations on all sides will result in a more unified appearance to the single family home, visually upgrading the existing and previously approved scheme. The scope of work being performed will require the applicant to replace existing roofing and much of the siding on the building. The new asphalt shingle roofing with solar panels, redwood cladding and slate style siding will be similar in color and character to existing and surrounding materials.

While the neighborhood lacks a strong design theme, the proposed choice and quality of materials are appropriate for the neighborhood. Extensive deck areas are a common feature of several homes in the vicinity.

D. Landscaping

The applicant has proposed to install new landscaping as part of the project, with native, low water tolerant plants, serviced by a drip irrigation system. Planting will be varied and Staff has secured the proposed landscaping through a condition of approval requiring installation of the landscaping in

accordance with the detailed landscaping plan submitted. Landscaping will effectively soften the structural mass of the project and result in an improved site aesthetic.

4. Required Findings

A. In order to approve the subject Coastal Development Permit, the Planning Commission must make the two findings required by PMC Section 9-4.4304(k). The following discussion supports the Commission's findings in this regard.

i. Required Finding: *The proposed development is in conformity with the City's certified Local Coastal Program.*

Discussion: The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project is consistent with many of these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project does not interfere with the public's right of access to the sea. It will be undertaken on an existing developed lot relatively close to the shoreline, but more than 150 feet from the nearest public coastal access point. Between the sea and the subject site lies Kent Road. Therefore, the project will have no impact or otherwise interfere with the public's right of access to the sea.

- Coastal Act Policy No. 23: *New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources... [the remainder of this policy pertains to land divisions and visitor-serving facilities, neither of which are part of the subject project.]*

The new development proposed with this project is located within an existing developed area. The Pedro Point neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with single-family homes. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be undertaken in an existing area substantially developed with single-family homes, and will be setback from the sea; there is substantial evidence to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

ii. Required Finding: *Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.*

Discussion: The project site is separated from the coast by a private roadway - Shelter Cove - however, because Shelter Cove is a private roadway, the proposed project would be located between the nearest public road (Kent Road) and the shoreline. Therefore, Chapter 3 of the California Coastal Act pertains to protecting public access to the sea. The project site is located atop the bluff overlooking Linda Mar Beach and is setback approximately 150 feet from the sea. The northern boundary of the project site consists of steep cliffs and does not currently serve as public access to the sea. As a result, the development of the proposed project would not disrupt or block public access to the sea.

5. CEQA Recommendation

Staff analysis of the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 exemption provided in Section 15301 of the CEQA Guidelines (Existing Facilities). Section 15301 states in part:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

(e) Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and

(B) The area in which the project is located is not environmentally sensitive.

The subject proposal to construct an addition to an existing single-family residence fits within the scope of a Class 1 categorical exemption. As identified in the staff report above and the attachments thereto, the project (1) includes an addition of 652 sq. ft. to an existing 1,010 sq. ft. structure, which is an addition of less than 10,000 sq. ft.; (2) will occur in an area where water, sewer, electrical, telecommunications, police, and fire infrastructure and services are available to allow for maximum development in the General Plan; and, (3) will occur in a substantially developed existing neighborhood which is not located in an environmentally sensitive area. Therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

6. Staff Analysis

In staff's opinion, as conditioned, the project is consistent with the General Plan, Local Coastal Land Use Plan, and the City's adopted Design Guidelines. The project is consistent with General Plan density standards, the uses permitted in the zoning standards, and all zoning development standards. Thus, staff recommends that the Planning Commission approve the proposed project subject to the conditions attached.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find the project is exempt from the California Environmental Quality Act; **APPROVE** Coastal Development Permit CDP-336-13 by adopting the attached resolution, including conditions of approval in Exhibit A; and, incorporate all maps and testimony into the record by reference.

Attachments:

- A. Land Use and Zoning Exhibit
- B. Draft Resolution and Conditions of Approval
- C. Site Plan, Floor Plan, Elevations, Landscape Plan, and Materials.
- D. Previously approved Site Plan, Floor Plan, Elevations.

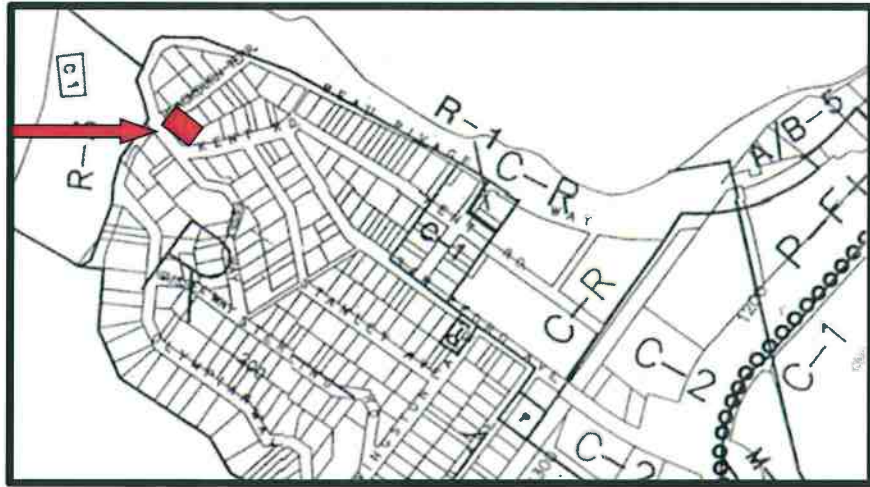
Land Use & Zoning Exhibit

City of Pacifica Planning Department

General Plan Diagram

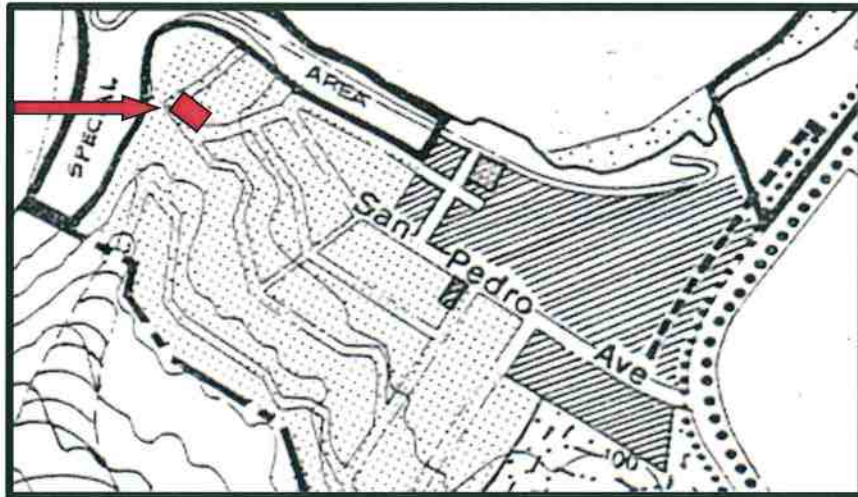
Neighborhood: Pedro Point

Land Use Designation: Low Density Residential



Zoning Map Diagram

Zoning District: R-1(Single-Family Residential) and CZ (Coastal Zone Combining)



(Maps Not to Scale)

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-336-13, SUBJECT TO CONDITIONS, TO MODIFY AN EXISTING PERMIT TO CONSTRUCT A 400-SQUARE FOOT ADDITION TO AN EXISTING THREE-STORY SINGLE-FAMILY RESIDENCE ON A 5,700-SQUARE FOOT LOT LOCATED AT 111 KENT ROAD (APN 023-032-070), AND FINDING THE PROJECT EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Neil Kopping (“Applicant”).

WHEREAS, an application has been submitted to modify an existing permit to construct a 400-square foot addition to an existing three-story single-family residence on a 5,700-square foot lot located at 111 Kent Road (APN 023-032-070); and

WHEREAS, the project requires approval of a Coastal Development Permit because the project site is within the Coastal Zone and will increase building height, bulk, or floor area of an existing single-family structure by 10 percent or more; and, the project does not qualify as a category of excluded development since it is located within the Coastal Commission’s appeal jurisdiction; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on January 17th, 2017, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
3. The Project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines 15301 (14 Cal. Code Regs. §15301) and therefore directs staff to file a Notice of Exemption for the Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-336-13 for development within the Coastal Zone:

1. The proposed development is in conformity with the City's certified Local Coastal Program.

ATTACHMENT B

- A. The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The project is consistent with the following LCLUP policies:
- i. Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*
 - a. The proposed project does not interfere with the public's right of access to the sea. It will be undertaken on an existing developed lot relatively close to the shoreline, but more than 150 feet from the nearest public coastal access point. Between the sea and the subject site lies Kent Road. Therefore, the project will have no impact or otherwise interfere with the public's right of access to the sea.
 - ii. Coastal Act Policy No. 23: *New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources... [the remainder of this policy pertains to land divisions and visitor-serving facilities, neither of which are part of the subject project.]*
 - a. The new development proposed with this project is located within an existing developed area. The Pedro Point neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with single-family homes. Therefore, development will not occur outside of existing developed areas.
- B. Because the proposed project will be undertaken in an existing area substantially developed with single-family homes, and will be setback from the sea; therefore, there is substantial evidence in the record to support the Planning Commission's finding that the proposed development is in conformity with the City's certified Local Coastal Program.
2. Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

- A. The project site is separated from the coast by a private roadway - Shelter Cove - however, because Shelter Cove is a private roadway, the proposed project would be located between the nearest public road (Kent Road) and the shoreline. Therefore, Chapter 3 of the California Coastal Act pertains to protecting public access to the sea. The project site is located atop the bluff overlooking Linda Mar Beach and is setback approximately 150 feet from the sea. The northern boundary of the project site adjoins Kent Road and does not currently serve as public access to the sea. As a result, the development of the proposed project would not disrupt or block public access to the sea.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

1. That the project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 exemption provided in Section 15301 of the CEQA Guidelines.
 - A. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

Examples include but are not limited to:

Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and

(B) The area in which the project is located is not environmentally sensitive.

- B. The Planning Commission finds that substantial evidence establishes that this project is subject to this exemption. The project consists of construction of an addition to an existing single-family residence. As identified in the staff report

and the attachments thereto, the project (1) includes an addition of 652 sq. ft. to an existing 1,010 sq. ft. structure, which is an addition of less than 10,000 sq. ft.; (2) will occur in an area where water, sewer, electrical, telecommunications, police, and fire infrastructure and services are available to allow for maximum development in the General Plan; and, (3) will occur in a substantially developed existing neighborhood which is not located in an environmentally sensitive area. Therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

- C. The Planning Commission further finds that the evidence in the record supports a finding that none of the exceptions of Section 15300.2 of the CEQA Guidelines is applicable.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica approves Coastal Development Permit CDP-336-13 for construction of a 652 sq. ft. addition to an existing 1,010 sq. ft. lawful single-family residence at 111 Kent Road (APN 023-032-070), subject to conditions of approval included as Exhibit A to this resolution.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 17th day of January 2017.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Josh Gordon, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Coastal Development Permit CDP-336-13 for modification to construction of a 400 square foot addition at 111 Kent Road (APN 023-032-070)

Planning Commission Meeting of January 17, 2017

Planning Department

1. Development shall be substantially in accord with the plans entitled “Kopping Residence, 111 Kent Road,” consisting of eleven (11) sheets, four (4) materials, landscape and lighting sheets, received January 3, 2017 except as modified by the following conditions.
2. That the approval is valid for a period of one year from the effective date provided in Section 9-4.3805 of the Pacifica Municipal Code. If the use or uses approved is/are not established within such period of time, the approval shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director or Planning Commission approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director’s sole discretion, the circumstances considered during the initial project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension.
3. The applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter “City”) from any claim, action or proceeding (hereinafter “Proceeding”) brought against the City to attack, set aside, void or annul the City’s actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant’s project, but excluding any approvals governed by California Government Code Section 66474.9. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney’s fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and/or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.
4. Prior to issuance of a building permit, the applicant shall submit a geotechnical report.
5. Prior to the issuance of a building permit, the applicant shall construct the project in accordance with the exterior finishes, including colors and materials, presented as ‘Exterior Finishes’ Sheet submitted as part of the approved drawings set.

6. All recommendations identified in the Tree Protection Plan shall be implemented as specified by the arborist.
7. The applicant shall comply with the submitted final landscape plan approved by the Planning Commission prior to the issuance of a building permit. The landscape plan shall be implemented in accordance with each type, size, and location of plant materials unless otherwise determined by the Planning Director. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native. All landscaping shall be completed consistent with the final landscape plans prior to issuance of a building permit. In addition, the landscaping shall be maintained and shall be designed to incorporate efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides, and pesticides. Landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.
8. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Recology of the Coast. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. If water cannot be diverted from these areas, self-contained drainage systems that drain to sand filters shall be installed. The property owner/homeowner's association shall inspect and clean the filters as needed. Applicant shall provide construction details for the enclosure for review and approval by the Planning Director, prior to building permit issuance.
9. All transformers, HVAC units, backflow preventers and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, beaming, painting, and/or landscaping, to the satisfaction of the Planning Director.
10. Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights, prior to building permit issuance. All roof equipment shall be screened to the Planning Director's satisfaction.
11. All vents, gutters, downspouts, flashing, and conduits shall be painted to match the colors of adjacent building surfaces. In addition, any mechanical or other equipment such as HVAC attached to or protruding from the building shall be appropriately housed and/or screened to the Planning Director's satisfaction.

12. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
13. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
14. The submitted exterior lighting plan submitted as part of this proposal shall be installed in accordance with the plan prior to the issuance of a building permit. Exterior light shall accord with this plan to ensure fixture design, illumination, location, height, and method of shielding do not adversely affect adjacent properties. Lighting shall be directed away from adjacent residences. Buffering techniques to reduce light and glare impacts to residences shall be maintained. Building lighting shall be architecturally integrated with the building style, materials and colors and shall be designed to minimize glare.

Building Division of Planning Department

15. The project requires review and approval of a building permit by the Building Official. Applicant shall apply for and receive approval of a building permit prior to commencing any construction activity

Engineering Division of Public Works

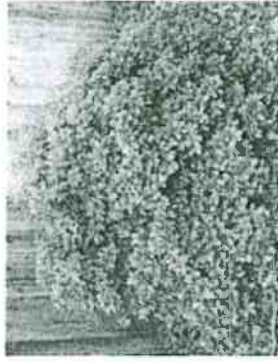
16. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented, and the construction BMPs plan sheet from the Countywide program shall be included in the project plans.
17. The existing street pavement shall be cold-planed (ground) to a depth of 2" across the entire frontage of the property and out to the centerline of Kent Road, or to the extent of the longest utility trench if beyond the centerline, and an overlay of Caltrans specification 1/2" Type 'A' hot mix asphalt concrete shall be placed. If, in the opinion of the City Engineer, damage to the pavement during construction is more extensive, a larger area may have to be ground & overlaid.
18. All recorded survey points, monuments, railroad spikes, pins, cross cuts on top of sidewalks and tags on top of culvert headwalls or end walls whether within private property or public right-of-way shall be protected and preserved. If survey point/s are altered, removed or destroyed, the applicant shall be responsible for obtaining the services of a licensed surveyor or qualified Civil Engineer to restore or replace the survey points and record the required map prior to completion of the building permit.
19. No debris box or equipment shed is allowed in the street or sidewalk.

20. Add a note on the Site Plan that says, "Existing curb, sidewalk or street adjacent to property frontage that is damaged or displaced shall be repaired or replaced even if damage or displacement occurred prior to any work performed for this project."
21. Add a note on the Site Plan that says, "Any damage to improvements within the city right-of-way or to any private property, whether adjacent to subject property or not, that is determined by the City Engineer to have resulted from construction activities related to this project shall be repaired or replaced as directed by the City Engineer."
22. Roadways shall be maintained clear of construction materials and debris, especially mud and dirt tracked onto the street. Dust control and daily road cleanup will be strictly enforced.
23. Prior to issuance of a building permit, Applicant shall apply for and receive approval of a City of Pacifica Encroachment Permit for all work undertaken in the public right-of-way. All work shall be performed in accordance with City Standards, Standard Specifications for Public Works Construction (Green Book) or Caltrans Standard Specifications, Pacifica Municipal Code, Administrative Policies and to the satisfaction of the City Engineer or his designee. Permit fees shall be determined per the current adopted fee schedule.
24. Per the adopted City of Pacifica Complete Street Policy, development shall include bicycle and pedestrian facilities. Applicant shall install a concrete sidewalk across the entire property frontage along Kent Road in accordance with City standards. Show on the site plan
25. Applicant shall install concrete driveway approach, curb and gutter across entire property frontage. The driveway approach must be ADA compliant with no more than 2% cross slope for a width of at least 48 inches.

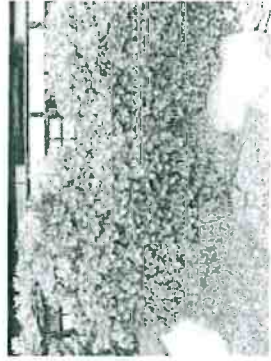
North County Fire Authority

26. Premises Identification - Project shall comply with 2013 CFC Chapter 5, Section 505.1 and 2.
27. Install smoke detectors and carbon monoxide monitors as required by code.
28. Fire Safety During Construction and Demolition - Project shall conform to 2013 CFC Chapter 33 sections 3301 through 3317.

END



PHOTOS COURTESY LANTIER 147



CONCEPT DESIGNATION: WALLER

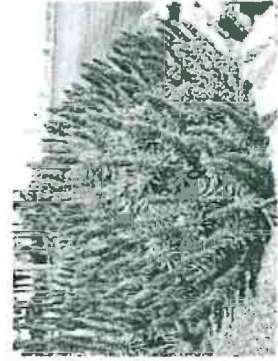
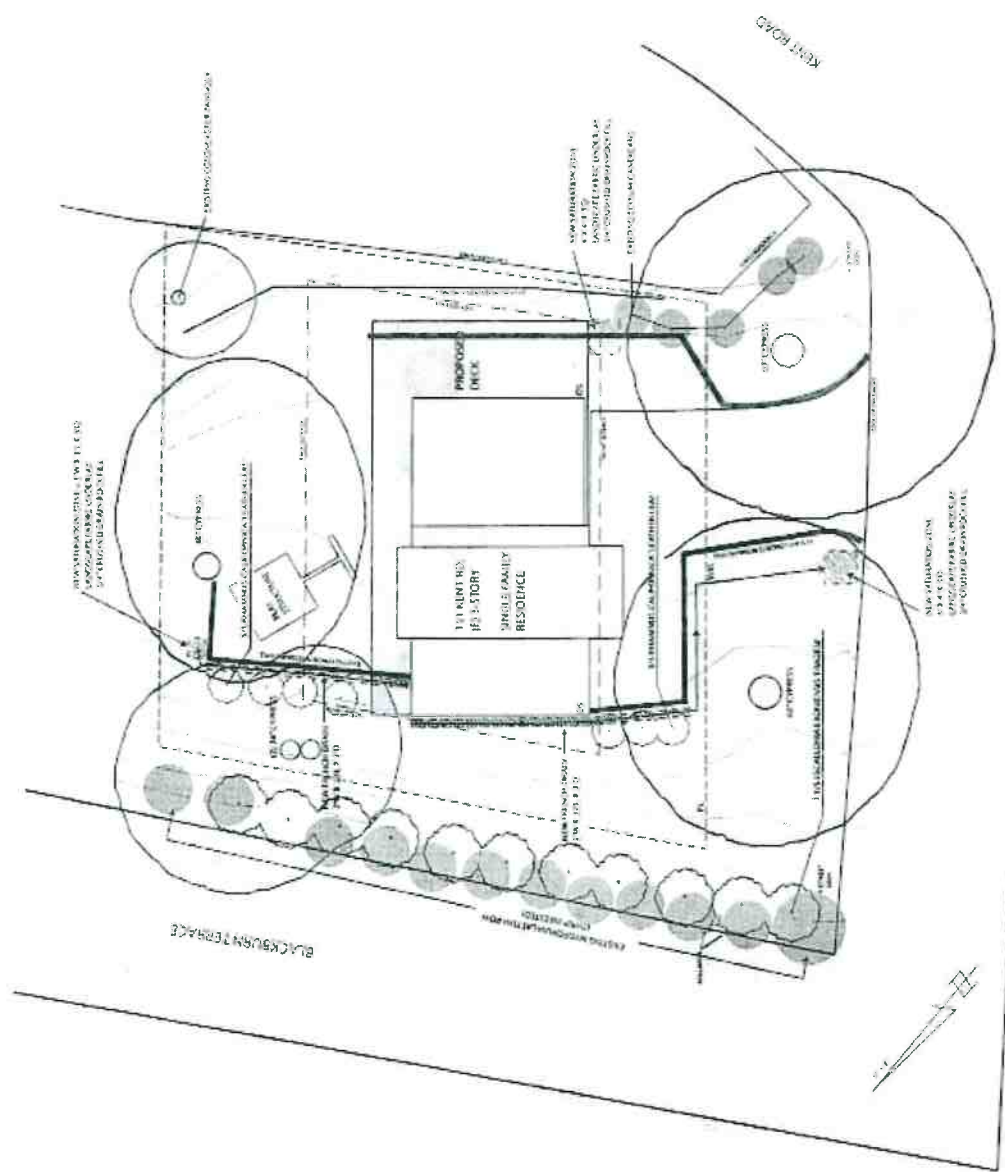


PHOTO COURTESY LANTIER 147

PHOTOS AND PLANTINGS BY: TAMARA KUMAR/ARTISTAL ASSOCIATES
 VISUALS: CONCEPTS AND NEEDS TO A CONCEPT DESIGNATION WITH VISUALS THAT CAN BE
 VISUALIZED AND UNDERSTOOD BY THE CLIENT AND OTHER STAKEHOLDERS.



A Diamond Fiber Cement Tiles

SVA technical information: **MONTANA - ARDONIT SLATES**

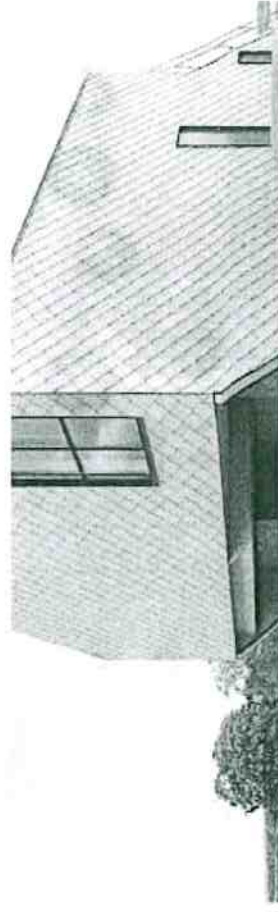
1.4 PRODUCT QUALITY

1.4.1 MECHANICAL AND PHYSICAL CHARACTERISTICS

General performance

Alfabetización	Teknik	Teknik
Length	200 - 500 mm	± 3 mm
Width	200 - 500 mm	± 3 mm
Thickness	4 mm	- 0.4 mm / + 1.0 mm
Squareness	± 2 mm	± 3 mm
Mechanical characteristics		Standard
Bending moment		EN 492
$P \leq 350 \text{ N/m}$	30 Newton	
$250 < P \leq 450 \text{ N/m}$	40 Newton	
$450 < P \leq 500 \text{ N/m}$	45 Newton	
Elasticity modulus (wet)	ca. 16.000 N/mm ²	
Thermal linear expansion coefficient α	$7.5 \cdot 10^{-6} \text{ mm/mK}$	
Durability		
Wet's impermeability	OK	
Wet/dry cycles	L ± 0.75	EN 492
Warm water	L ± 0.75	
Frost-thaw cycles	L ± 0.75	
Warm-rain cycles	OK	
Reaction to fire		
Class	A2-s1, d0	EN 13501-1
Physical characteristics		
Density (density)	$P \leq 1.700 \text{ kg/m}^3$	
Weight (at moisture content: 12%)	8 kg/m ²	
Coefficient of heat conductivity λ	0.72 W/mK	
Water uptake (soaked slates)	< 4% (average)	
Paint adhesion	Class 0	EN EN ISO 2409

April 2015



B Exterior door paint:
Sherwin Williams B-66EJ1000 or B-5A0216206
International Orange

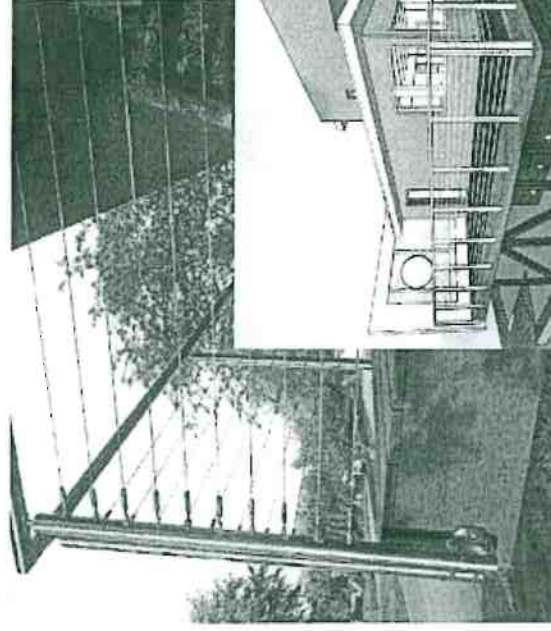


C Exterior lower level:
Sherwin Williams 6994
Greenblack

D Exterior cladding for lower level: Existing redwood shiplap siding painted black.

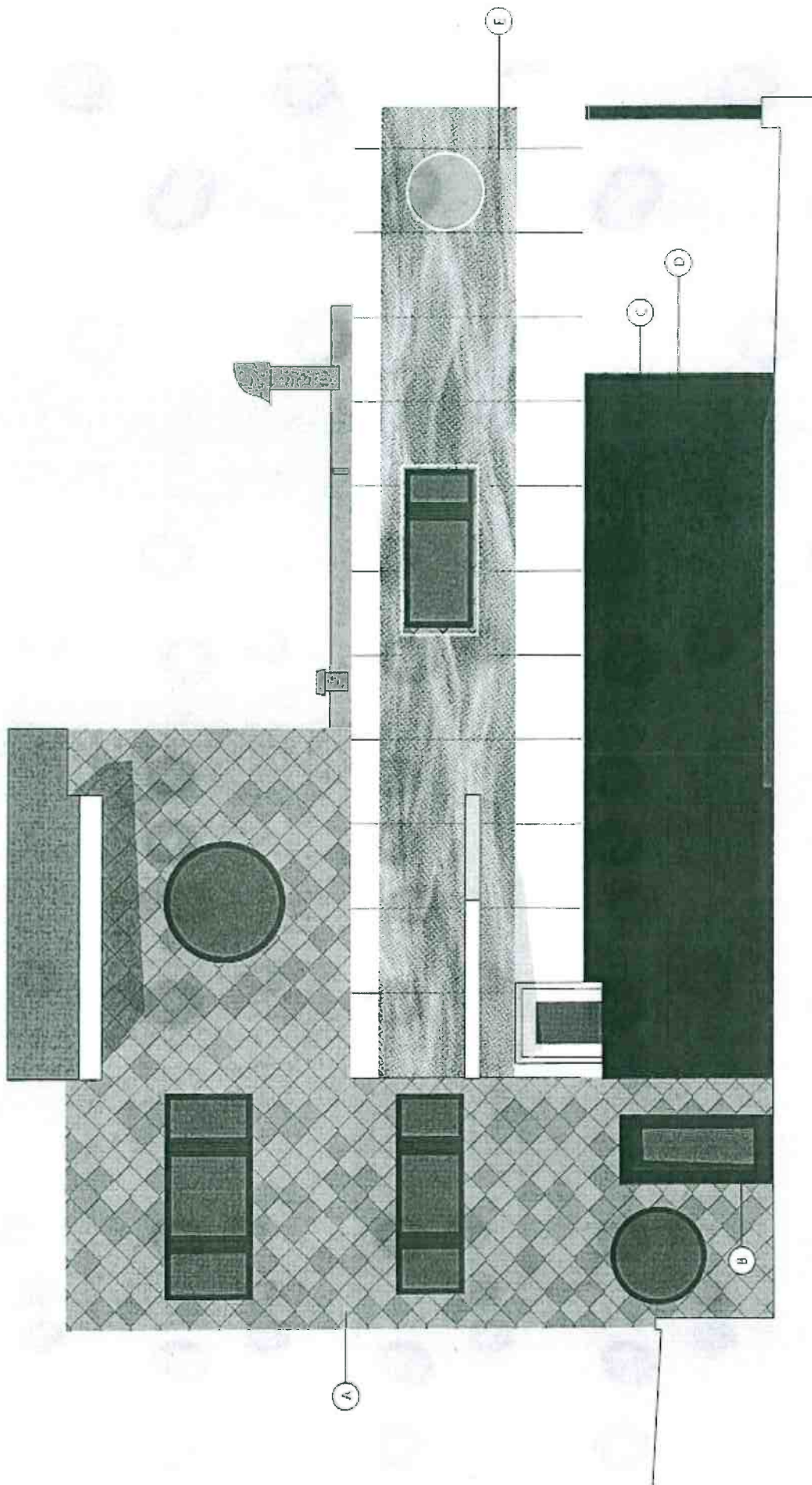
E Screen on 2nd level: 3mm Aluminum sheet painted white.

F Deck railings: Stainless steel AISI 304/316, side-mount 42.4mm diameter round posts 4mm diameter stainless steel cable tension wire.

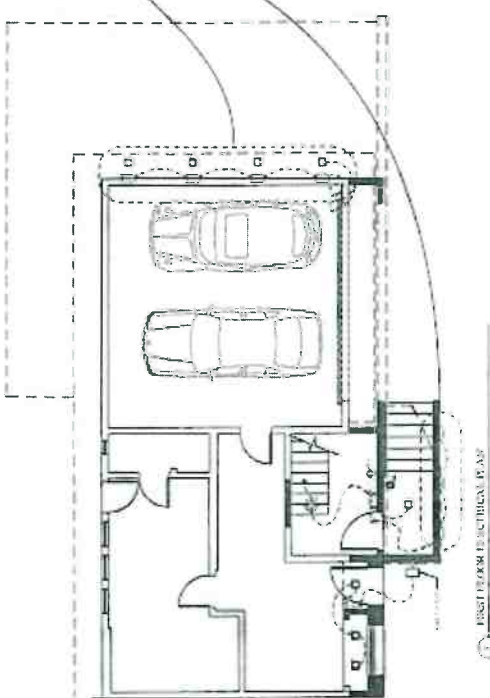


Kopping House

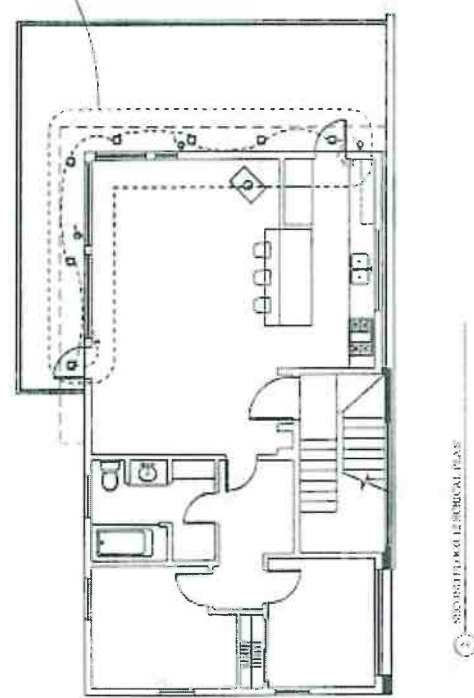
111 Kent Road, Pacifica, CA
Exterior Finishes



Kopping House 111 Kent Road, Pacifica, CA



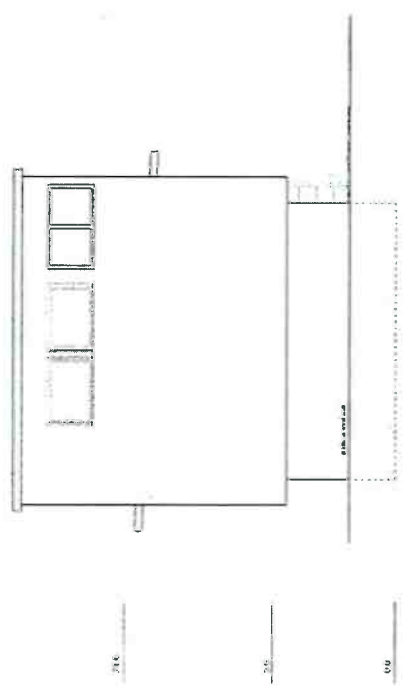
1st Floor foot lights: LED 12V LEDmc Step Light by WAC
 Dimensions: 5'L X 1'93"W X 3"H
 Material: Solid brass
 Lamp Type: LED
 Input: 9-15VAC constant output
 Power: 2W / 3.1VA
 Brightness: Up to 58 lumens
 CRI: 90
 Rated Hours: 60,000
 Bulbs: 1 X 2W 12V LED module; 2700K or 3000K, 90 CRI, 68 lumens (included)
 Listing: CUL, UL, WET-LOCATION, IP66, TITLE-24



2nd Floor deck lights in eaves: 3 in. White LED Recessed Baffle
 Dimensions: 6.125"L X 4"W X 3"H
 Lamp Type: LED dimmable
 Power: 8 Watt, GU10/50-Watt equivalent
 Brightness: 3000K, 465 lumens
 CRI: 80
 Rated Hours: 51,000
 Bulbs: 1 X 2W 12V LED module; 2700K or 3000K, 90 CRI, 68 lumens (included)
 Listing: 1-UL Listed, ETL Listed, IC Rated, TITLE 24, Energy Star
 Rated for wet and damp location and certified airtight per ASTM E283-04

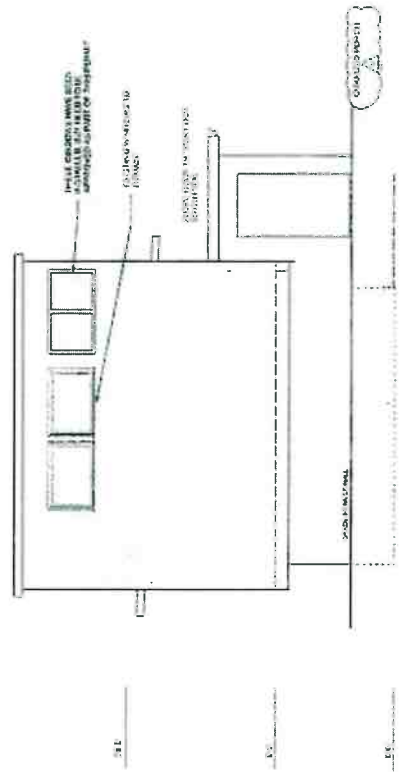


AMENDMENT	2014 APPROVAL	REVISED PROPOSAL
LOWER LEVEL: EXTERIOR STAIRS + PLAY ROOM	66 SF. ADDITION	90 SF. ADDITION
FIRST FLOOR: ENTRY STAIR	91 SF. ADDITION	75 SF. ADDITION
SECOND FLOOR: ENTRY/FOYER	99 SF. ADDITION	100 SF. ADDITION
DECK	394 SF. ADDITION	560 SF. ADDITION
THIRD FLOOR: HABITABLE SPACE	269 SF. ADDITION	387 SF. ADDITION



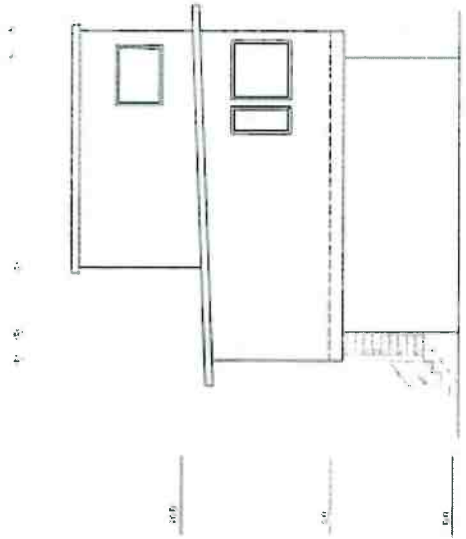
EXISTING WEST ELEVATION

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



NEW WEST ELEVATION

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

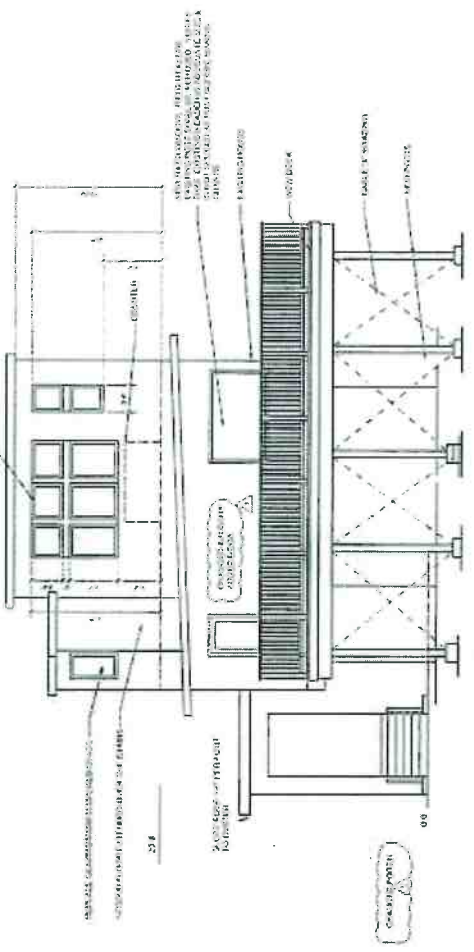


EXISTING EAST ELEVATION

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

EAST ELEVATION

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



NEW EAST ELEVATION

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

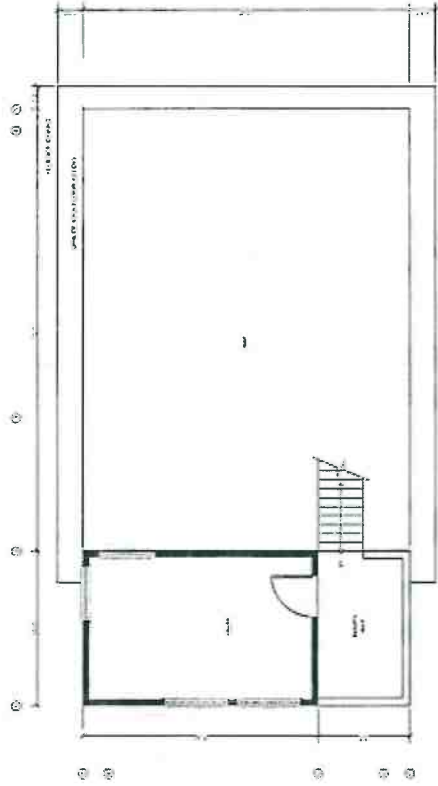




CHRIS RIDGWAY ARCHITECT, INC.
 600 POPULAR STREET, SUITE 1000, SAN FRANCISCO, CA 94102
 TEL: 415.774.8800 FAX: 415.774.8801

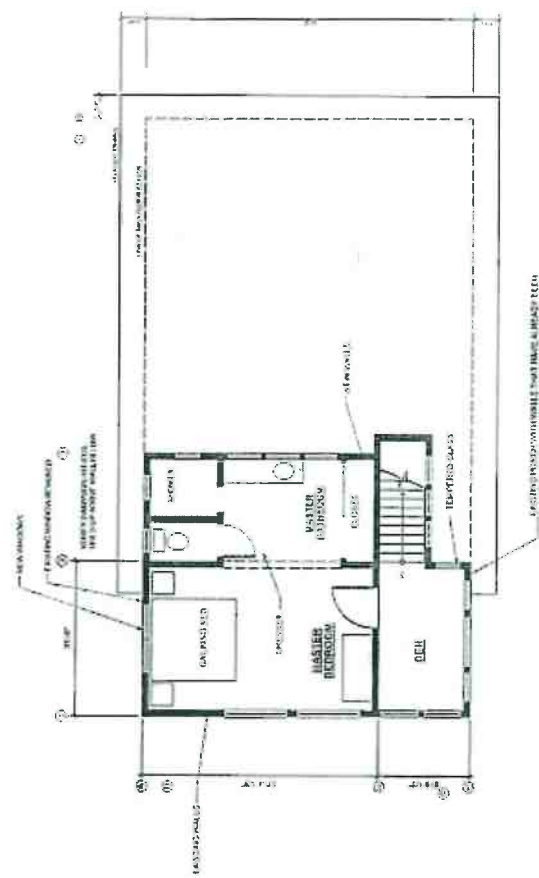
JEFF & JENNY MATHISON
 ARCHITECTS
 111 KENT ROAD, #7
 CA 94025

DATE: 03.10
 SHEET: A2.3B



UPPER FLOOR PLAN

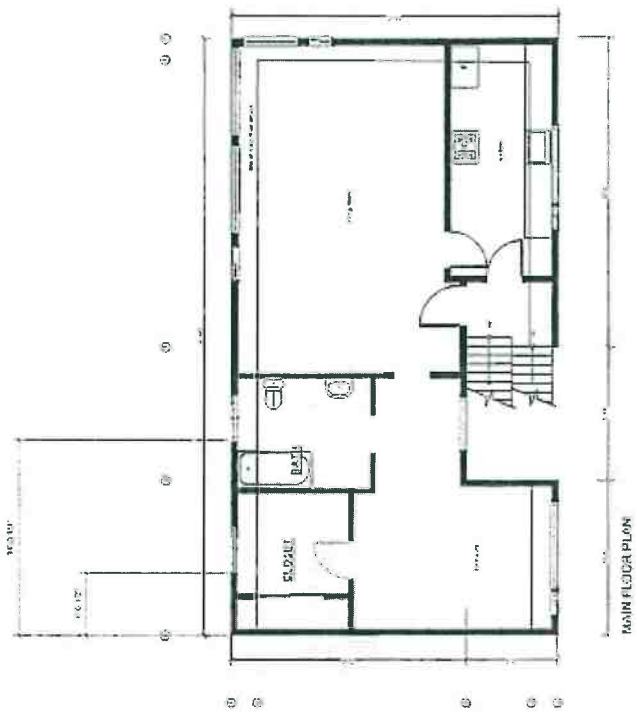
EXISTING 3RD FLOOR PLAN
 SCALE: 1/8" = 1'-0"



3RD FLOOR PLAN
 SCALE: 1/8" = 1'-0"

EXISTING GROSS SQ FT	NEW GROSS SQ FT
1,200	1,200
EXCLUDED GROSS SQ FT	
0	

3RD FLOOR PLAN SQUARE FEET
 SCALE: 1/8" = 1'-0"



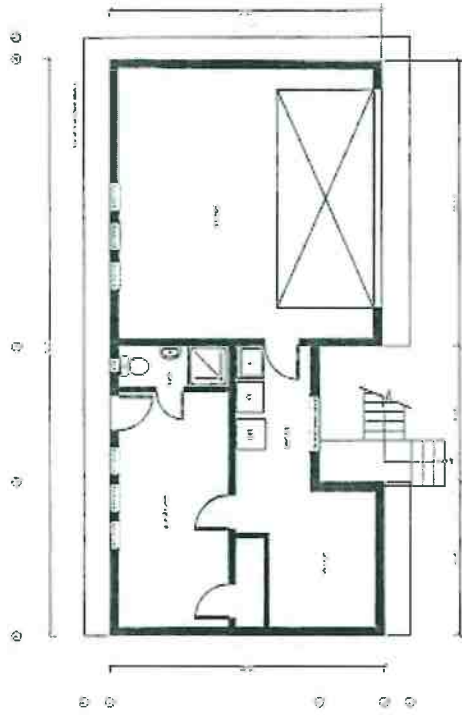
EXISTING 2ND FLOOR PLAN
 SCALE: 1/8" = 1'-0"



CHRIS RIDGWAY ARCHITECT, INC.
 670 PEARL STREET, HAUNDRON, CA 94015 PH: (415) 833-8300

JEFF & JENNY MATHISON
 111 KESTER ROAD, CA 94015

ARCHITECTS
 SHEET
 A2.1B



EXISTING 1ST FLOOR PLAN
 GRADE OR 11'-0"



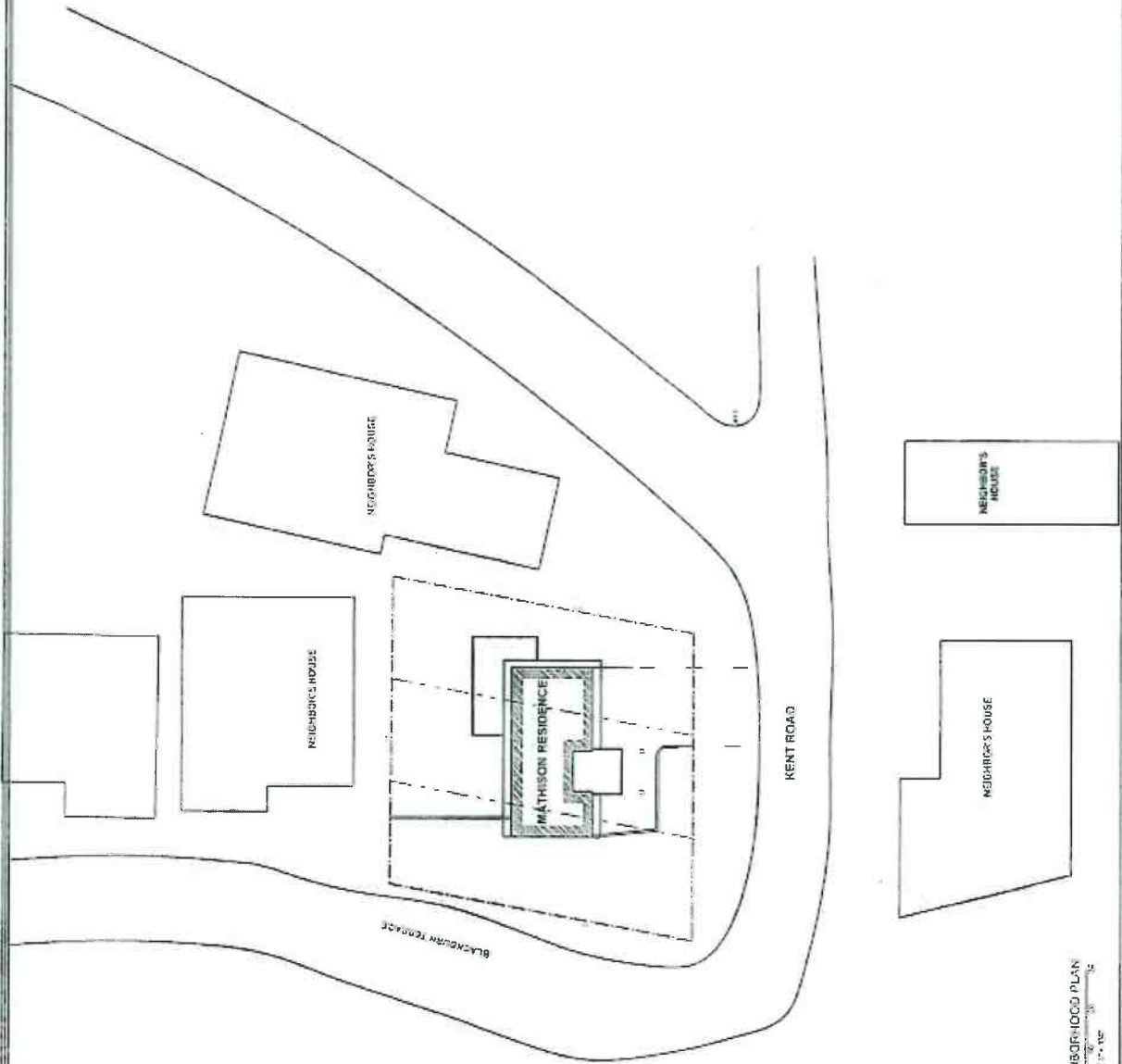
CHRIS RIDGWAY ARCHITECT, INC.
620 POPLAR STREET, HALF MOON BAY, CA 94019 PH: 650.970.4800

JEFF & JENNY MATHISON
111 KENT ROAD, PISCATAWAY, NJ
DATE: 1.25.11

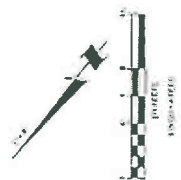
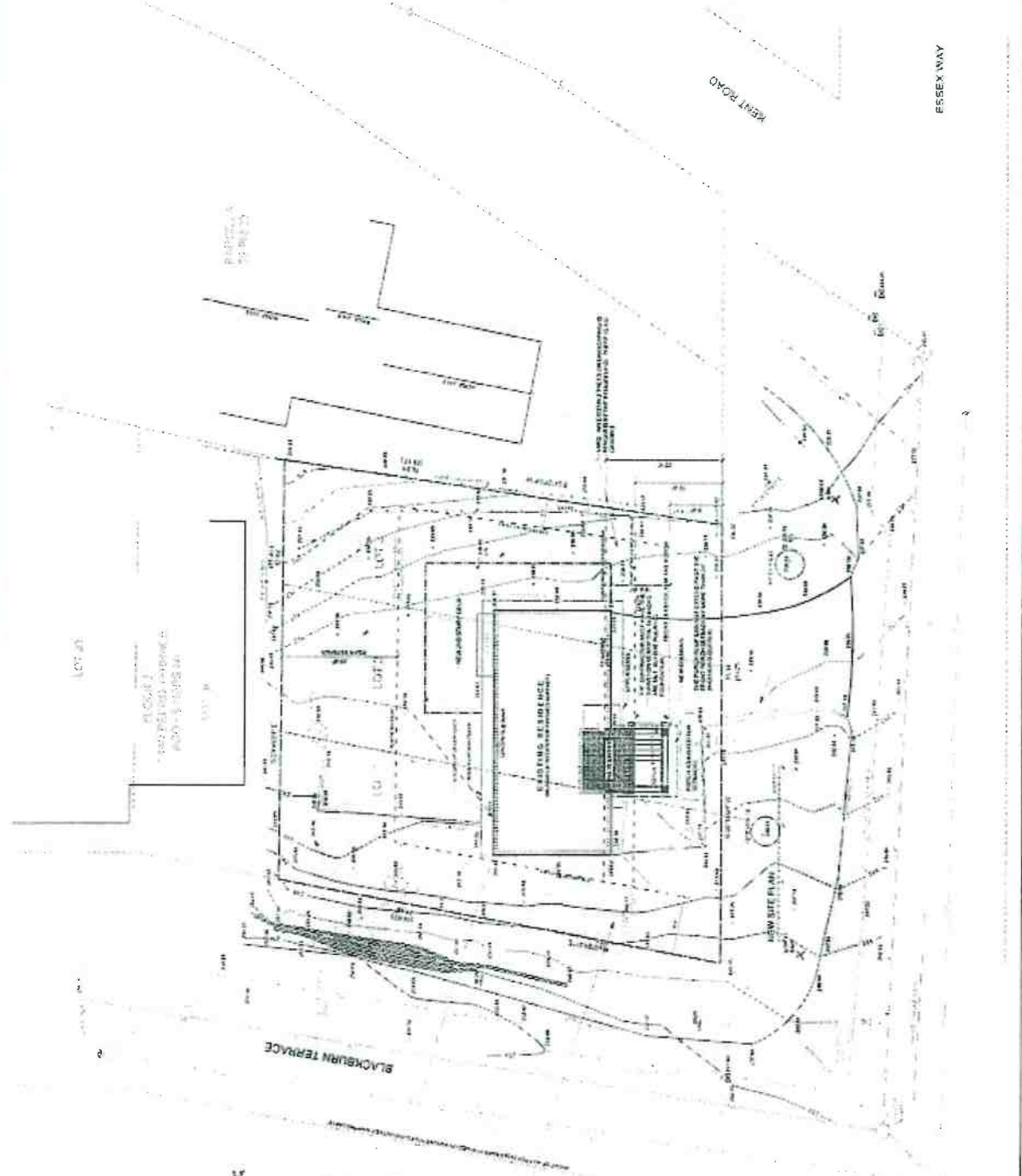
DATE: 1.25.11

SCALE: 1" = 10'

AT-3



NEIGHBORHOOD PLAN
SCALE: 1" = 10'



BASES OF BEARING
ALL BEARING ANGLES ARE GIVEN IN DEGREES FROM THE PRECEDING LINE TO THE NEXT LINE. ALL BEARING ANGLES ARE GIVEN IN DEGREES FROM THE PRECEDING LINE TO THE NEXT LINE. ALL BEARING ANGLES ARE GIVEN IN DEGREES FROM THE PRECEDING LINE TO THE NEXT LINE.

BENCHMARK
ELEVATION 100.00

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.
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10. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

DATE OF ISSUE: APRIL 2011
DRAWN BY: JRM

LEGEND

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100	EXISTING LOT LINES



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: January 17, 2017

ITEM: 2

File: CDP-379-16

PROJECT LOCATION: 310 Esplanade Avenue (APN 009-413-010)

PROJECT DESCRIPTION: Informational report regarding Emergency Coastal Development Permit CDP-379-16 to demolish a vacant apartment building located at 310 Esplanade Avenue and create positive drainage to the City storm drain system.

BACKGROUND: Pacifica Municipal Code Section 9-4.4307 "Emergency coastal development permit" (see Attachment E) grants authority to the Planning Director to approve an emergency coastal development permit (ECDP) as an urgency measure to "protect life and property from imminent danger or to restore, repair or maintain public works, utilities or services ..." The subject emergency permit was issued on December 27, 2016 (see Attachment A).

DISCUSSION: On January 25, 2016, the City Council adopted a resolution adopting the proclamation of a state of emergency along Pacifica's coast, from Westline Drive to the southern end of Beach Boulevard. That same day, 310 Esplanade was "yellow-tagged," by the City's Building Official restricting the use of the property, and deeming it uninhabitable, due to significant bluff erosion.

Since that time, the City's geotechnical consultant, Ted Sayre from Cotton, Shires and Associates, has continued to monitor the bluff condition and perform site inspections. Recent storm driven waves have accelerated bluff erosion and created a threat to public safety. Based on Mr. Sayre's expert opinion (see declaration included under Attachment A) and out of concern for the public, City staff is recommending the immediate abatement and demolition of the apartment building to protect public safety.

Despite significant bluff erosion in the area since the winter storms of 2009/10, the property owner, Mr. Millard Tong, has taken no measures to protect the bluff from further erosion. In recent years, the City attempted to compel him to act responsibly regarding another property by filing a criminal code enforcement complaint in San Mateo County Superior Court to no avail. In 2015, Mr. Tong filed for bankruptcy. On December 27, 2016 the City was granted an Abatement Warrant to enter the subject property and abate the nuisance by demolishing the apartment structure.

Due to the continued unusual weather events this winter season, and the potential consequences of further bluff erosion near the apartment building at 310 Esplanade, immediate action must be taken to abate and demolish the structure before further significant bluff erosion

occurs. The structure was built in the 1960s and contains hazardous materials, such as asbestos and lead, that present a public health concern should the building fall to the beach. The Department of Public Works is managing the demolition contract and anticipates the work to begin the week of January 17th with removal of hazardous materials and full demolition to be completed in approximately four weeks, pending weather conditions.

RECOMMENDED ACTION: Receive and file staff report.

Attachments:

- A. Emergency Coastal Development Permit CDP-379-16, issued December 27, 2016
(includes conditions, geotechnical consultant declaration, and photographs)



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
Planning, Building, and Code Enforcement
1800 Francisco Blvd. • Pacifica, California 94044-2506
(650) 738-7341 • www.cityofpacifica.org

MAYOR
Mike O'Neill

MAYOR PRO TEM
John Keener

COUNCIL
Sue Digre
Sue Vaterlaus
Deirdre Martin

Emergency Coastal Development Permit Application

Location of Work: 310 Esplanade Avenue APN: 009-413-010 Case Number: CDP- 379 - 16
Description of Work: Demolish apartment building, create positive drainage to City storm drain. Date of Issuance: 12/27/2016

Nature and/or Cause of Emergency: Severe, progressive bluff erosion has undermined building. See attached geologist declaration describing nature of emergency in greater detail.

Consequence of Inaction: Building could partially or completely collapse to beach below, threatening public health and safety. See attached geologist declaration describing consequences of inaction in greater detail.

Permittee:	Name	<u>City of Pacifica</u>	Property Owner:	Name	<u>Millard W. Tong Trust & Alicia W. Tong Trust</u>
	Address	<u>170 Santa Maria Avenue</u>		Address	<u>1 Picardo Ranch Road, Pacifica, CA 94044</u>
	Phone	<u>(650) 738-7341</u>		Phone	<u></u>
	Email	<u></u>		Email	<u></u>

If Permittee is not Property Owner, complete a signed statement of authorization to act as Property Owner's agent (see reverse).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS: Categorical Exemption / Statutory Exemption / Other _____
CEQA Guidelines Section 15269(c) "Emergency Projects"

PERMITTEE HEREBY AGREES TO THE FOLLOWING CONDITIONS OF APPROVAL OF THIS EMERGENCY CDP:

- All emergency work shall be completed on or before (60-day max.): 2/25/2017.
The Planning Director may grant an extension of this permit for up to 60 days if a regular CDP application is on file but has not been processed.
- All emergency work shall be completed by permittee in accordance with the provisions set forth in the Order of Abatement executed by the San Mateo County Superior Court on 12/27/2016, in Case Number 16NM014653.
- Within 30 calendar days of the issuance of this permit, Permittee shall apply for a regular Coastal Development Permit from the City of Pacifica if any development, as defined in Pacifica Municipal Code section 9-4.4302(z), undertaken pursuant to this permit is to remain permanently. If no such application is received, all development undertaken pursuant to this permit shall be removed in its entirety within 150 days of the issuance of this permit unless otherwise determined in writing by the Planning Director.
- A building permit issued by the Building Official is required prior to undertaking any development. All emergency work shall proceed in accordance with approved building permit plans on file with the City of Pacifica. Demolition shall also require a demolition permit issued by the Building Official.
- All work performed under this permit shall comply with the applicable requirements of the City of Pacifica including without limitation the Pacifica Municipal Code, Administrative Policies, standard specifications, conditions of approval, and state and federal laws.
- Additional Conditions of Approval: YES (see attachment) \ No

NOTICE: By signing below, Permittee understands all of the conditions of approval applicable to this permit and agrees to abide by them.

By acceptance of this permit, Permittee hereby agrees to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Permittee, City, and/or parties initiating or bringing such Proceeding. If the Permittee is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

APPROVAL: CITY OF PACIFICA

ACKNOWLEDGMENT: PERMITTEE

By: [Signature] Date 12/27/2016
Planning Director

By: See Order of Abatement Date _____
Property Owner (or Authorized Agent)

Path of Portola 1769 • San Francisco Bay Discovery Site

Conditions of Approval
Emergency Coastal Development Permit CDP-379-16
310 Esplanade Avenue
(APN 009-413-010)

Approved: 12/27/2016

1. Applicant must obtain approval of a demolition permit and, if necessary, an encroachment permit, prior to staging equipment and performing the demolition (“development”).
2. The development approved in this ECDP involves demolition of an existing 20-unit apartment building threatened by severe and progressive coastal bluff erosion. Applicant shall remove all development from the site, including all debris on the site and on the beach below, prior to expiration of this permit. Except, however, the applicant may allow the building foundation to remain if the professional judgment of his engineer, geologist, or other qualified professional determines that the continued presence of the foundation is beneficial to stability on the site and adjacent bluff.
3. Only that development specifically described in this ECDP is authorized. Any additional development, including any development required by a new emergency, shall require review and approval of a separate ECDP by the Planning Director.
4. Activities on the beach and bluff base below the structure are in the jurisdiction of the Coastal Commission. Any work including beach closure shall be in consultation with the Coastal Commission and shall receive all required permits and approvals of the Commission with notice to the City.
5. Applicant must obtain any necessary authorizations and/or permits from other agencies (e.g. Bay Area Air Quality Management District, Coastal Commission, Army Corps of Engineers, State Lands Commission, etc.) before commencing demolition. The applicant shall submit to the Planning Director copies of all such authorizations and/or permits upon their issuance.
6. Applicant shall complete abatement of hazardous materials within the structure prior to demolition unless the Building Official, in consultation with the City Engineer or other qualified professionals, determines that entry into the building for purposes of abatement is unsafe due to the continued progression of bluff erosion or other relevant factors.
7. Prior to commencing demolition, Applicant shall ensure construction of a safety barrier near the top of bluff for worker and construction equipment safety in a fashion designed and approved by a qualified engineer. Any crossing of the safety barrier shall be

ATTACHMENT B

- completed with appropriate safety harness equipment. The position of the safety barrier should be moved, as directed by the Applicant's engineer, during the period of demolition.
8. Applicant shall ensure its demolition contractor performs its work slowly and deliberately with non-impact methods of demolition.
 9. Demolition shall be in conformance with Chapter 12 of Title 6 of the Pacifica Municipal Code and with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices (BMPs) such as straw mulch, silt fences, sediment basins or traps and/or other measures shall be employed during construction to control erosion/siltation. The project will comply with current Regional Water Quality Control Board permit requirements and the Municipal Regional Stormwater NPDES Permit (MRP) requirements and standards.
 10. Roadways shall be maintained clear of construction equipment, materials and debris, especially mud and dirt tracked, onto Esplanade Drive. Dust control and daily road cleanup will be strictly enforced.
 11. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project.
 12. All site utilities shall be terminated to the satisfaction of the Director of Public Works or City Engineer.
 13. A copy of the ECDP shall be maintained in a conspicuous location at the site at all times, and shall be made available for public review to any member of the public, or any employee or agent of the City of Pacifica or Coastal Commission, upon request. All persons involved with emergency work at the site shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
 14. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the City of Pacifica, and the Coastal Commission, their officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the City of Pacifica, and the Coastal Commission, their officers, agents, and employees with respect to the City's approval of the project against any and all liability,

claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

15. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and /or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

END

DECLARATION OF TED SAYRE

I, TED SAYRE, hereby declare as follows:

1. I am a licensed Engineering Geologist and Geologist with the California Department of Consumer Affairs' Board for Professional Engineers, Land Surveyors, and Geologists. I obtained a B.A. in Geology from U.C. Berkeley in 1981 and a M.E. in Geologic Engineering from the Colorado School of Mines. I have over 27 years of experience in the fields of engineering geology and geological engineering. I am currently employed as a Principal Engineering Geologist and Geologic Engineer for Cotton, Shires and Associates, Inc. ("CSA"). CSA provides geologic and geotechnical services to the City of Pacifica (the "City"). A current copy of my curriculum vitae is attached as Exhibit A.

2. CSA has periodically monitored the City's bluff conditions since 1997 and prepared formal assessments of local bluff instability conditions in 2010, the summer of 2015, and in February 2016. CSA has a large photographic archive of local bluff conditions from 1997 to present. CSA also has compiled an extensive collection of earth material properties and research data regarding the weakly cemented alluvial deposits that form the local bluffs.

3. The City requested a geotechnical evaluation of the apartment building located at 310 Esplanade Avenue, Pacifica, California. CSA completed observations of the local bluff at 310 Esplanade Avenue on August 31, 2016, and October 12, 2016.

4. Our recent observations of the subject property and adjoining bluff have revealed progressive failure of the bluff under benign summer and fall weather conditions. Since February 2016, the top of bluff has retreated approximately 7 feet toward the southwest corner of the building (Photographs 1 and 2 attached to Exhibit B). This portion of the building is now approximately 7 feet from the top of bluff. The local bluff is still critically oversteepened and undermined by a large cavity present in the lower third of the bluff face (Photographs 3 and 4 attached to Exhibit C). Recently fallen concrete patio slabs from the 310 Esplanade property were observed on the beach (Photographs 5 and 6 attached to Exhibit D).

ATTACHMENT A

5. The photographs attached to Exhibit E were taken on December 12 and 13, 2016. These photographs display advanced bluff retreat and a new bluff failure near the northwestern portion of the building.

6. Under coming winter conditions, we anticipate that precipitation and waves striking the unprotected toe of bluff will trigger additional bluff retreat at rates that are higher than those observed over the summer and early fall. There is a high risk that additional bluff retreat will result in further undermining of the building and that portions of the remaining western patio slabs and second floor balconies will fall to the beach with consequent danger to public beach users. Our current evaluations consider static conditions but it should be understood that significant earthquake ground shaking could trigger catastrophic collapse of the bluff face and building.

7. Based on examination of existing oversteepened and undermined bluff conditions, we conclude that there is a high risk for continued bluff retreat through the winter season that will result in further failure of patio slabs and balconies from the 310 Esplanade Avenue property onto the beach with consequent danger to the public. In addition, there is a high risk that bluff retreat will remove ground support beneath the southwestern corner of the building (at a minimum). Accelerated failure and retreat of the top of bluff should be anticipated when the unprotected toe of bluff is struck by high winter waves or seasonal rainfall causes elevated moisture contents within the bluff forming earth materials.

8. Anticipated retreat of the top of bluff will result in unsafe conditions for workers to complete hazardous material removal within the building. The ability for hazardous material abatement will likely decrease as the winter proceeds. Given the current close proximity of the building to a precipitous unstable bluff, there is a high risk this winter that the building will become unsafe for worker entry. In addition, the safety of building demolition will be adversely impacted when significant portions of the building foundations are undermined by bluff retreat. During removal of the former adjacent apartment building to the south, hazardous material

removal and demolition of the above ground structure were completed less than a week before the entire western foundation footing became undermined and fell to the beach.

9. We conclude that there is urgency for the City to immediately take steps toward building demolition. The potential consequences of delay include a much greater expense for disposal of demolition debris contaminated by hazardous material and the increased difficulty to safely demolish the building. If the building is not demolished in a timely and controlled manner, then significant portions of the building will be undermined and contaminated building debris will fall to the beach with consequent public safety impacts and beach clean-up requirements. Removal of contaminated debris from the beach will be done at a much greater expense than controlled demolition of the building completed from the top of bluff.

10. We recommend that the City consider the high risk of undermining of the 310 Esplanade Avenue apartment as an emergency and take immediate steps toward controlled building demolition. Public safety should not be compromised by allowing portions of the building to fall onto the beach. Initiation of building demolition should not be delayed to mid to late winter when hazardous material removal and demolition operations may be impeded or prevented by safety considerations for workers.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: December 14, 2016


TED SAYRE

EXHIBIT A

CURRICULM VITAE - TED M. SAYRE

Principal Engineering Geologist/Geologic Engineer

Current Address

COTTON, SHIRES AND ASSOCIATES, INC.
330 Village Lane
Los Gatos, California 95030
Phone: (408) 354-5542, FAX: (408) 354-1852
Web site: www.cottonshires.com, email: tsayre@cottonshires.com

Registration

Registered Geologist in California, RG 5711
Certified Engineering Geologist in California, EG 1795
Engineer in Training (EIT passed 1986)

Education

M.E., Geological Engineering: Colorado School of Mines, Golden, Colorado, 1985
B.A., Geology: University of California, Berkeley, California, 1981

Areas of Specialization

Geotechnical peer review and investigation of proposed development, primarily in hillside areas, potentially constrained by slope instability, fault rupture, ground shaking and liquefaction.

Representative Experience

Mr. Sayre has over 27 years of experience in the fields of engineering geology, geological engineering, and hydrogeology. As a principal engineering geologist with Cotton, Shires and Associates, Inc., Mr. Sayre helps to administer a variety of projects. In this capacity, he is responsible for overall project supervision and coordination, compilation, collection and analysis of geologic and geotechnical data, and preparation and presentation of technical maps and reports. In addition, his duties include analysis of aerial photographs, field mapping of bedrock and surficial deposits and subsurface geologic exploration.

Mr. Sayre uses his combined background of engineering geology and geological engineering to investigate and resolve interrelated geologic and geotechnical issues. This background is especially useful when investigating landslide or seismic hazards that require close coordination between geologic characterization and engineering mitigation of the hazard. As a geologist, he has worked on a variety of projects in Alaska, California, Hawaii, Nevada, and Oregon. As a geological engineer and hydrogeologist with the U. S. Geological Survey Nuclear Hydrology Program, Mr. Sayre conducted research to investigate water flux through the unsaturated zone at Yucca Mt., Nevada. This work was part of a detailed characterization program to evaluate candidate sites for the nation's first high-level nuclear waste repository.

Mr. Sayre currently is responsible for the coordination of geotechnical peer review, including evaluation of proposed land divisions and building permit applications, for several San Francisco Bay Area communities. Proper recognition, characterization and mitigation of unstable ground are topics Mr. Sayre critically examines in his review capacity on a regular basis. In addition, evaluation of other common Bay Area seismic hazards such as surface fault rupture, amplified ground shaking, liquefaction and seismically induced slope failure are also part of Mr. Sayre's responsibility as a quality control reviewer of development safety. After the 1989 Loma Prieta earthquake, Mr. Sayre worked with the Santa Cruz County Earthquake Recovery Unit as a Supervising Engineering Geologist where he assisted in technical review of hundreds of building permit applications for

TED M. SAYRE (cont.)

repair of seismically damaged structures. More recently, Mr. Sayre has completed many residential damage assessments for local communities impacted by El Niño induced landslides.

Professional Affiliations

Association of Engineering Geologists
Geological Society of America
Earthquake Engineering Research Institute

Selected Publications

UNSTABLE SLOPES IN THE FRANCISCAN COMPLEX TERRANE-LESSONS LEARNED FROM QUARRY SLOPES IN THE SAN FRANCISCO BAY AREA: 2007 (with John Wallace) First North American Landslide Conference Proceedings, pg. 1318-1325

GEOLOGIC CHARACTERIZATION OF RANGE-FRONT THRUST FAULTS, WESTERN MARGIN OF SANTA CLARA VALLEY CALIFORNIA: 2004 (with R.S. Rubin and J. M. Wallace), Geological Society of America Cordilleran Section 2005 Meeting, Paper No. 39-3

GEOLOGIC MAP OF LOS ALTOS HILLS, CALIFORNIA: 2005 Final map to the Town of Los Altos Hills, California (1"=600')

RANGE FRONT THRUST FAULTS- SARATOGA, LOS ALTOS HILLS, SANTA CLARA COUNTY, CALIFORNIA:2004 (with W.F. Cole, J.M. Wallace, and W.R. Cotton) in Association of Engineering Geologists Field Trip Guidebook- San Francisco Section, Chapter 2-1, 10 pgs

MITIGATION OF THE 1998 EL NINO SEA CLIFF FAILURE, PACIFICA, CALIFORNIA: 2001 (with P.O. Shires, and D.W. Kelly), Engineering Geology Practice in Northern California, Association of Engineering Geologists Special Publication 12, pg. 607-618

THE JAHNSIAN STEPS TO GEOLOGIC SAFETY: THE ENGINEERING GEOLOGIC APPROACH: 1992 (with W.F. Cole, and W.R. Cotton), Association of Engineering Geologists 35th Annual Meeting Proceedings, 6 pgs.

EXHIBIT B



Photograph 1

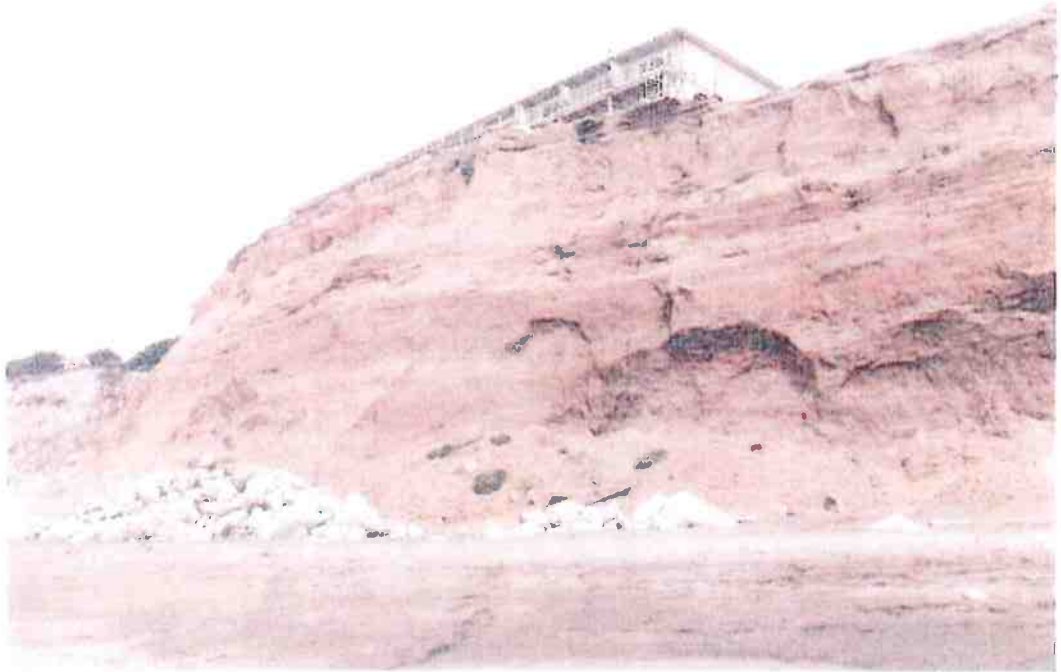


Photograph 2

EXHIBIT C



Photograph 3



Photograph 4

EXHIBIT D



Photograph 5



Photograph 6

EXHIBIT E





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FILED
SAN MATEO COUNTY

Clk of the Superior Court
By _____

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO

CITY OF PACIFICA,
Plaintiff,
v.
MILLARD W. TONG (DOB 10-16-1949),
Defendant.

Case No. 16NM014653
~~PROPOSED~~ ABATEMENT WARRANT

**THE PEOPLE OF THE STATE OF CALIFORNIA, TO ANY DULY
AUTHORIZED AND APPOINTED AGENT OF THE CITY OF PACIFICA, STATE OF
CALIFORNIA:**

Proof by Declarations of Ted Sayre and Albert Tong, Esq., has been made before the
above-entitled Court that the property located at 310 Esplanade Avenue, Pacifica, California (the
"PROPERTY") is an imminent health and safety hazard. Thus, this Court has determined that
good cause exists to support issuance of an abatement warrant.

YOU ARE HEREBY AUTHORIZED to enter the PROPERTY and abate the public
nuisance and health and safety hazards on the PROPERTY by taking such actions as are
necessary to bring the PROPERTY into compliance with the Pacifica Municipal Code (including
but not limited to demolishing the structures thereon and removing all resulting debris from the
PROPERTY). The abatement shall be conducted pursuant to Code of Civil Procedure sections

1 1822.50 et seq. in a reasonable manner and for the purpose of ensuring compliance with all
2 applicable laws.

3 The abatement shall be conducted subject to the following conditions:

4 1. This warrant shall be effective for a period of not more than thirty days, unless
5 renewed;

6 2. This warrant may not be executed after 6:00 p.m. or before 8:00 a.m. of any day;

7 3. Good cause appearing, notice by personal service, posting on the premises, or by
8 First Class Mail of issuance of this warrant must be given not less than 24 hours prior to its
9 execution;

10 4. Good cause appearing, this abatement may be made in the absence of the
11 PROPERTY's owner;

12 5. Any abatement made pursuant to this warrant may be made in the company of
13 attorneys, technical assistants, contractors, and other experts whose professional and expert
14 advice and assistance is necessary in order to assure a thorough and safe abatement of the
15 hazardous conditions and public nuisances existing on the PROPERTY.

16 6. You are directed to make a return of this warrant to this Court in accordance with
17 section 1822.55 of the Code of Civil Procedure.

18 DATED: December 27, 2016

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20 *[Handwritten Signature]*

21 SUPERIOR COURT JUDGE



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