



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Agenda

DATE Monday, March 21, 2016
LOCATION Council Chambers, 2212 Beach Boulevard
CLOSED SESSION 6:45 PM
Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2): (One Case)

REGULAR SESSION 7:00 PM

ROLL CALL

SALUTE TO FLAG

CLOSED SESSION REPORT

ADMINISTRATIVE BUSINESS

Approval of Order of Agenda

Approval of Minutes: February 16, 2016 and March 7, 2016

Designation of Liaison to City Council Meeting – April 25, 2015 – Appeal of Anchor Inn project, 500 San Pedro Avenue; and Appeal of Single Family Residence at 135 Stanley Avenue.

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.

PUBLIC HEARING:

- 1. GPA-91-15
PSD-788-14
PE-161-15** **GENERAL PLAN AMENDMENT, SITE DEVELOPMENT PERMIT and PARKING EXCEPTION**, filed by the owner and applicant, Javier Diaz-Masias, to change the land use designation of two parcels to Low Density Residential (LDR) from Very Low Density Residential (VLDR), to construct two single-family dwellings with approximately 400 linear feet of associated street improvements in the public right-of-way, and to deviate from on-and off-street parking standards at 50 and 60 Oddstad Way (APN 022-056-060, 022-056-080 and 022-056-090). Recommended California Environmental Quality Act (CEQA) status: Not subject to environmental review pursuant to Public Resources Code Section 21080(b) (5). Proposed Action: Denial.
- 2. PSD-796-15
UP-49-15** **USE PERMIT and SITE DEVELOPMENT PERMIT**, filed by owner and applicant, David Melton, to construct a single family dwelling of 3,300 square feet with an attached garage of 600 square feet and a second dwelling unit with an attached garage of 300 square feet on a vacant lot at 21 Malavear Drive (APN 023-270-580). A Negative Declaration was previously adopted for this project. Proposed Action: Approve as conditioned.

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.



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PLANNING COMMISSION Staff Report

DATE: March 21, 2016

FILE: GPA-91-15
PSD-788-14
PE-161-15

ITEM: 1

PUBLIC NOTICE: Notice of Public Hearing was published in the Pacifica Tribune on March 9, 2016, and mailed to 58 surrounding property owners and occupants.

APPLICANT: Javier Diaz-Masias
608 Seventh Avenue
San Bruno, CA 94066

OWNER: Javier Diaz-Masias
608 Seventh Avenue
San Bruno, CA 94066

PROJECT LOCATION: 50 & 60 Oddstad Way (APNs 022-056-060, 022-056-080 and 022-056-090) – Rockaway Valley Neighborhood

PROJECT DESCRIPTION: Change the General Plan land use designation of two parcels to Low Density Residential (LDR) from Very Low Density Residential (VLDR); construct two single-family dwellings with approximately 400 linear feet of associated street improvements in the public right-of-way, and, deviate from on- and off-street parking standards at 50 and 60 Oddstad Way in Pacifica.

SITE DESIGNATIONS:

Existing General Plan Designation: VLDR
Proposed General Plan Designation: LDR
Zoning: R-1-H (Single Family Residential/Hillside District)

RECOMMENDED CEQA STATUS: Not subject to environmental review (Public Resources Code §21080(b)(5)).

ADDITIONAL REQUIRED APPROVALS: The General Plan Amendment is a legislative action requiring City Council approval. Approval of a Growth Allocation for each dwelling is necessary prior to building permit issuance.

RECOMMENDED ACTION: Recommend to City Council denial of the GPA-91-15 and to deny PSD-788-14 and PE-161-15 without prejudice.

PREPARED BY: Kathryn Farbstein, Assistant Planner

ZONING STANDARDS CONFORMANCE:

50 Oddstad Way (Lot 2 with emergency vehicle turnaround & closest to existing intersection)

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size*	5,000 square feet (sf)	7,500 sf	No change
Lot Area per Dwelling Unit	5,000 sf	7,500 sf	No change
Lot Width	50 feet	50 feet	No change
Setbacks			
-Front	15 feet	N/A	36 feet
-Garage	20 feet	N/A	37 feet
-Side (interior)	5 feet	N/A	5 feet
-Rear	20 feet	N/A	40 feet
Height	35 feet	N/A	35 feet
Lot Coverage	40%	N/A	35%
Landscaped Area	20%	N/A	45%
Parking	2 car garage	N/A	2 car attached garage
Garage Dimensions	18 feet wide by 19 feet deep	N/A	18 feet wide by 20 feet deep

*Note: Zoning not consistent with the General Plan density requirement of half an acre per unit.

60 Oddstad Way (Lot 1)

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size*	5,000 sf	7,500 sf	No change
Lot Area per Dwelling Unit	5,000 sf	7,500 sf	No change
Lot Width	50 feet	50 feet	No change
Setbacks			
-Front	15 feet	N/A	22 feet
-Garage	20 feet	N/A	20 feet
-Side (interior)	5 feet	N/A	6 feet
-Rear	20 feet	N/A	54 feet
Height	35 feet	N/A	35 feet**
Lot Coverage	50%	N/A	36%
Landscaped Area	20%	N/A	55%
Parking	2 car garage	N/A	2 car attached garage
Garage Inner Dimensions	18 feet wide by 19 feet deep	N/A	22 feet wide by 19 feet Deep

*Note: Zoning not consistent with the General Plan density requirement of half an acre per unit.

**Note: North elevation indicates height of 35'-½" but that is a mistake and designer confirmed that maximum overall building height will not exceed 35 feet.

PROJECT SUMMARY

1. Project Description: The applicant has proposed construction of two separate single-family dwellings, each on a vacant parcel of 7,500 sf (see Attachment I Plans). No road exists to provide access to the two dwellings; thus, the project includes an extension of Oddstad Way approximately 400 linear feet within an existing 40 foot-wide public right-of-way. The paved width of the Oddstad Way extension is 20 feet with a decomposed granite pathway three feet in width proposed along the south side of the road (on the same side as the two proposed dwellings) to provide separate access for pedestrians. The applicant also proposes to construct a parking turnout to accommodate two parallel parking spaces within the right-of-way in lieu of traditional curbside parking. The turnouts reduce the amount of paving included within the street. The 60 foot long parking turnout is located just west of the two residential lots and is of sufficient size to accommodate at least two vehicles parked alongside the street while allowing enough road width for emergency vehicles access. Utilities such as a water line and sanitary sewer system are also proposed within the right-of-way. Additional improvements include biotreatment areas along the northern side of the road to treat the stormwater runoff from the paved roadway as specified in the Stormwater Control Plan (see Attachment B).

The dwelling addressed as 50 Oddstad Way (identified as Lot 2 on the plans) is proposed as a three-story structure of approximately 3,400 sf of floor area with an attached two car garage of approximately 500 sf on the ground level. This parcel will also contain the driveway for the emergency vehicle turnaround which allows emergency vehicles to pull into an unobstructed driveway and exit the area. The entry hall of approximately 200 sf is raised six feet higher than the garage level. The lower level of approximately 900 sf of floor area will contain two bedrooms, two bathrooms and the open area of the entry hallway. The main floor (upper level) of approximately 2,300 sf will contain the three bedrooms, three bathrooms, kitchen, dining room and family room. Due to the upward slope at the rear of the property, the main floor provides access to the back yard.

The dwelling addressed as 60 Oddstad Way (identified as Lot 1 on the plans) is also proposed as a three-story structure of approximately 3,400 sf with an attached two car garage of approximately 600 sf on the ground level. The design of this unit is a mirror image of 50 Oddstad Way but does not have the emergency vehicle turnaround because only one turnaround is needed. The entry hall of approximately 200 sf is raised 5 feet above the garage level. The lower level of approximately 900 sf contains two bedrooms, two bathrooms and open area of the entry hall. The main floor (upper level) of 2,300 sf feet contains three bedrooms, three bathrooms, kitchen, dining room and family room. A deck on the main floor at the front of the dwelling is proposed for 60 Oddstad Way but not 50 Oddstad Way. Access to the rear yard is also provided from the main floor.

The roofing materials proposed are clay tile over the garage roof projections and asphalt shingles on the main portion of the roofs. Stucco siding is proposed with a Tuscan finish for most of the walls, and prostone stone veneer around the garage and front doorways will provide accent details. These materials are proposed for both dwellings with different colors to be utilized on the exterior of the buildings.

2. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject site is Very Low Density Residential (VLDR) (see Attachment C Land Use and Zoning Exhibit). The property to the south has a General Plan designation of Open Space Residential. The zoning for the subject site and

surrounding properties is R-1-H classification. The properties to the south have a zoning of PD/HPD (Planned Development/Hillside Preservation District).

The surrounding land use is vacant land on all sides of the subject site. The closest developed areas are located along Rockaway Beach Avenue which is approximately 150 feet to the north across Oddstad Way.

3. Municipal Code Requirements: The applicant has requested City approval of a General Plan Amendment (see Attachment D) that would change the land use designation of the site from VLDR to LDR, Site Development Permit, and Parking Exception. Staff discusses each request separately, below.

A. General Plan Amendment: The procedure for amending a general plan includes public review and consideration by the Planning Commission, which shall recommend action by the City Council, and then public review and consideration by the City Council. (Gov. Code 65353, 65355, 65358.)

The Planning Commission is not bound by specific findings when making its recommendation to the City Council. It may base its recommendation on factors pertaining to general health, safety, and welfare of the community, as well as other relevant factors such as neighborhood narratives, policies, and programs in the existing General Plan. Relevant policies regarding infrastructure in the Circulation Element of the General Plan (page 13) include the following:

- 4) Provide access which is safe and consistent with the level of development.
- 15) Promote orderly growth in land uses and circulation.

Because a General Plan Amendment is a legislative action, the City Council must take final action on the General Plan Amendment request under state law.

B. Site Development Permit: PMC Section 9-4.953 Development regulations provides that all structures that require issuance of a building permit shall obtain approval of a site development permit first. In this case, both proposed dwelling units require issuance of a building permit prior to construction; thus, approval of a site development permit is necessary prior to issuance of a building permit. The Planning Commission must make certain findings to approve a site development permit, as discussed below.

C. Parking Exception: Article 28 of the Zoning Regulations establishes on- and off-street parking standards for all development types. PMC Section 9-4.2824 Exceptions allows the Planning Commission to grant exceptions to the standards "in the event of practical difficulties and unusual hardship." One of the parking standards applicable to the subject project is found in PMC Section 9-4.2813(c)(4) Access to parking facilities, which states that the driveway width shall be a maximum of 20 feet. In this case, 50 Oddstad Way (Lot 2) is designed with two driveways. One driveway provides access to the two car attached garage. The second driveway provides an emergency vehicle turnaround to allow fire trucks and other large emergency vehicles to pull onto the site and turn the emergency vehicle around when exiting the area. Because there are two driveways proposed, 50 Oddstad Way is not compliant with this standard, and the application requires consideration of a Parking Exception. In order to approve a parking exception, the Planning Commission must find that "the establishment,

maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible." Approval of a Parking Exception is necessary to allow the emergency vehicle turnaround on the subject site.

4. CEQA Recommendation: One of staff's responsibilities is to review development applications to determine whether, prior to project approval, a project must undergo environmental review subject to the California Environmental Quality Act (CEQA) or whether a project can be considered exempt from CEQA. However, if the Planning Commission does not approve a project, that action to disapprove the project is not subject to environmental review under CEQA. California Public Resources Code Section 21080(b)(5) Names, types of projects requiring EIRs; exclusions; substantial evidence standard; mitigation substitution states in pertinent part the following:

21080. (a) Except as otherwise provided in this division, this division shall apply to discretionary projects proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits, and the approval of tentative subdivision maps unless the project is exempt from this division.

(b) This division does not apply to any of the following activities:

(5) Projects which a public agency rejects or disapproves.

In this case, staff is recommending denial of this project; therefore, conducting environmental review is unnecessary at this time. If the Planning Commission wants to consider this project, staff will review the project to determine whether it must undergo environmental review.

5. Required Findings / Analysis: While no explicit findings are required to recommend adoption of a General Plan amendment, the PMC sets forth required findings for each permit considered by the Planning Commission. Considerations regarding the requested General Plan Amendment, as well as the findings required for approval of a Site Development Permit and Parking Exception are listed in the following sections with a discussion applying those considerations and findings to the project.

A. General Plan Amendment. As noted above, the Planning Commission is not bound by specific findings when making its recommendation to the City Council on a proposed General Plan Amendment. It may base its recommendation on factors pertaining to general health, safety, and welfare of the community, as well as other relevant factors such as neighborhood narratives, policies, and programs in the existing General Plan.

Discussion: The Applicant is requesting approval of a General Plan Amendment (GPA) to change the designation of both parcels proposed to be developed to LDR (Low Density Residential) from VLDR (Very Low Density Residential). The current VLDR designation provides for a density of one-half to five acres per dwelling unit. The proposed LDR designation would allow 3 to 9 units per acre. (General Plan, page 32.)

Staff's analysis suggests that the proposed GPA request is inconsistent with the spirit and intent of the General Plan for several reasons. First, the project is inconsistent with the intended

density and intended pattern of development for the area. The narrative portion of the General Plan (page 43) described this area of Rockaway Valley as undeveloped areas under 35 percent slope that may have soils and geologic problems, visual impacts, as well as public safety hazards, such as limited emergency access and high potential for grass fires. Due to these factors, this area of Rockaway Valley is designated as VLDR. The VLDR designation results in a less dense pattern of development that takes account of these considerations by increasing setbacks, limiting lot coverage, lowering building heights, limiting massing visible from public streets, ensuring a low density relationship between building and lot size, establishing view corridors, and maintaining substantial native vegetation cover by minimal disturbance of the parcel.

A change from VLDR to LDR would interfere with the pattern of development anticipated for these parcels in the General Plan. Under the VLDR designation, a density of one-half acre (21,780 sf) is required for each dwelling unit. Here, because each lot proposed for development is 7,500 sf, which is less than one-fifth of an acre, the project would be inconsistent with the pattern of development provided for under the VLDR designation. Amending the General Plan to provide for 3 to 9 units per acre, as provided for under the LDR designation sought by the applicant, would not provide for a less dense pattern of development that takes into account the soils and geologic problems, visual impacts, and public safety hazards discussed in the General Plan by increasing setbacks, limiting lot coverage, lowering building heights, limiting massing visible from public streets, ensuring a low density relationship between building and lot size, establishing view corridors, and maintaining substantial native vegetation cover by minimal disturbance of the parcel.

In addition, a change from VLDR to LDR on these two lots would also interfere with the pattern of development the VLDR designation has created on surrounding lots. Having two among dozens of parcels in the contiguous Oddstad Way area designated as LDR would result in inconsistencies in the development pattern of an otherwise very low density area.

B. Site Development Permit. Section 9-4.3204 of the PMC states that a site development permit shall not be issued if the Commission makes any of the following findings:

- i. That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

Discussion: The location, size, and intensity of the proposed single family dwellings on the subject parcels will not create an inconvenient vehicular or pedestrian traffic pattern because of the scale of the proposed use. The development is proposed along existing public right-of-way intended to provide access for single family residential uses in a similar pattern to the development existing in Rockaway Valley. In addition, the proposed extension of Oddstad Way will satisfy all City requirements for street improvements including providing access for emergency vehicles.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

Discussion: This finding does not apply because the project includes construction of the adjacent street and there are no other structures constructed on Oddstad Way.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

Discussion: Insufficient landscaped areas have been reserved for the purposes of breaking up the large paved area for the driveway and emergency vehicle turnaround for 50 Oddstad Way. A strip of landscaping four feet wide is provided alongside the residential driveway and that is the only landscaping proposed in the front yard setback. Development regulations require landscaping in the front yard for all areas not covered in driveways and walkways. Due to the design of the emergency vehicle turnaround located in the front yard setback, the area available for landscaping is minimal; thus, insufficient landscaping is provided in front of the dwelling which is the most visible portion of the building.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

Discussion: The proposed development will unreasonably restrict light and air on the property and surrounding area because both proposed dwellings consist of three levels stacked vertically at the front of each lot. The result of this design is that both projects do not follow the contour of the slope. Light and air for adjoining properties is blocked due to the large bulk and mass of the proposed buildings resulting from the vertical design of the structures, particularly at the front of the parcels.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

Discussion: This finding does not apply because no commercial or industrial structures are proposed as part of the project. Both buildings proposed are residential in nature and located within a residential neighborhood.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code.*

Discussion: The proposed development will damage or destroy natural features such as the natural grade of the site because the design of the project does not follow the natural contour of the slope. Each level of both structures requires that grade be removed for both structures; however, the amount of grading could be reduced by

redesigning the project to follow the contour of the slope and to reduce the amount of grading needed for the lower and main floors.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

Discussion: There is insufficient variety in the design of the both structures to avoid monotony in the external appearance. As described previously, the siding materials and stucco finish proposed will be the same for both dwellings. The rooflines are similar with minimal slope front to back. Design Guidelines Section E. Multi-Unit Development, 2. Building Design (c) (page 19) encourages a variety of roof pitches; however, in this case, the varied and angled rooflines are not as visible from the street level where most of the public will view these buildings. Some design elements are proposed to reduce the similarity in appearance for both buildings such as different entrances but the overall shape and massing of the project is such that the two buildings appear very similar.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed development is inconsistent with the City's adopted Design Guidelines for several reasons. Design Guidelines in Section A Hillside Development, 3. Visual Impact (b) on page 11 states that "the building forms, particularly roof forms, should complement the contours and slopes of the hillside to increase structure and site integration." The front façade of the dwellings are three stories stacked vertically and the roof has minimal slope which results in an imposing street presence that does not follow the contours of the upward sloping parcel. The Guidelines also state under (c) of the same Visual Impact Section that the buildings should be designed with low profiles and in some cases, low pitched roofs and hip ends may be desirable. The design of both dwellings creates a high profile in that the structures are three stories tall as viewed from the street without low pitched roofs or hip ends proposed to lower the profile of each structure.

Design Guidelines Section B. Substandard Lots 3. Bulk (b) on page 13 discourages large expanses of one material in a single plane; however, the design of both buildings proposes a stucco finish on most of the walls with very little stone accent material incorporated into the design. The Design Guidelines also clarify under (d) of the same Bulk Section that a substandard lot may not be able to support the same size house as standard sized lot. In this case, the General Plan VLDR designates a minimum of one half an acre per unit density but each lot proposed for development is less than one fifth of an acre, resulting in a substandard size for each parcel. The Guidelines encourage the reduction of the overall size of a dwelling and decreasing the number of bedrooms for projects proposed on substandard lots. Each proposed dwelling will be approximately 3,400 sf in floor area with five bedrooms and bathrooms which is typically considered a larger dwelling for the City of Pacifica. Thus, both dwellings proposed would be considered as large buildings on substandard lots which is inconsistent with the Design Guidelines.

As stated in the Design Guidelines Section B. Building Design 2. Scale on page 4, the height limit is a maximum and may not be suitable in some cases. The height of a

structure should be based on the context of the surrounding development and topography. This particular development is proposed in an undeveloped area and will be stand out as a result. The two dwellings as proposed will be even more prominent due to the vertical orientation of both designs which do not follow the contour of the slope.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed development is inconsistent with the General Plan and requires a General Plan Amendment. Staff has recommended denial of the General Plan Amendment, which would leave the proposed development inconsistent with the General Plan. As described previously, the General Plan designation of VLDR has a minimum density requirement of one unit per half an acre; however, each lot proposed for development is less than one fifth of an acre in size. The project is not within the Coastal Zone; therefore, the Local Coastal Plan does not apply. Approval of a Parking Exception is also requested to ensure that the project is in compliance with the City's requirements for parking on the site, and staff has recommended denial of the Parking Exception.

C. *Parking Exception.* PMC Section 9-4.2824 Exception (a) states that in the event of practical difficulties and unusual hardship, the Commission may grant a parking exception. The findings to support the exception are that the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in Article 28 Off-Street Parking and Loading as are reasonably possible.

Discussion: As described previously, the applicant is seeking approval of a Parking Exception to allow the second driveway on 50 Oddstad Way to provide an emergency vehicle turnaround access point. The front yard area for 50 Oddstad Way is proposed as forty feet in width by 35 feet in depth of paved area to support the emergency vehicle turnaround and the driveway to access the two car garage. The forty feet of driveway width proposed is double the maximum allowed driveway width. Thus, the proposed driveway area for 50 Oddstad Way is not in compliance with the requirements for maximum driveway width as stated in PMC Section 9-4.2313(c)(4). Staff's analysis shows that the proposed driveway area is also not as nearly in compliance as is reasonably possible because the proposed driveway of 20 feet in width for the residence can be narrowed as long as a minimum width of 10 feet is provided as required in PMC Section 9-4.2813 (c)(2) while still providing adequate access to the garage parking spaces. Any reduction in driveway width to access the garage would reduce the amount of paved area in the front yard setback area; thus, creating more landscaped area in the front yard.

6. Open Space Task Force Report Parcel #21 – On January 7, 2016 staff notified the Applicant that the both of sites proposed for development were within the Open Space Task Force Report and identified as Parcel 21. The Applicant decided not to present his project for consideration before the Open Space and Parkland Advisory Committee.

7. Public Comment: Neighbors and the applicant have submitted several letters regarding this project. The first letter from a nearby property owner, Dolores Day, dated May 27, 2015 (see Attachment E) was submitted in support of the project. The Applicant sent out a letter to the neighbors on November 27, 2015 (see Attachment F) regarding the project and to ascertain if the neighborhood would support a project with just one dwelling proposed instead of two dwellings. The Rockaway Valley Neighborhood Steering Committee responded in a letter dated December 9, 2015, with reasons as to why they would not support the proposed revised project such as concerns about increased development in the area impacting traffic and the existing infrastructure creating a “bottleneck” during times of evacuation which occurred when a grass fire erupted in Rockaway Valley (see Attachment G). As stated in the letter from the Applicant (see Attachment D), the project before the Planning Commission is for both units as originally proposed. A letter from a concerned resident, Hal Bohner, dated March 13, 2016 asserted the need for environmental review and stated that the site development permit should not be approved by the Planning Commission (see Attachment H)

8. Summary:

Staff does not support the granting of General Plan Amendment GPA-91-15, Site Development Permit PSD-788-14, and Parking Exception PE-161-15 for the project as currently designed to extend Oddstad Way and to construct two dwellings units. The project is inconsistent with the General Plan in terms of density and the pattern of development that the General Plan envisions for these properties and for the surrounding properties already developed under the VLDR designation. Staff’s analysis indicates that findings for approval cannot be supported for the Site Development Permit due to many detrimental aspects of project design including inconsistency with the Design Guidelines. In addition, staff’s analysis shows that the findings for a Parking Exception cannot be supported because the proposed driveway is not as nearly in compliance with the City’s parking requirements because the driveway to the garage can be reduced in size.

Staff does note that a redesign of the project could address the issues addressed in this staff report. Thus, staff is recommending denial of the Site Development Permit and Parking Exception applications for the project without prejudice.

COMMISSION ACTION

MOTION FOR DENIAL:

Move that the Planning Commission RECOMMEND to the City Council to deny General Plan Amendment GPA-91-15; and, DENY Site Development Permit PSD-788-14 and Parking Exception PE-161-15 without prejudice, by ADOPTING the attached resolution, and incorporate all maps and testimony into the record by reference.

Attachments:

- A. Resolution
- B. Stormwater Control Plan by WRA dated March 5, 2015
- C. Land Use and Zoning Exhibit
- D. General Plan Amendment Request Letter from Applicant Dated December 14, 2015
- E. Letter from Dolores Day Dated May 27, 2015

- F. Applicant Letter Sent to Neighborhood Dated November 27, 2015
- G. Letter from Rockaway Valley Neighborhood Association Steering Committee Dated December 9, 2015
- H. Letter from Hal Bohner Dated March 13, 2016
- I. Plans
 - 1) Colored Renderings (2 pages)
 - 2) Conceptual Plans for Each Dwelling (Site, Floor, Elevations ect..) (14 pages)
 - 3) Stormwater Plan (1 page)
 - 4) Topography of Each Lot (2 pages)
 - 5) Street Plans (5 pages)

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA RECOMMENDING DENIAL OF GENERAL PLAN AMENDMENT GPA-91-15, AND DENYING SITE DEVELOPMENT PERMIT PSD-788-14 AND PARKING EXCEPTION PE-161-15, TO CHANGE LAND USE DESIGNATION TO LDR FROM VLDR, TO CONSTRUCT TWO SINGLE FAMILY DWELLINGS WITH 400 LINEAR FEET OF STREET IMPROVEMENTS AND TO DEVIATE FROM PARKING STANDARDS AT 50 AND 60 ODDSTAD WAY (APN 022-056-060, 022-056-080 AND 022-056-090), AND FINDING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW UNNECESSARY PERSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 21080(B)(5).

Initiated by: Javier Diaz-Masias, Owner (“Applicant”)

WHEREAS, Applicant has submitted an application as the owner of vacant lots in an undeveloped area requesting a General Plan Amendment to Low Density Residential (“LDR”) from Very Low Density Residential (“VLDR”), and a Site Development Permit, to obtain approval of a site development permit to construct two dwellings on separate parcels with 400 feet of linear improvements for Oddstad Way, and to deviate from parking standards to allow a second driveway on 50 Oddstad Way for an emergency vehicle turnaround (“Project”); and

WHEREAS, the notice of the public hearing was mailed on March 10, 2016 to 58 property owners and occupants within a 300 foot radius of the project area, including the proposed Oddstad Way extension; and

WHEREAS, the Planning Commission has determined that the project does not need to be reviewed under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21080(b)(5) because the Planning Commission denied the project; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on March 21, 2016, 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:

- A. The above recitals are true and correct and material to this Resolution.

Attachment A

- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
- C. **Environmental Review.** Pursuant to California Public Resources Code Section 21080(b)(5) actions to disapprove a project are not subject to environmental review under CEQA.
- D. **General Plan Amendment.** The Planning Commission recommends that the proposed General Plan Amendment for the subject parcels be denied, as it would result in development that would be inconsistent with the intended density and pattern of development for this area. The narrative portion of the General Plan describes this area of Rockaway Valley as undeveloped areas under 35 percent slope that may have soils and geologic problems, visual impacts, as well as public safety hazards, such as limited emergency access and high potential for grass fires. The existing VLDR designation results in a less dense pattern of development that takes account of these considerations by increasing setbacks, limiting lot coverage, lowering building heights, limiting massing visible from public streets, ensuring a low density relationship between building and lot size, establishing view corridors, and maintaining substantial native vegetation cover by minimal disturbance of the parcel. A change from VLDR to LDR would not be consistent with this pattern of development. Because a change from VLDR to LDR would interfere with the pattern of development anticipated for these parcels in the General Plan, and the pattern of development that the VLDR designation has created on lots nearby, the Planning Commission feels that a change to LDR is not appropriate.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica makes the following findings:

Site Development Permit. Pursuant to Pacifica Municipal Code Section 9-4.3204, the Planning Commission finds that a site development permit shall not be issued because the Commission makes findings iii, iv, vi, vii, viii, and ix below:

- i. *That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

Discussion: The location, size, and intensity of the proposed single family dwellings on the subject parcels will not create an inconvenient vehicular or pedestrian traffic pattern because of the scale of the proposed use. The development is proposed along existing public right-of-way intended to provide access for single family residential uses in a similar pattern to the development existing in Rockaway Valley. In addition, the proposed extension of Oddstad Way will satisfy all City requirements for street improvements including providing access for emergency vehicles.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

Discussion: This finding does not apply because the project includes construction of the adjacent street and there are no other structures constructed on Oddstad Way.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

Discussion: Insufficient landscaped areas have been reserved for the purposes of breaking up the large paved area for the driveway and emergency vehicle turnaround for 50 Oddstad Way. A strip of landscaping four feet wide is provided alongside the residential driveway and that is the only landscaping proposed in the front yard setback. Development regulations require landscaping in the front yard for all areas not covered in driveways and walkways. Due to the design of the emergency vehicle turnaround located in the front yard setback, the area available for landscaping is minimal; thus, insufficient landscaping is provided in front of the dwelling which is the most visible portion of the building.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

Discussion: The proposed development will unreasonably restrict light and air on the property and surrounding area because both proposed dwellings consist of three levels stacked vertically at the front of each lot. The result of this design is that both projects do not follow the contour of the slope. Light and air for adjoining properties is blocked due to the large bulk and mass of the proposed buildings resulting from the vertical design of the structures, particularly at the front of the parcels.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

Discussion: This finding does not apply because no commercial or industrial structures are proposed as part of the project. Both buildings proposed are residential in nature and located within a residential neighborhood.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code.*

Discussion: The proposed development will damage or destroy natural features such as the natural grade of the site because the design of the project does not follow the natural contour of the slope. Each level of both structures requires that grade be removed for both structures; however, the amount of grading could be reduced by redesigning the project to follow the contour of the slope and to reduce the amount of grading needed for the lower and main floors.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

Discussion: There is insufficient variety in the design of the both structures to avoid monotony in the external appearance. As described previously, the siding materials and stucco finish proposed will be the same for both dwellings. The rooflines are similar with minimal slope front to back. Design Guidelines Section E. Multi-Unit Development, 2. Building Design (c) (page 19) encourages a variety of roof pitches; however, in this case, the varied and angled rooflines are not as visible from the street level where most of the public will view these buildings. Some design elements are proposed to reduce the similarity in appearance for both buildings such as different entrances but the overall shape and massing of the project is such that the two buildings appear very similar.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed development is inconsistent with the City's adopted Design Guidelines for several reasons. Design Guidelines in Section A Hillside Development, 3. Visual Impact (b) on page 11 states that "the building forms, particularly roof forms, should complement the contours and slopes of the hillside to increase structure and site integration." The front façade of the dwellings are three stories stacked vertically and the roof has minimal slope which results in an imposing street presence that does not follow the contours of the upward sloping parcel. The Guidelines also state under (c) of the same Visual Impact Section that the buildings should be designed with low profiles and in some cases, low pitched roofs and hip ends may be desirable. The design of both dwellings creates a high profile in that the structures are three stories tall as viewed from the street without low pitched roofs or hip ends proposed to lower the profile of each structure.

Design Guidelines Section B. Substandard Lots 3. Bulk (b) on page 13 discourages large expanses of one material in a single plane; however, the design of both buildings proposes a stucco finish on most of the walls with very little stone accent material incorporated into the design. The Design Guidelines also clarify under (d) of the same Bulk Section that a

substandard lot may not be able to support the same size house as standard sized lot. In this case, the General Plan VLDR designates a minimum of one half an acre per unit density but each lot proposed for development is less than one fifth of an acre, resulting in a substandard size for each parcel. The Guidelines encourage the reduction of the overall size of a dwelling and decreasing the number of bedrooms for projects proposed on substandard lots. Each proposed dwelling will be approximately 3,400 sf in floor area with five bedrooms and bathrooms which is typically considered a larger dwelling for the City of Pacifica. Thus, both dwellings proposed would be considered as large buildings on substandard lots which is inconsistent with the Design Guidelines.

As stated in the Design Guidelines Section B. Building Design 2. Scale on page 4, the height limit is a maximum and may not be suitable in some cases. The height of a structure should be based on the context of the surrounding development and topography. This particular development is proposed in an undeveloped area and will stand out as a result. The two dwellings as proposed will be even more prominent due to the vertical orientation of both designs which do not follow the contour of the slope.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed development is inconsistent with the General Plan and requires a General Plan Amendment. Staff has recommended denial of the General Plan Amendment, which would leave the proposed development inconsistent with the General Plan. As described previously, the General Plan designation of VLDR has a minimum density requirement of one unit per half an acre; however, each lot proposed for development is less than one fifth of an acre in size. The project is not within the Coastal Zone; therefore, the Local Coastal Plan does not apply. Approval of a Parking Exception is also requested to ensure that the project is in compliance with the City's requirements for parking on the site, and staff has recommended denial of the Parking Exception.

Parking Exception. Pursuant to Pacifica Municipal Code section 9-4.2824 the Planning Commission finds that a parking exception shall not be issued because the requested exception is not as nearly in compliance with the requirements set forth in Article 28 Off-Street Parking and Loading as is reasonably possible.

Criteria for Exception: Pacifica Municipal Code section 9-4.2824 provides that the Commission may grant exceptions to the requirements of Article 28 (Off-Street Parking and Loading), so long as the Commission finds "that the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible."

Discussion: As described previously, the applicant is seeking approval of a Parking Exception to allow the second driveway on 50 Oddstad Way to provide

an emergency vehicle turnaround access point. The front yard area for 50 Oddstad Way is proposed as forty feet in width by 35 feet in depth of paved area to support the emergency vehicle turnaround and the driveway to access the two car garage. The forty feet of driveway width proposed is double the maximum allowed driveway width. Thus, the proposed driveway area for 50 Oddstad Way is not in compliance with the requirements for maximum driveway width as stated in PMC Section 9-4.2313(c)(4). Staff's analysis shows that the proposed driveway area is also not as nearly in compliance as is reasonably possible because the proposed driveway of 20 feet in width for the residence can be narrowed as long as a minimum width of 10 feet is provided as required in PMC Section 9-4.2813 (c)(2) while still providing adequate access to the garage parking spaces. Any reduction in driveway width to access the garage would reduce the amount of paved area in the front yard setback area; thus, creating more landscaped area in the front yard.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica, based on the findings as specified above, recommends that the City Council deny General Plan Amendment GPA-91-15, and denies the Site Development Permit PSD-788-14 and Parking Exception PE-161-15, for construction of two dwellings and extension of Oddstad Way with associated right of way improvements at 50 and 60 Oddstad Way (APN 022-056-060, 022-056-080 and 022-056-090).

* * * * *

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 21st day of March, 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Richard Campbell, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA RECOMMENDING DENIAL OF GENERAL PLAN AMENDMENT GPA-91-15, AND DENYING SITE DEVELOPMENT PERMIT PSD-788-14 AND PARKING EXCEPTION PE-161-15, TO CHANGE LAND USE DESIGNATION TO LDR FROM VLDR, TO CONSTRUCT TWO SINGLE FAMILY DWELLINGS WITH 400 LINEAR FEET OF STREET IMPROVEMENTS AND TO DEVIATE FROM PARKING STANDARDS AT 50 AND 60 ODDSTAD WAY (APN 022-056-060, 022-056-080 AND 022-056-090), AND FINDING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW UNNECESSARY PERSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 21080(B)(5).

Initiated by: Javier Diaz-Masias, Owner (“Applicant”)

WHEREAS, Applicant has submitted an application as the owner of vacant lots in an undeveloped area requesting a General Plan Amendment to Low Density Residential (“LDR”) from Very Low Density Residential (“VLDR”), and a Site Development Permit, to obtain approval of a site development permit to construct two dwellings on separate parcels with 400 feet of linear improvements for Oddstad Way, and to deviate from parking standards to allow a second driveway on 50 Oddstad Way for an emergency vehicle turnaround (“Project”); and

WHEREAS, the notice of the public hearing was mailed on March 10, 2016 to 58 property owners and occupants within a 300 foot radius of the project area, including the proposed Oddstad Way extension; and

WHEREAS, the Planning Commission has determined that the project does not need to be reviewed under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21080(b)(5) because the Planning Commission denied the project; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on March 21, 2016, 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:

- A. The above recitals are true and correct and material to this Resolution.

- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
- C. **Environmental Review.** Pursuant to California Public Resources Code Section 21080(b)(5) actions to disapprove a project are not subject to environmental review under CEQA.
- D. **General Plan Amendment.** The Planning Commission recommends that the proposed General Plan Amendment for the subject parcels be denied, as it would result in development that would be inconsistent with the intended density and pattern of development for this area. The narrative portion of the General Plan describes this area of Rockaway Valley as undeveloped areas under 35 percent slope that may have soils and geologic problems, visual impacts, as well as public safety hazards, such as limited emergency access and high potential for grass fires. The existing VLDR designation results in a less dense pattern of development that takes account of these considerations by increasing setbacks, limiting lot coverage, lowering building heights, limiting massing visible from public streets, ensuring a low density relationship between building and lot size, establishing view corridors, and maintaining substantial native vegetation cover by minimal disturbance of the parcel. A change from VLDR to LDR would not be consistent with this pattern of development. Because a change from VLDR to LDR would interfere with the pattern of development anticipated for these parcels in the General Plan, and the pattern of development that the VLDR designation has created on lots nearby, the Planning Commission feels that a change to LDR is not appropriate.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica makes the following findings:

Site Development Permit. Pursuant to Pacifica Municipal Code Section 9-4.3204, the Planning Commission finds that a site development permit shall not be issued because the Commission makes findings iii, iv, vi, vii, viii, and ix below:

- i. *That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

Discussion: The location, size, and intensity of the proposed single family dwellings on the subject parcels will not create an inconvenient vehicular or pedestrian traffic pattern because of the scale of the proposed use. The development is proposed along existing public right-of-way intended to provide access for single family residential uses in a similar pattern to the development existing in Rockaway Valley. In addition, the proposed extension of Oddstad Way will satisfy all City requirements for street improvements including providing access for emergency vehicles.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

Discussion: This finding does not apply because the project includes construction of the adjacent street and there are no other structures constructed on Oddstad Way.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

Discussion: Insufficient landscaped areas have been reserved for the purposes of breaking up the large paved area for the driveway and emergency vehicle turnaround for 50 Oddstad Way. A strip of landscaping four feet wide is provided alongside the residential driveway and that is the only landscaping proposed in the front yard setback. Development regulations require landscaping in the front yard for all areas not covered in driveways and walkways. Due to the design of the emergency vehicle turnaround located in the front yard setback, the area available for landscaping is minimal; thus, insufficient landscaping is provided in front of the dwelling which is the most visible portion of the building.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

Discussion: The proposed development will unreasonably restrict light and air on the property and surrounding area because both proposed dwellings consist of three levels stacked vertically at the front of each lot. The result of this design is that both projects do not follow the contour of the slope. Light and air for adjoining properties is blocked due to the large bulk and mass of the proposed buildings resulting from the vertical design of the structures, particularly at the front of the parcels.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

Discussion: This finding does not apply because no commercial or industrial structures are proposed as part of the project. Both buildings proposed are residential in nature and located within a residential neighborhood.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code.*

Discussion: The proposed development will damage or destroy natural features such as the natural grade of the site because the design of the project does not follow the natural contour of the slope. Each level of both structures requires that grade be removed for both structures; however, the amount of grading could be reduced by redesigning the project to follow the contour of the slope and to reduce the amount of grading needed for the lower and main floors.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

Discussion: There is insufficient variety in the design of the both structures to avoid monotony in the external appearance. As described previously, the siding materials and stucco finish proposed will be the same for both dwellings. The rooflines are similar with minimal slope front to back. Design Guidelines Section E. Multi-Unit Development, 2. Building Design (c) (page 19) encourages a variety of roof pitches; however, in this case, the varied and angled rooflines are not as visible from the street level where most of the public will view these buildings. Some design elements are proposed to reduce the similarity in appearance for both buildings such as different entrances but the overall shape and massing of the project is such that the two buildings appear very similar.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed development is inconsistent with the City's adopted Design Guidelines for several reasons. Design Guidelines in Section A Hillside Development, 3. Visual Impact (b) on page 11 states that "the building forms, particularly roof forms, should complement the contours and slopes of the hillside to increase structure and site integration." The front façade of the dwellings are three stories stacked vertically and the roof has minimal slope which results in an imposing street presence that does not follow the contours of the upward sloping parcel. The Guidelines also state under (c) of the same Visual Impact Section that the buildings should be designed with low profiles and in some cases, low pitched roofs and hip ends may be desirable. The design of both dwellings creates a high profile in that the structures are three stories tall as viewed from the street without low pitched roofs or hip ends proposed to lower the profile of each structure.

Design Guidelines Section B. Substandard Lots 3. Bulk (b) on page 13 discourages large expanses of one material in a single plane; however, the design of both buildings proposes a stucco finish on most of the walls with very little stone accent material incorporated into the design. The Design Guidelines also clarify under (d) of the same Bulk Section that a

substandard lot may not be able to support the same size house as standard sized lot. In this case, the General Plan VLDR designates a minimum of one half an acre per unit density but each lot proposed for development is less than one fifth of an acre, resulting in a substandard size for each parcel. The Guidelines encourage the reduction of the overall size of a dwelling and decreasing the number of bedrooms for projects proposed on substandard lots. Each proposed dwelling will be approximately 3,400 sf in floor area with five bedrooms and bathrooms which is typically considered a larger dwelling for the City of Pacifica. Thus, both dwellings proposed would be considered as large buildings on substandard lots which is inconsistent with the Design Guidelines.

As stated in the Design Guidelines Section B. Building Design 2. Scale on page 4, the height limit is a maximum and may not be suitable in some cases. The height of a structure should be based on the context of the surrounding development and topography. This particular development is proposed in an undeveloped area and will stand out as a result. The two dwellings as proposed will be even more prominent due to the vertical orientation of both designs which do not follow the contour of the slope.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed development is inconsistent with the General Plan and requires a General Plan Amendment. Staff has recommended denial of the General Plan Amendment, which would leave the proposed development inconsistent with the General Plan. As described previously, the General Plan designation of VLDR has a minimum density requirement of one unit per half an acre; however, each lot proposed for development is less than one fifth of an acre in size. The project is not within the Coastal Zone; therefore, the Local Coastal Plan does not apply. Approval of a Parking Exception is also requested to ensure that the project is in compliance with the City's requirements for parking on the site, and staff has recommended denial of the Parking Exception.

Parking Exception. Pursuant to Pacifica Municipal Code section 9-4.2824 the Planning Commission finds that a parking exception shall not be issued because the requested exception is not as nearly in compliance with the requirements set forth in Article 28 Off-Street Parking and Loading as is reasonably possible.

Criteria for Exception: Pacifica Municipal Code section 9-4.2824 provides that the Commission may grant exceptions to the requirements of Article 28 (Off-Street Parking and Loading), so long as the Commission finds "that the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible."

Discussion: As described previously, the applicant is seeking approval of a Parking Exception to allow the second driveway on 50 Oddstad Way to provide

an emergency vehicle turnaround access point. The front yard area for 50 Oddstad Way is proposed as forty feet in width by 35 feet in depth of paved area to support the emergency vehicle turnaround and the driveway to access the two car garage. The forty feet of driveway width proposed is double the maximum allowed driveway width. Thus, the proposed driveway area for 50 Oddstad Way is not in compliance with the requirements for maximum driveway width as stated in PMC Section 9-4.2313(c)(4). Staff's analysis shows that the proposed driveway area is also not as nearly in compliance as is reasonably possible because the proposed driveway of 20 feet in width for the residence can be narrowed as long as a minimum width of 10 feet is provided as required in PMC Section 9-4.2813 (c)(2) while still providing adequate access to the garage parking spaces. Any reduction in driveway width to access the garage would reduce the amount of paved area in the front yard setback area; thus, creating more landscaped area in the front yard.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica, based on the findings as specified above, recommends that the City Council deny General Plan Amendment GPA-91-15, and denies the Site Development Permit PSD-788-14 and Parking Exception PE-161-15, for construction of two dwellings and extension of Oddstad Way with associated right of way improvements at 50 and 60 Oddstad Way (APN 022-056-060, 022-056-080 and 022-056-090).

* * * * *

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 21st day of March, 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Richard Campbell, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA RECOMMENDING DENIAL OF GENERAL PLAN AMENDMENT GPA-91-15, AND DENYING SITE DEVELOPMENT PERMIT PSD-788-14 AND PARKING EXCEPTION PE-161-15, TO CHANGE LAND USE DESIGNATION TO LDR FROM VLDR, TO CONSTRUCT TWO SINGLE FAMILY DWELLINGS WITH 400 LINEAR FEET OF STREET IMPROVEMENTS AND TO DEVIATE FROM PARKING STANDARDS AT 50 AND 60 ODDSTAD WAY (APN 022-056-060, 022-056-080 AND 022-056-090), AND FINDING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW UNNECESSARY PERSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 21080(B)(5).

Initiated by: Javier Diaz-Masias, Owner (“Applicant”)

WHEREAS, Applicant has submitted an application as the owner of vacant lots in an undeveloped area requesting a General Plan Amendment to Low Density Residential (“LDR”) from Very Low Density Residential (“VLDR”), and a Site Development Permit, to obtain approval of a site development permit to construct two dwellings on separate parcels with 400 feet of linear improvements for Oddstad Way, and to deviate from parking standards to allow a second driveway on 50 Oddstad Way for an emergency vehicle turnaround (“Project”); and

WHEREAS, the notice of the public hearing was mailed on March 10, 2016 to 58 property owners and occupants within a 300 foot radius of the project area, including the proposed Oddstad Way extension; and

WHEREAS, the Planning Commission has determined that the project does not need to be reviewed under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21080(b)(5) because the Planning Commission denied the project; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on March 21, 2016, 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:

- A. The above recitals are true and correct and material to this Resolution.

Attachment A

- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
- C. **Environmental Review.** Pursuant to California Public Resources Code Section 21080(b)(5) actions to disapprove a project are not subject to environmental review under CEQA.
- D. **General Plan Amendment.** The Planning Commission recommends that the proposed General Plan Amendment for the subject parcels be denied, as it would result in development that would be inconsistent with the intended density and pattern of development for this area. The narrative portion of the General Plan describes this area of Rockaway Valley as undeveloped areas under 35 percent slope that may have soils and geologic problems, visual impacts, as well as public safety hazards, such as limited emergency access and high potential for grass fires. The existing VLDR designation results in a less dense pattern of development that takes account of these considerations by increasing setbacks, limiting lot coverage, lowering building heights, limiting massing visible from public streets, ensuring a low density relationship between building and lot size, establishing view corridors, and maintaining substantial native vegetation cover by minimal disturbance of the parcel. A change from VLDR to LDR would not be consistent with this pattern of development. Because a change from VLDR to LDR would interfere with the pattern of development anticipated for these parcels in the General Plan, and the pattern of development that the VLDR designation has created on lots nearby, the Planning Commission feels that a change to LDR is not appropriate.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica makes the following findings:

Site Development Permit. Pursuant to Pacifica Municipal Code Section 9-4.3204, the Planning Commission finds that a site development permit shall not be issued because the Commission makes findings iii, iv, vi, vii, viii, and ix below:

- i. *That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

Discussion: The location, size, and intensity of the proposed single family dwellings on the subject parcels will not create an inconvenient vehicular or pedestrian traffic pattern because of the scale of the proposed use. The development is proposed along existing public right-of-way intended to provide access for single family residential uses in a similar pattern to the development existing in Rockaway Valley. In addition, the proposed extension of Oddstad Way will satisfy all City requirements for street improvements including providing access for emergency vehicles.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

Discussion: This finding does not apply because the project includes construction of the adjacent street and there are no other structures constructed on Oddstad Way.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

Discussion: Insufficient landscaped areas have been reserved for the purposes of breaking up the large paved area for the driveway and emergency vehicle turnaround for 50 Oddstad Way. A strip of landscaping four feet wide is provided alongside the residential driveway and that is the only landscaping proposed in the front yard setback. Development regulations require landscaping in the front yard for all areas not covered in driveways and walkways. Due to the design of the emergency vehicle turnaround located in the front yard setback, the area available for landscaping is minimal; thus, insufficient landscaping is provided in front of the dwelling which is the most visible portion of the building.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

Discussion: The proposed development will unreasonably restrict light and air on the property and surrounding area because both proposed dwellings consist of three levels stacked vertically at the front of each lot. The result of this design is that both projects do not follow the contour of the slope. Light and air for adjoining properties is blocked due to the large bulk and mass of the proposed buildings resulting from the vertical design of the structures, particularly at the front of the parcels.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

Discussion: This finding does not apply because no commercial or industrial structures are proposed as part of the project. Both buildings proposed are residential in nature and located within a residential neighborhood.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code.*

Discussion: The proposed development will damage or destroy natural features such as the natural grade of the site because the design of the project does not follow the natural contour of the slope. Each level of both structures requires that grade be removed for both structures; however, the amount of grading could be reduced by redesigning the project to follow the contour of the slope and to reduce the amount of grading needed for the lower and main floors.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

Discussion: There is insufficient variety in the design of the both structures to avoid monotony in the external appearance. As described previously, the siding materials and stucco finish proposed will be the same for both dwellings. The rooflines are similar with minimal slope front to back. Design Guidelines Section E. Multi-Unit Development, 2. Building Design (c) (page 19) encourages a variety of roof pitches; however, in this case, the varied and angled rooflines are not as visible from the street level where most of the public will view these buildings. Some design elements are proposed to reduce the similarity in appearance for both buildings such as different entrances but the overall shape and massing of the project is such that the two buildings appear very similar.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed development is inconsistent with the City's adopted Design Guidelines for several reasons. Design Guidelines in Section A Hillside Development, 3. Visual Impact (b) on page 11 states that "the building forms, particularly roof forms, should complement the contours and slopes of the hillside to increase structure and site integration." The front façade of the dwellings are three stories stacked vertically and the roof has minimal slope which results in an imposing street presence that does not follow the contours of the upward sloping parcel. The Guidelines also state under (c) of the same Visual Impact Section that the buildings should be designed with low profiles and in some cases, low pitched roofs and hip ends may be desirable. The design of both dwellings creates a high profile in that the structures are three stories tall as viewed from the street without low pitched roofs or hip ends proposed to lower the profile of each structure.

Design Guidelines Section B. Substandard Lots 3. Bulk (b) on page 13 discourages large expanses of one material in a single plane; however, the design of both buildings proposes a stucco finish on most of the walls with very little stone accent material incorporated into the design. The Design Guidelines also clarify under (d) of the same Bulk Section that a

substandard lot may not be able to support the same size house as standard sized lot. In this case, the General Plan VLDR designates a minimum of one half an acre per unit density but each lot proposed for development is less than one fifth of an acre, resulting in a substandard size for each parcel. The Guidelines encourage the reduction of the overall size of a dwelling and decreasing the number of bedrooms for projects proposed on substandard lots. Each proposed dwelling will be approximately 3,400 sf in floor area with five bedrooms and bathrooms which is typically considered a larger dwelling for the City of Pacifica. Thus, both dwellings proposed would be considered as large buildings on substandard lots which is inconsistent with the Design Guidelines.

As stated in the Design Guidelines Section B. Building Design 2. Scale on page 4, the height limit is a maximum and may not be suitable in some cases. The height of a structure should be based on the context of the surrounding development and topography. This particular development is proposed in an undeveloped area and will stand out as a result. The two dwellings as proposed will be even more prominent due to the vertical orientation of both designs which do not follow the contour of the slope.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed development is inconsistent with the General Plan and requires a General Plan Amendment. Staff has recommended denial of the General Plan Amendment, which would leave the proposed development inconsistent with the General Plan. As described previously, the General Plan designation of VLDR has a minimum density requirement of one unit per half an acre; however, each lot proposed for development is less than one fifth of an acre in size. The project is not within the Coastal Zone; therefore, the Local Coastal Plan does not apply. Approval of a Parking Exception is also requested to ensure that the project is in compliance with the City's requirements for parking on the site, and staff has recommended denial of the Parking Exception.

Parking Exception. Pursuant to Pacifica Municipal Code section 9-4.2824 the Planning Commission finds that a parking exception shall not be issued because the requested exception is not as nearly in compliance with the requirements set forth in Article 28 Off-Street Parking and Loading as is reasonably possible.

Criteria for Exception: Pacifica Municipal Code section 9-4.2824 provides that the Commission may grant exceptions to the requirements of Article 28 (Off-Street Parking and Loading), so long as the Commission finds "that the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible."

Discussion: As described previously, the applicant is seeking approval of a Parking Exception to allow the second driveway on 50 Oddstad Way to provide

an emergency vehicle turnaround access point. The front yard area for 50 Oddstad Way is proposed as forty feet in width by 35 feet in depth of paved area to support the emergency vehicle turnaround and the driveway to access the two car garage. The forty feet of driveway width proposed is double the maximum allowed driveway width. Thus, the proposed driveway area for 50 Oddstad Way is not in compliance with the requirements for maximum driveway width as stated in PMC Section 9-4.2313(c)(4). Staff's analysis shows that the proposed driveway area is also not as nearly in compliance as is reasonably possible because the proposed driveway of 20 feet in width for the residence can be narrowed as long as a minimum width of 10 feet is provided as required in PMC Section 9-4.2813 (c)(2) while still providing adequate access to the garage parking spaces. Any reduction in driveway width to access the garage would reduce the amount of paved area in the front yard setback area; thus, creating more landscaped area in the front yard.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica, based on the findings as specified above, recommends that the City Council deny General Plan Amendment GPA-91-15, and denies the Site Development Permit PSD-788-14 and Parking Exception PE-161-15, for construction of two dwellings and extension of Oddstad Way with associated right of way improvements at 50 and 60 Oddstad Way (APN 022-056-060, 022-056-080 and 022-056-090).

* * * * *

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 21st day of March, 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Richard Campbell, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Stormwater Control Plan

ODDSTAD WAY, PACIFICA, SAN MATEO COUNTY
CALIFORNIA

Prepared For:

Javier Diaz-**Masiqs**
Twin Pinnacles Construction
P.O. Box 401128
San Francisco, CA 94140

Prepared by:

Megan Stromberg
WRA, Inc.
stromberg@wra-ca.com

Date:

March 5, 2015

MAR 05 2015
City of Pacifica



ENVIRONMENTAL CONSULTANTS

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Stormwater Control Plan Exhibit

C.3 and C.6 Development Review Checklist

Municipal Regional Stormwater Permit (MRP)
Stormwater Controls for Development Projects

Address _____

Phone _____

website _____

Project Information

I.A Enter Project Data (For "C.3 Regulated Projects," data will be reported in the municipality's stormwater Annual Report.)

Project Name: Oddstad Way Case Number: _____

Project Address & Cross St.: Oddstad Way @ Rockaway Beach Avenue

Project APN: 022-056-0660, 80, & 90 Project Watershed: Rockaway Creek

Applicant Name: Twin Pinnacles Construction c/o Javier Diaz-Masias

Applicant Phone: 415-238-9349 Applicant Email Address: javier0909@aol.com

- Development type: (check all that apply)
- Single Family Residential: A stand-alone home that is not part of a larger project.
 - Single Family Residential: Two or more lot residential development.¹
 - Multi-Family Residential
 - Commercial
 - Industrial, Manufacturing
 - Mixed-Use
 - Streets, Roads, etc.
 - 'Redevelopment' as defined by MRP: creating, adding and/or replacing exterior existing impervious surface on a site where past development has occurred.²
 - 'Special land use categories' as defined by MRP: (1) auto service facilities³, (2) retail gasoline outlets, (3) restaurants, (4) uncovered parking area (stand-alone or part of a larger project)
 - Institutions: schools, libraries, jails, etc.
 - Parks and trails, camp grounds, other recreational
 - Agricultural, wineries
 - Kennels, Ranches
 - Other, Please specify _____

Project Description⁴: Project includes 2 single family residences and a road extension of approximately 370 feet.
(Also note any past or future phases of the project.)

I.A.1 Total Area of Site: 0.71 acres

I.A.2 Total Area of land disturbed during construction (include clearing, grading, excavating and stockpile area): 0.69 acres.

Certification:

I certify that the information provided on this form is correct and acknowledge that, should the project exceed the amount of new and/or replaced impervious surface provided in this form, the as-built project may be subject to additional improvements.

Attach Preliminary Calculations Attach Final Calculations Attach copy of site plan showing areas

Name of person completing the form: Megan Stromberg Title: Landscape Architect

Signature: _____ Date: _____

Phone number: 415-524-7537 Email address: stromberg@wra-ca.com

¹ Subdivisions or contiguous, commonly owned lots, for the construction of two or more homes developed within 1 year of each other are considered common plans of development and are subject to C.3 requirements.

² Roadway projects that replace existing impervious surface are subject to C.3 requirements only if one or more lanes of travel are added.

³ See Standard Industrial Classification (SIC) codes [here](#)

⁴ Project description examples: 5-story office building, industrial warehouse, residential with five 4-story buildings for 200 condominiums, etc.

I.B Is the project a "C.3 Regulated Project" per MRP Provision C.3.b?

I.B.1 Enter the amount of impervious surface⁵ Retained, Replaced and/or Created by the project:

Table I.B.1 Impervious and Pervious Surfaces

Type of Impervious Surface	I.B.1.a	I.B.1.b	I.B.1.c	I.B.1.d	I.B.1.e
	Pre-Project Impervious Surface (sq.ft.)	Existing Impervious Surface to be Retained ⁶ (sq.ft.)	Existing Impervious Surface to be Replaced ⁶ (sq.ft.)	New Impervious Surface to be Created ⁶ (sq.ft.)	Post-Project Impervious Surface (sq.ft.) (=b+c+d)
Roof area(s)	0	0	0	6186	6186
Impervious ⁵ sidewalks, patios, paths, driveways, streets	0	0	0	13049	13049
Impervious ⁵ uncovered parking ⁷	0	0	0	0	0
Totals of Impervious Surfaces:					19235
I.B.1.f - Total Impervious Surface Replaced and Created (sum of totals for columns I.B.1.c and I.B.1.d):				19712	
Type of Pervious Surface	Pre-Project Pervious Surface (sq.ft.)				Post-project Pervious Surface (sq.ft.)
Landscaping	31050				9842
Pervious Paving	0				1496
Green Roof	0				0
Totals of Pervious Surfaces:					11815
Total Site Area (Total Impervious+Total Pervious=I.A.1)	31050				31050

I.B.2 Please review and attach additional worksheets as required below using the Total Impervious Surface Replaced and Created in cell I.B.1.f from Table I.B.1 above and other factors:

	Check all that apply:	Check If Yes	Attach Worksheet
I.B.2.a	Does this project involve any earthwork?	<input checked="" type="checkbox"/>	A
I.B.2.b	Is I.B.1.f greater than or equal to 2,500 sq.ft? <i>If YES, the Project is subject to Provision C.3.i.</i>	<input checked="" type="checkbox"/>	B, C
I.B.2.c	Is the total Existing Impervious Surface to be Replaced (column I.B.1.c) 50 percent or more of the total Pre-Project Impervious Surface (column I.B.1.a)? <i>If YES, site design, source control and treatment requirements apply to the whole site; if NO, these requirements apply only to the impervious surface created and/or replaced.</i>	<input type="checkbox"/>	
I.B.2.d	Is this project one of the Special Land Use Categories (box checked in section I.A. above) and is I.B.1.f greater than or equal to 5,000 sq.ft? <i>If YES, project is a C.3 Regulated Project.</i>	<input type="checkbox"/>	D, D-1, D-2
I.B.2.e	Is I.B.1.f greater than or equal to 10,000 sq.ft? <i>If YES, project is a C.3 Regulated Project.</i>	<input checked="" type="checkbox"/>	D, D-1, D-2
I.B.2.f	Is I.B.1.f greater than or equal to 43,560 sq.ft. (1 acre)? <i>If YES, project may be subject to Hydromodification Management requirements</i>	<input type="checkbox"/>	E
I.B.2.g	Is I.A.2 (pg. 1) greater than or equal to 1 acre? <i>If YES, obtain coverage under the state's Construction General Permit and submit to the municipality a copy of your Notice of Intent. See: www.swrcb.ca.gov/water_issues/programs/stormwater/construction.shtml.</i>	<input type="checkbox"/>	
I.B.2.h	Is this a Special Project or does it have the potential to be a Special Project?	<input type="checkbox"/>	F
I.B.2.i	Is this project a High Priority Site? (Determined by the Permitting Jurisdiction. High Priority Sites can include those located in or within 100 feet of a sensitive habitat, ASBS, or body of water, or on sites with slopes, and are subject to monthly inspections from Oct 1 to April 30.)	<input type="checkbox"/>	G
B.2.10	For Municipal Staff Use Only (Alternative Certification, O&M Submittals, Project Close Out)	<input type="checkbox"/>	G

⁵ Per the MRP, pavement that meets the following definition of pervious pavement is NOT an impervious surface. Pervious pavement is defined as pavement that stores and infiltrates rainfall at a rate equal to immediately surrounding unpaved, landscaped areas, or that stores and infiltrates the rainfall runoff volume described in Provision C.3.

⁶ "Retained" means to leave existing impervious surfaces in place, unchanged; "Replaced" means to install new impervious surface where existing impervious surface is removed anywhere on the same property; and "Created" means the amount of new impervious surface being proposed which exceeds the total existing amount of impervious surface at the property.

⁷ Uncovered parking includes the top level of a parking structure.

Worksheet A

C6 – Construction Stormwater BMPs

Identify Plan sheet showing the appropriate construction Best Management Practices (BMPs) used on this project:
(Applies to all projects with earthwork)

Yes	Plan Sheet	Best Management Practice (BMP)
<input checked="" type="checkbox"/>	C-9	Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, rinse water from architectural copper, and non-stormwater discharges to storm drains and watercourses.
<input checked="" type="checkbox"/>	C-9	Store, handle, and dispose of construction materials/wastes properly to prevent contact with stormwater.
<input checked="" type="checkbox"/>	C-9	Do not clean, fuel, or maintain vehicles on-site, except in a designated area where wash water is contained and treated.
<input checked="" type="checkbox"/>	C-9	Train and provide instruction to all employees/subcontractors re: construction BMPs.
<input checked="" type="checkbox"/>	C-2	Protect all storm drain inlets in vicinity of site using sediment controls such as berms, fiber rolls, or filters.
<input type="checkbox"/>		Limit construction access routes and stabilize designated access points.
<input checked="" type="checkbox"/>	C-9	Attach the San Mateo Countywide Water Pollution Prevention Program's construction BMP plan sheet to project plans and require contractor to implement the applicable BMPs on the plan sheet.
<input checked="" type="checkbox"/>	C-2	Use temporary erosion controls to stabilize all denuded areas until permanent erosion controls are established.
<input type="checkbox"/>		Delineate with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
<input checked="" type="checkbox"/>	C-2	Provide notes, specifications, or attachments describing the following: <ul style="list-style-type: none"> ▪ Construction, operation and maintenance of erosion and sediment controls, include inspection frequency; ▪ Methods and schedule for grading, excavation, filling, clearing of vegetation, and storage and disposal of excavated or cleared material; ▪ Specifications for vegetative cover & mulch, include methods and schedules for planting and fertilization; ▪ Provisions for temporary and/or permanent irrigation.
<input checked="" type="checkbox"/>	C-2	Perform clearing and earth moving activities only during dry weather.
<input checked="" type="checkbox"/>	C-2	Use sediment controls or filtration to remove sediment when dewatering and obtain all necessary permits.
<input checked="" type="checkbox"/>	C-2	Trap sediment on-site, using BMPs such as sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, covers for soil stock piles, etc.
<input type="checkbox"/>		Divert on-site runoff around exposed areas; divert off-site runoff around the site (e.g., swales and dikes).
<input checked="" type="checkbox"/>	C-2	Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.

Worksheet B

C3 - Source Controls

Select appropriate source controls and identify the detail/plan sheet where these elements are shown.

Yes	Detail/Plan Sheet No.	Features that require source control measures	Source Control Measures (Refer to Local Source Control List for detailed requirements)
<input checked="" type="checkbox"/>		Storm Drain	Mark on-site inlets with the words "No Dumping! Flows to Bay" or equivalent.
<input type="checkbox"/>		Floor Drains	Plumb interior floor drains to sanitary sewer ⁸ [or prohibit].
<input type="checkbox"/>		Parking garage	Plumb interior parking garage floor drains to sanitary sewer. ⁸
<input checked="" type="checkbox"/>	S-1	Landscaping	<ul style="list-style-type: none"> ▪ Retain existing vegetation as practicable. ▪ Select diverse species appropriate to the site. Include plants that are pest- and/or disease-resistant, drought-tolerant, and/or attract beneficial insects. ▪ Minimize use of pesticides and quick-release fertilizers. ▪ Use efficient irrigation system; design to minimize runoff.
<input type="checkbox"/>		Pool/Spa/Fountain	Provide connection to the sanitary sewer to facilitate draining. ⁸
<input type="checkbox"/>		Food Service Equipment (non-residential)	Provide sink or other area for equipment cleaning, which is: <ul style="list-style-type: none"> ▪ Connected to a grease interceptor prior to sanitary sewer discharge.⁸ ▪ Large enough for the largest mat or piece of equipment to be cleaned. ▪ Indoors or in an outdoor roofed area designed to prevent stormwater run-on and run-off, and signed to require equipment washing in this area.
<input type="checkbox"/>		Refuse Areas	<ul style="list-style-type: none"> ▪ Provide a roofed and enclosed area for dumpsters, recycling containers, etc., designed to prevent stormwater run-on and runoff. ▪ Connect any drains in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities to the sanitary sewer.⁸
<input type="checkbox"/>		Outdoor Process Activities ⁹	Perform process activities either indoors or in roofed outdoor area, designed to prevent stormwater run-on and runoff, and to drain to the sanitary sewer. ⁸
<input type="checkbox"/>		Outdoor Equipment/ Materials Storage	<ul style="list-style-type: none"> ▪ Cover the area or design to avoid pollutant contact with stormwater runoff. ▪ Locate area only on paved and contained areas. ▪ Roof storage areas that will contain non-hazardous liquids, drain to sanitary sewer⁸, and contain by berms or similar.
<input type="checkbox"/>		Vehicle/ Equipment Cleaning	<ul style="list-style-type: none"> ▪ Roofed, pave and berm wash area to prevent stormwater run-on and runoff, plumb to the sanitary sewer⁸, and sign as a designated wash area. ▪ Commercial car wash facilities shall discharge to the sanitary sewer.⁸
<input type="checkbox"/>		Vehicle/ Equipment Repair and Maintenance	<ul style="list-style-type: none"> ▪ Designate repair/maintenance area indoors, or an outdoors area designed to prevent stormwater run-on and runoff and provide secondary containment. Do not install drains in the secondary containment areas. ▪ No floor drains unless pretreated prior to discharge to the sanitary sewer.⁸ ▪ Connect containers or sinks used for parts cleaning to the sanitary sewer.⁸
<input type="checkbox"/>		Fuel Dispensing Areas	<ul style="list-style-type: none"> ▪ Fueling areas shall have impermeable surface that is a) minimally graded to prevent ponding and b) separated from the rest of the site by a grade break. ▪ Canopy shall extend at least 10 ft. in each direction from each pump and drain away from fueling area.
<input type="checkbox"/>		Loading Docks	<ul style="list-style-type: none"> ▪ Cover and/or grade to minimize run-on to and runoff from the loading area. ▪ Position downspouts to direct stormwater away from the loading area. ▪ Drain water from loading dock areas to the sanitary sewer.⁸ ▪ Install door skirts between the trailers and the building.
<input checked="" type="checkbox"/>		Fire Sprinklers	Design for discharge of fire sprinkler test water to landscape or sanitary sewer. ⁸
<input type="checkbox"/>		Miscellaneous Drain or Wash Water	<ul style="list-style-type: none"> ▪ Drain condensate of air conditioning units to landscaping. Large air conditioning units may connect to the sanitary sewer.⁸ ▪ Roof drains from equipment drain to landscaped area where practicable. ▪ Drain boiler drain lines, roof top equipment, all wash water to sanitary sewer.⁸
<input type="checkbox"/>		Architectural Copper Rinse Water	Drain rinse water to landscaping, discharge to sanitary sewer ⁸ , or collect and dispose properly offsite. See flyer "Requirements for Architectural Copper."

⁸ Any connection to the sanitary sewer system is subject to sanitary district approval.

⁹ Businesses that may have outdoor process activities/equipment include machine shops, auto repair, industries with pretreatment facilities.

Worksheet C

Low Impact Development – Site Design Measures
--

Select Appropriate Site Design Measures (Required for C.3 Regulated Projects; all other projects are encouraged to implement site design measures, which may be required at municipality discretion.) Projects that create and/or replace 2,500 – 10,000 sq.ft. of impervious surface, and stand-alone single family homes that create/replace 2,500 sq.ft. or more of impervious surface, must include one of Site Design Measures a through f (Provision C.3.i requirements).¹⁰ Larger projects must also include applicable Site Design Measures g through i. Consult with municipal staff about requirements for your project.

Select appropriate site design measures and Identify the Plan Sheet where these elements are shown.

Yes	Plan Sheet Number	
<input type="checkbox"/>		a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
<input checked="" type="checkbox"/>	S-1	b. Direct roof runoff onto vegetated areas.
<input checked="" type="checkbox"/>	S-1	c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
<input checked="" type="checkbox"/>	S-1, C-2	d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
<input checked="" type="checkbox"/>	S-1, A1.5, A2.0	e. Construct sidewalks, walkways, and/or patios with pervious or permeable surfaces.
<input checked="" type="checkbox"/>	S-1, A-1.5, A-2.0	f. Construct bike lanes, driveways, and/or uncovered parking lots with pervious surfaces.
<input type="checkbox"/>		g. Limit disturbance of natural water bodies and drainage systems; minimize compaction of highly permeable soils; protect slopes and channels; and minimize impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies;
<input type="checkbox"/>		h. Conserve natural areas, including existing trees, other vegetation and soils.
<input checked="" type="checkbox"/>	S-1, A1.5, A2.0	i. Minimize impervious surfaces.

Regulated Projects can also consider the following site design measures to reduce treatment system sizing:

Yes	Plan Sheet Number	
<input checked="" type="checkbox"/>	S-1	j. Self-treating area (see Section 4.2 of the C.3 Technical Guidance)
<input checked="" type="checkbox"/>	S-1	k. Self-retaining area (see Section 4.3 of the C.3 Technical Guidance)
<input type="checkbox"/>		l. Plant or preserve interceptor trees (Section 4.1, C.3 Technical Guidance)

¹⁰ See MRP Provision C.3.a.i.(6) for non-C.3 Regulated Projects, C.3.c.i.(2)(a) for Regulated Projects, C.3.i for projects that create/replace 2,500 to 10,000 sq.ft. of impervious surface and stand-alone single family homes that create/replace 2,500 sq.ft. or more of impervious surface.

Worksheet D

C3 Regulated Project - Stormwater Treatment Measures

Check all applicable boxes and indicate the treatment measure(s) included in the project.

Yes <input type="checkbox"/> Attach Worksheet F and Calculations	Is the project a Special Project ? ¹¹ If yes, consult with municipal staff about the need to evaluate the feasibility and infeasibility of 100% LID treatment. Indicate the type of non-LID treatment to be used, the hydraulic sizing method ¹² , and percentage of the amount of runoff specified in Provision C.3.d that is treated: (For the % not treated by non-LID measures, continue with Worksheet D-1)									
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Non-LID Treatment Measures:</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Hydraulic sizing method¹²</u></th> <th style="text-align: right; border-bottom: 1px solid black;"><u>% of C.3.d amount of runoff treated</u></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Media filter</td> <td><input type="checkbox"/>2.a <input type="checkbox"/>2.b <input type="checkbox"/>2.c</td> <td style="text-align: right;">____%</td> </tr> <tr> <td><input type="checkbox"/> Tree well filter</td> <td><input type="checkbox"/>2.a <input type="checkbox"/>2.b <input type="checkbox"/>2.c</td> <td style="text-align: right;">____%</td> </tr> </tbody> </table>	<u>Non-LID Treatment Measures:</u>	<u>Hydraulic sizing method¹²</u>	<u>% of C.3.d amount of runoff treated</u>	<input type="checkbox"/> Media filter	<input type="checkbox"/> 2.a <input type="checkbox"/> 2.b <input type="checkbox"/> 2.c	____%	<input type="checkbox"/> Tree well filter	<input type="checkbox"/> 2.a <input type="checkbox"/> 2.b <input type="checkbox"/> 2.c	____%
<u>Non-LID Treatment Measures:</u>	<u>Hydraulic sizing method¹²</u>	<u>% of C.3.d amount of runoff treated</u>								
<input type="checkbox"/> Media filter	<input type="checkbox"/> 2.a <input type="checkbox"/> 2.b <input type="checkbox"/> 2.c	____%								
<input type="checkbox"/> Tree well filter	<input type="checkbox"/> 2.a <input type="checkbox"/> 2.b <input type="checkbox"/> 2.c	____%								
<input type="checkbox"/> Attach Worksheet D-1 and Calculations	It is feasible to treat the C.3.d amount of runoff using infiltration? Indicate the infiltration measures to be used, and hydraulic sizing method:									
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Infiltration Measures:</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Hydraulic sizing method¹²</u></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Bioinfiltration¹³</td> <td><input type="checkbox"/>1.a <input type="checkbox"/>1.b <input type="checkbox"/>2.c <input type="checkbox"/>3</td> </tr> <tr> <td><input type="checkbox"/> Infiltration trench</td> <td><input type="checkbox"/>1.a <input type="checkbox"/>1.b</td> </tr> <tr> <td><input type="checkbox"/> Other (specify): _____</td> <td></td> </tr> </tbody> </table>	<u>Infiltration Measures:</u>	<u>Hydraulic sizing method¹²</u>	<input type="checkbox"/> Bioinfiltration ¹³	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b <input type="checkbox"/> 2.c <input type="checkbox"/> 3	<input type="checkbox"/> Infiltration trench	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b	<input type="checkbox"/> Other (specify): _____		
<u>Infiltration Measures:</u>	<u>Hydraulic sizing method¹²</u>									
<input type="checkbox"/> Bioinfiltration ¹³	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b <input type="checkbox"/> 2.c <input type="checkbox"/> 3									
<input type="checkbox"/> Infiltration trench	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b									
<input type="checkbox"/> Other (specify): _____										
<input type="checkbox"/> Attach Plans showing system, connection to Recycled Water Line and/or Connection Approval Letter from Sanitary District	Is the project installing and using a recycled water plumbing system for non-potable water use and the installation of a second non-potable water system for harvested rainwater is impractical, and considered infeasible due to cost considerations? If yes, check the box below and skip ahead to worksheet D-3 (There is no need for further evaluation of Rainwater harvesting/use.)									
<input type="checkbox"/> Attach worksheet D-2 and Calculations	It is feasible to treat the C.3.d amount of runoff using rainwater harvesting/use? <u>Rainwater Harvesting/Use Measures:</u>									
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Rainwater Harvesting/Use Measures:</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Hydraulic sizing method¹²</u></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Rainwater Harvesting for indoor non-potable water use</td> <td><input type="checkbox"/>1.a <input type="checkbox"/>1.b</td> </tr> <tr> <td><input type="checkbox"/> Rainwater Harvesting for landscape irrigation use</td> <td><input type="checkbox"/>1.a <input type="checkbox"/>1.b</td> </tr> </tbody> </table>	<u>Rainwater Harvesting/Use Measures:</u>	<u>Hydraulic sizing method¹²</u>	<input type="checkbox"/> Rainwater Harvesting for indoor non-potable water use	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b	<input type="checkbox"/> Rainwater Harvesting for landscape irrigation use	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b			
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<input type="checkbox"/> Rainwater Harvesting for indoor non-potable water use	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b									
<input type="checkbox"/> Rainwater Harvesting for landscape irrigation use	<input type="checkbox"/> 1.a <input type="checkbox"/> 1.b									
<input checked="" type="checkbox"/> Attach Worksheets D-1 and D-2 and Calculations	It is infeasible to treat the C.3.d amount of runoff using either infiltration or rainwater harvesting/use? Indicate the biotreatment measures to be used, and the hydraulic sizing method:									
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Biotreatment Measures:</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Hydraulic sizing method¹²</u></th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Bioretention area</td> <td><input checked="" type="checkbox"/>2.c <input type="checkbox"/>3</td> </tr> <tr> <td><input checked="" type="checkbox"/> Flow-through planter</td> <td><input checked="" type="checkbox"/>2.c <input type="checkbox"/>3</td> </tr> <tr> <td><input type="checkbox"/> Other (specify): _____</td> <td></td> </tr> </tbody> </table>	<u>Biotreatment Measures:</u>	<u>Hydraulic sizing method¹²</u>	<input checked="" type="checkbox"/> Bioretention area	<input checked="" type="checkbox"/> 2.c <input type="checkbox"/> 3	<input checked="" type="checkbox"/> Flow-through planter	<input checked="" type="checkbox"/> 2.c <input type="checkbox"/> 3	<input type="checkbox"/> Other (specify): _____		
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<input checked="" type="checkbox"/> Bioretention area	<input checked="" type="checkbox"/> 2.c <input type="checkbox"/> 3									
<input checked="" type="checkbox"/> Flow-through planter	<input checked="" type="checkbox"/> 2.c <input type="checkbox"/> 3									
<input type="checkbox"/> Other (specify): _____										

A copy of the long term Operations and Maintenance (O&M) Agreement and Plan for this project will be required. Please contact the NPDES Representative of the applicable municipality for an agreement template and consult the C.3 Technical Guidance at www.flowstobay.org for maintenance plan templates for specific facility types.

¹¹ Special Projects are smart growth, high density, or transit-oriented developments with the criteria defined in Provision C.3.e.ii.(2), (3) or (4) (see Worksheet F).

¹² Indicate which of the following Provision C.3.d.i hydraulic sizing methods were used. Volume based approaches: 1(a) Urban Runoff Quality Management approach, or 1(b) 80% capture approach (recommended volume-based approach). Flow-based approaches: 2(a) 10% of 50-year peak flow approach, 2(b) 2 times the 85th percentile rainfall intensity approach, or 2(c) 0.2-Inch-per-hour intensity approach (recommended flow-based approach). Combination flow and volume-based approach: 3.

¹³ See Section 6.1 of the C.3 Technical Guidance for conditions in which bioretention areas provide bioinfiltration.

Worksheet D-1 Feasibility of Infiltration

	Yes	No
D-1.0 Infiltration Potential. Based on site-specific soil report ¹⁴ , do site soils either:		
a. Have a saturated hydraulic conductivity (Ksat) <u>less</u> than 1.6 inches/hour), OR, if the Ksat rate is not available:	<input type="checkbox"/>	<input type="checkbox"/>
b. Consist of Type C or D soils?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
> <i>If Yes, infiltration is not feasible – skip to D-1.9 below.</i>		
> <i>If No, complete the Infiltration Feasibility checklist below:</i>		
Evaluate infiltration feasibility:		
D-1.1 Would infiltration facilities ¹⁵ at this site conflict with the location of existing or proposed underground utilities or easements, or would the siting of infiltration facilities at this site result in their placement on top of underground utilities, or otherwise oriented to underground utilities, such that they would discharge to the utility trench, restrict access, or cause stability concerns? (If yes, attach evidence documenting this condition.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D-1.2 Is there a documented concern that there is a potential on the site for soil or groundwater pollutants to be mobilized? (If yes, attach documentation of mobilization concerns.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D-1.3 Are geotechnical hazards present, such as steep slopes, areas with landslide potential, soils subject to liquefaction, or would an infiltration facility ¹⁰ need to be built less than 10 feet from a building foundation or other improvements subject to undermining by saturated soils? (If yes, attach documentation of geotechnical hazard.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D-1.4 Do local water district or other agency's policies or guidelines regarding the locations where infiltration may occur, the separation from seasonal high groundwater, or setbacks from potential sources of pollution, prevent infiltration devices ¹⁰ from being implemented at this site? (If yes, attach evidence documenting this condition.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D-1.5 Would construction of an infiltration device ¹⁰ require that it be located less than 100 feet away from a septic tank, underground storage tank with hazardous materials, or other potential underground source of pollution? (If yes, attach evidence documenting this claim.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D-1.6 Is there a seasonal high groundwater table or mounded groundwater that would be within 10 feet of the base of an infiltration device ¹⁰ constructed on the site? (If yes, attach documentation of high groundwater.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D-1.7 Are there land uses that pose a high threat to water quality – including but not limited to industrial and light industrial activities, high vehicular traffic (i.e., 25,000 or greater average daily traffic on a main roadway or 15,000 or more average daily traffic on any intersecting roadway), automotive repair shops, car washes, fleet storage areas, or nurseries? (If yes, attach evidence documenting this claim.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D-1.8 Is there a groundwater production well within 100 feet of the location where an infiltration device ¹⁰ would be constructed? (If yes, attach map showing the well.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Results of Feasibility Determination		
D-1.9 Infiltration is Infeasible ? (If any answer to questions D-1.1 thru D-1.8 is "Yes" then Infiltration is Infeasible.) Continue to Worksheet D-2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Infiltration is Feasible ? Do not fill out worksheet D-2. Continue to Worksheet D-3.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁴ If no site-specific soil report is available, refer to soil hydraulic conductivity maps in C.3 Technical Guidance Appendix I.

¹⁵ For more information on infiltration facilities and devices, see Appendix E of the SMCWPPP C3TG Handbook.

Worksheet D-2

Feasibility of Rainwater Harvesting and Use

D-2.1 Potential Rainwater Capture Area

- a. Enter the total square footage of impervious surface for this site from Table I.B.1 (Total Created and Replaced Impervious Surface from I.B.1.f)
- 19712 Sq. ft.
- b. If the existing impervious surface to be replaced (total from Column I.B.1.c in Table I.B.1) is 50% or more of the pre-project impervious surface (total from Column I.B.1.a in Table I.B.1), then enter the post-project impervious surface (total from Column I.B.1.e in Table I.B.1) in D-2.1.b. If not, enter zero in D-2.1.b.
- Sq. ft.
- c. Convert the larger of the amounts in Items D-2.1.a and D-2.1.b from square feet to acres (divide by 43,560).
This is the project's Potential Rainwater Capture Area, in acres.
- 0.45 Acres

D-2.2 Feasibility of Landscape Irrigation:

- a. Enter area of post-project onsite landscaping (see Column I.B.1.e in Table I.B.1)
- .22 Acres
- b. Multiply the Potential Rainwater Capture Area above (D-2.1.c) by times 3.2.
- 1.44 Acres
- c. Is the amount in D-2.2.a (onsite landscaping) LESS than the amount in D-2.2.b (the product of 3.2 times the size of the Potential Rainwater Capture Area)¹⁶? Yes No
- If Yes, continue to D-2.3.
 - If No, there are two options:
 1. It may be possible to meet the treatment requirements by directing runoff from impervious areas to self-retaining areas (see Section 4.3 of the C.3 Technical Guidance).
 2. It may be possible use the C.3.d amount of runoff for irrigation. Refer to Table 11 and the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for irrigation. Complete the calculations and attach to this worksheet. If feasible that completes Worksheet D-2 and you may move on to Worksheet D-3.

D-2.3 Feasibility Indoor Non-Potable Uses: (check the box for the applicable project type, then fill in the requested information and answer the question).¹⁷

- a. Residential Project
- i. Number of dwelling units (total post-project):
 - 2 Units
 - ii. Divide the amount in (i) by Potential Rainwater Capture Area (D-2.1.c):
 - 5.4 Du/ac
 - iii. Is the amount in (ii) LESS than 124? Yes No
- b. Commercial Project
- i. Floor area (total interior post-project square footage):
 - Sq.ft.
 - ii. Divide the amount in (i) by Potential Rainwater Capture Area (D-2.1.c):
 - Sq.ft./ac
 - iii. Is the amount in (ii) LESS than 84,000? Yes No
- c. School Project
- i. Floor area (total interior post-project square footage):
 - Sq.ft.
 - ii. Divide the amount in (i) by Potential Rainwater Capture Area (D-2.1.c):
 - Sq.ft./ac
 - iii. Is the amount in (ii) LESS than 27,000? Yes No

¹⁶ Landscape areas must be contiguous and within the same Drainage Management Area to irrigate with harvested rainwater via gravity flow.

¹⁷ Rainwater harvested for indoor use is typically used for toilet/urinal flushing, industrial processes, or other non-potable uses.

d. Industrial Project

- i. Estimated demand for non-potable water (gallons/day): _____ Gal./day
- ii. Is the amount in (i) LESS than 2,900? Yes No

e. Mixed-Use Residential/Commercial Project¹⁸

- | | Residential | Commercial |
|--|--|----------------|
| i. Number of residential dwelling units and commercial floor area: | _____ Units | _____ Sq.ft. |
| ii. Percentage of total interior post-project floor area serving each activity: | _____ % | _____ % |
| iii. Prorated Potential Rainwater Capture Area per activity (multiply amount in D-2.1.c by the percentages in [ii]): | _____ Acres | _____ Acres |
| iv. Prorated project demand per impervious area (divide the amounts in [i] by the amounts in [iii]): | _____ Du/ac | _____ Sq.ft/ac |
| v. Is the amount in (iv) in the residential column <u>less</u> than 124, AND is the amount in the commercial column <u>less</u> than 84,000? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

- > If you checked "Yes" for the above question for the applicable project type, rainwater harvesting for indoor use is considered infeasible for that building. If there is only one building on the site you are done with this worksheet. If there is more than one building on the site, for each that has an individual roof area of 10,000 sq. ft. or more, complete Sections D-2.2 and D-2.3 of this form for each building, Continue to D-2.4 if a "No" is checked for any building.
- > If you checked "No" for the question applicable to the type of project, rainwater harvesting for indoor use may be feasible. Continue to D-2.4:

D-2.4 Project Information

*- See definitions in Glossary (Attachment 1)

- 4.1 Project Type: _____ If residential or mixed use, enter # of dwelling units: _____
- 4.2 Enter square footage of non-residential interior floor area: _____
- 4.3 Total area being evaluated (entire project or individual roof with an area > 10,000 sq.ft.): _____ sq.ft.
- 4.4 If it is a **Special Project***, indicate the percentage of **LID treatment*** reduction: _____ percent
(Item 4.4 applies only to entire project evaluations, not individual roof area evaluations.)
- 4.5 Total area being evaluated, adjusted for Special Project LID treatment reduction credit: _____ sq.ft.
(This is the total area being evaluated that requires LID treatment.)

D-2.5 Calculate Area of Self-Treating Areas, Self-Retaining Areas, and Areas Contributing to Self-Retaining Areas.

- 5.1 Enter square footage of any **self-treating areas*** in the area that is being evaluated: _____ sq.ft.
- 5.2 Enter square footage of any **self-retaining areas*** in the area that is being evaluated: _____ sq.ft.
- 5.3 Enter the square footage of areas contributing runoff to **self-retaining area***: _____ sq.ft.
- 5.4 TOTAL of Items 5.1, 5.2, and 5.3: _____ sq.ft.

D-2.6 Subtract credit for self-treating/self-retaining areas from area requiring treatment.

- 6.1 Subtract the TOTAL in Item 5.4 from the area being evaluated (Item 4.5). This is the **potential rainwater capture area***. _____ sq.ft.
- 6.2 Convert the potential rainwater capture area (Item 6.1) from square feet to acres. _____ acres

D-2.7 Determine feasibility of use for toilet flushing based on demand

¹⁸ For a mixed-use project involving activities other than residential and commercial activities, follow the steps for residential/commercial mixed-use projects. Prorate the Potential Rainwater Capture Area for each activity based on the percentage of the project serving each activity.

C.3 and C.6 Development Review Checklist

7.1	Project's dwelling units per acre of potential rainwater capture area (Divide the number in 4.1 by the number in 6.2).	_____	dwelling units/acre
7.2	Non-residential interior floor area per acre of potential rain capture area (Divide the number in 4.2 by the number in 6.2).	_____	Int. non- res. floor area/acre
<p><i>Note: formulas in Items 7.1 and 7.2 are set up, respectively, for a residential or a non-residential project. Do not use these pre-set formulas for mixed use projects. For mixed use projects*, evaluate the residential toilet flushing demand based on the dwelling units per acre for the residential portion of the project (use a prorated acreage, based on the percentage of the project dedicated to residential use). Then evaluate the commercial toilet flushing demand per acre for the commercial portion of the project (use a prorated acreage, based on the percentage of the project dedicated to commercial use).</i></p>			
7.3	Refer to the applicable countywide table in Attachment 2. Identify the number of dwelling units per impervious acre needed in your Rain Gauge Area to provide the toilet flushing demand required for rainwater harvest feasibility.	_____	dwelling units/acre
7.4	Refer to the applicable countywide table in Attachment 2. Identify the square feet of non-residential interior floor area per impervious acre needed in your Rain Gauge Area to provide the toilet flushing demand required for rainwater harvest feasibility.	_____	int. non- res. floor area/acre

Check "Yes" or "No" to indicate whether the following conditions apply. If "Yes" is checked for any question, then rainwater harvesting and use is infeasible. As soon as you answer "Yes", you can skip to Item D-2.9. If "No" is checked for all items, then rainwater harvesting and use is feasible and you must harvest and use the C.3.d amount of stormwater, unless you infiltrate the C.3.d amount of stormwater*.

- 7.5 Is the project's number of dwelling units per acre of potential rainwater capture area (listed in Item 7.1) LESS than the number identified in Item 7.3? Yes No
- 7.6 Is the project's square footage of non-residential interior floor area per acre of potential rainwater capture area (listed in Item 7.2) LESS than the number identified in Item 7.4? Yes No

D-2.8 Determine feasibility of rainwater harvesting and use based on factors other than demand.

- 8.1 Does the requirement for rainwater harvesting and use at the project conflict with local, state, or federal ordinances or building codes? Yes No
- 8.2 Would the technical requirements cause the harvesting system to exceed 2% of the Total Project Cost*, or has the applicant documented economic hardship in relation to maintenance costs? (If so, attach an explanation.) Yes No
- 8.3 Do constraints, such as a slope above 10% or lack of available space at the site, make it infeasible to locate on the site a cistern of adequate size to harvest and use the C.3.d amount of water? (If so, attach an explanation.) Yes No
- 8.4 Are there geotechnical/stability concerns related to the surface (roof or ground) where a cistern would be located that make the use of rainwater harvesting infeasible? (If so, attach an explanation.) Yes No
- 8.5 Does the location of utilities, a septic system and/or Heritage Trees* limit the placement of a cistern on the site to the extent that rainwater harvesting is infeasible? (If so, attach an explanation.) Yes No

Note: It is assumed that projects with significant amounts of landscaping will either treat runoff with landscape dispersal (self-treating and self-retaining areas) or will evaluate the feasibility of harvesting and using rainwater for irrigation using the curves in Appendix F of the LID Feasibility Report.

*- See definitions in Glossary (Attachment 1)

D-2.9 Results of Feasibility Determination

Infeasible Feasible

- a. Based on the results of the feasibility analysis in Items 7.5, 7.6 and Section D-2.8, rainwater harvesting/use is (check one):

→ If "FEASIBLE" is indicated for Item D-2.9.a the amount of stormwater requiring treatment must be treated with harvesting/use, unless it is infiltrated into the soil.

→ If "INFEASIBLE" is checked for Item D-2.9.a, then the applicant may use appropriately designed **bioretention*** facilities (*see definitions in Glossary – Attachment 1) for compliance with C.3 treatment requirements. If $K_{sat} > 1.6$ in./hr., and infiltration is unimpeded by subsurface conditions, then the bioretention facilities are predicted to infiltrate 80% or more average annual runoff. If $K_{sat} < 1.6$, maximize infiltration of stormwater by using bioretention if site conditions allow, and remaining runoff will be discharged to storm drains via facility underdrains. If site conditions preclude infiltration, a lined bioretention area or flow-through planter may be used.

Worksheet E

Hydromodification Management

E-1 Is the project a Hydromodification Management¹⁹ (HM) Project?

E-1.1 Is the total impervious area increased over the pre-project condition?

- Yes. Continue to E-1.2
- No. The project is NOT required to incorporate HM Measures.
Go to Item E-1.4 and check "No."

E-1.2 Is the site located in an HM Control Area per the HM Control Areas map (Appendix H of the C.3 Technical Guidance)?

- Yes. Continue to E-1.3
- No. Attach map, indicating project location. The project is NOT required to incorporate HM Measures.
Skip to Item E-1.4 and check "No."

E-1.3 Has an engineer or qualified environmental professional determined that runoff from the project flows only through a hardened channel or enclosed pipe along its entire length before emptying into a waterway in the exempt area?

- Yes. Attach map of facility. Go to Item E-1.4 and check "Yes."
- No. Attach map, indicating project location. The project is NOT required to incorporate HM Measures.
Skip to Item E-1.4 and check "No."

E-1.4 Is the project a Hydromodification Management Project?

- Yes. The project is subject to HM requirements in Provision C.3.g of the Municipal Regional Stormwater Permit.
- No. The project is EXEMPT from HM requirements.
- If the project is subject to the HM requirements, incorporate in the project flow duration control measures designed such that post-project discharge rates and durations match pre-project discharge rates and durations.
- The Bay Area Hydrology Model (BAHM) has been developed to help size flow duration controls. See www.bavareahydrology.com. Guidance is provided in Chapter 7 of the C.3 Technical Guidance.

E-2 Incorporate HM Controls (if required)

Are the applicable items provided with the Plans?

Yes	No	NA	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site plans with pre- and post-project impervious surface areas, surface flow directions of entire site, locations of flow duration controls and site design measures per HM site design requirement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Soils report or other site-specific document showing soil type(s) on site
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses the Bay Area Hydrology Model (BAHM), a list of model inputs and outputs.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses custom modeling, a summary of the modeling calculations with corresponding graph showing curve matching (existing, post-project, and post-project with HM controls curves), goodness of fit, and (allowable) low flow rate.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses the Impracticability Provision, a listing of all applicable costs and a brief description of the alternative HM project (name, location, date of start up, entity responsible for maintenance).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the project uses alternatives to the default BAHM approach or settings, a written description and rationale.

¹⁹ Hydromodification is the change in a site's runoff hydrograph, including increases in flows and durations that results when land is developed (made more impervious). The effects of hydromodification include, but are not limited to, increased bed and bank erosion of receiving streams, loss of habitat, increased sediment transport and/or deposition, and increased flooding. Hydromodification control measures are designed to reduce these effects.

Worksheet F Special Projects

Complete this worksheet for projects that appear to meet the definition of "Special Project", per Provision C.3.e.ii of the Municipal Regional Stormwater Permit (MRP). The form assists in determining whether a project meets Special Project criteria, and the percentage of low impact development (LID) treatment reduction credit. Special Projects that implement less than 100% LID treatment must provide a narrative discussion of the feasibility or infeasibility of 100% LID treatment. See Appendix J of the C.3 Technical Guidance Handbook (download at www.flowstobay.org) for more information.

F.1 "Special Project" Determination (Check the boxes to determine if the project meets any of the following categories.)

Special Project Category "A"

Does the project have ALL of the following characteristics?

- Located in a municipality's designated central business district, downtown core area or downtown core zoning district, neighborhood business district or comparable pedestrian-oriented commercial district, or historic preservation site and/or district²⁰;
 - Creates and/or replaces 0.5 acres or less of impervious surface;
 - Includes no surface parking, except for incidental parking for emergency vehicle access, ADA access, and passenger or freight loading zones;
 - Has at least 85% coverage of the entire site by permanent structures. The remaining 15% portion of the site may be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping and stormwater treatment.
- No (continue)
- Yes – Complete Section F.2 below

Special Project Category "B"

Does the project have ALL of the following characteristics?

- Located in a municipality's designated central business district, downtown core area or downtown core zoning district, neighborhood business district or comparable pedestrian-oriented commercial district, or historic preservation site and/or district²⁰;
 - Creates and/or replaces an area of impervious surface that is greater than 0.5 acres, and no more than 2.0 acres;
 - Includes no surface parking, except for incidental parking for emergency access, ADA access, and passenger or freight loading zones;
 - Has at least 85% coverage of the entire site by permanent structures. The remaining 15% portion of the site may be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping and stormwater treatment;
 - Minimum density of either 50 dwelling units per acre (for residential projects) or a Floor Area Ratio (FAR) of 2:1 (for commercial or mixed use projects)
- No (continue)
- Yes – Complete Section F-2 below

Special Project Category "C"

Does the project have ALL of the following characteristics?

- At least 50% of the project area is within 1/2 mile of an existing or planned transit hub²¹ or 100% within a planned Priority Development Area²²;
 - The project is characterized as a non-auto-related use²³; and
 - Minimum density of either 25 dwelling units per acre (for residential projects) or a Floor Area Ratio (FAR) of 2:1 (for commercial or mixed use projects)
- No (continue)
- Yes – Complete Section F-2 below

²⁰ And built as part of a municipality's stated objective to preserve/enhance a pedestrian-oriented type of urban design.

²¹ "Transit hub" is defined as a rail, light rail, or commuter rail station, ferry terminal, or bus transfer station served by three or more bus routes. (A bus stop with no supporting services does not qualify.)

²² A "planned Priority Development Area" is an infill development area formally designated by the Association of Bay Area Government's / Metropolitan Transportation Commission's FOCUS regional planning program.

²³ Category C specifically excludes stand-alone surface parking lots; car dealerships; auto and truck rental facilities with onsite surface storage; fast-food restaurants, banks or pharmacies with drive-through lanes; gas stations; car washes; auto repair and service facilities; or other auto-related project unrelated to the concept of transit oriented development.

F.2 LID Treatment Reduction Credit Calculation

(If more than one category applies, choose only one of the applicable categories and fill out the table for that category.)

Category	Impervious Area Created/Replaced (sq. ft.)	Site Coverage (%)	Project Density or FAR	Density/Criteria	Allowable Credit (%)	Applied Credit (%)
A			N.A.	N.A.	100%	
B				Res ≥ 50 DU/ac or FAR ≥ 2:1	50%	
				Res ≥ 75 DU/ac or FAR ≥ 3:1	75%	
				Res ≥ 100 DU/ac or FAR ≥ 4:1	100%	
C				Location credit (select one)²⁴:		
				Within ¼ mile of transit hub	50%	
				Within ½ mile of transit hub	25%	
				Within a planned PDA	25%	
				Density credit (select one):		
				Res ≥ 30 DU/ac or FAR ≥ 2:1	10%	
				Res ≥ 60 DU/ac or FAR ≥ 4:1	20%	
				Res ≥ 100 DU/ac or FAR ≥ 6:1	30%	
				Parking credit (select one):		
				≤ 10% at-grade surface parking ²⁵	10%	
No surface parking	20%					
TOTAL TOD CREDIT =						

F.3 Narrative Discussion of the Feasibility/Infeasibility of 100% LID Treatment:

If project will implement less than 100% LID, prepare a discussion of the feasibility or infeasibility of 100% LID treatment, as described in Appendix K of the C.3 Technical Guidance.

F.4 Select Certified Non-LID Treatment Measures:

If the project will include non-LID treatment measures, select a treatment measure certified for "Basic" General Use Level Designation (GULD) by the Washington State Department of Ecology's Technical Assessment Protocol – Ecology (TAPE). Guidance is provided in Appendix K of the C.3 Technical Guidance (download at www.flowstobay.org).²⁶

²⁴ To qualify for the location credit, at least 50% of the project's site must be located within the ¼ mile or ½ mile radius of an existing or planned transit hub, as defined on page 1, footnote 2. A planned transit hub is a station on the MTC's Regional Transit Expansion Program list, per MTC's Resolution 3434 (revised April 2006), which is a regional priority funding plan for future transit stations in the San Francisco Bay Area. To qualify for the PDA location credit, 100% of the project site must be located within a PDA, as defined on page 1, footnote 3.

²⁵ The at-grade surface parking must be treated with LID treatment measures.

²⁶ TAPE certification is used in order to satisfy Special Project's reporting requirements in the MRP.

**Worksheet G
(For municipal staff use only)**

G-1 Alternative Certification: Were the treatment and/or HM control sizing and design reviewed by a qualified third-party professional that is not a member of the project team or agency staff?

Yes No Name of Reviewer _____

G-2 High Priority Site: High Priority Sites can include those located in or within 100 feet of a sensitive habitat, Area of Special Biological Significance (ASBS), body of water, or on sites with slopes (subject to monthly inspections from Oct 1 to April 30.)

Yes No If yes, then add site to Staff's Monthly Rainy Season Construction Site Inspection List

Operations and Maintenance (O&M) Submittals

G-3 Stormwater Treatment Measure and/HM Control Owner or Operator's Information:

Name: _____

Address: _____

Phone: _____ Email: _____

➤ *Applicant must call for inspection and receive inspection within 45 days of installation of treatment measures and/or hydromodification management controls.*

The following questions apply to C.3 Regulated Projects and Hydromodification Management Projects.

	Yes	No	N/A
G-3.1 Was maintenance plan submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G-3.2 Was maintenance plan approved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G-3.3 Was maintenance agreement submitted? (Date executed: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

➤ *Attach the executed maintenance agreement as an appendix to this checklist.*

G-4 Annual Operations and Maintenance (O&M) Submittals (for municipal staff use only):

For C.3 Regulated Projects and Hydromodification Management Projects, indicate the dates on which the Applicant submitted annual reports for project O&M:

G-5 Comments (for municipal staff use only):

G-6 NOTES (for municipal staff use only):

Section I Notes: _____

Worksheet A Notes: _____

Worksheet B Notes: _____

Worksheet C Notes: _____

Worksheet D-1 Notes: _____

Worksheet D-2 Notes: _____

Worksheet E Notes: _____

Worksheet F Notes: _____

G-7 Project Close-Out (for municipal staff use only):

	Yes	No	NA
7.1 Were final Conditions of Approval met?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2 Was initial inspection of the completed treatment/HM measure(s) conducted? (Date of inspection: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3 Was maintenance plan submitted? (Date executed: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.4 Was project information provided to staff responsible for O&M verification inspections? (Date provided to inspection staff: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

G-8 Project Close-Out (Continued -- for municipal staff use only):

Name of staff confirming project is closed out: _____

Signature: _____ Date: _____

Name of O&M staff receiving information: _____

Signature: _____ Date: _____

2.0 SETTING

2.1 Project Location and Description

The proposed Oddstad Way extension and development of two single family residences Project (Project) is located on Oddstad Way at Rockaway Beach Ave in Pacifica, California, San Mateo, California (Figure 1). The Project site is reached from Highway 1 by making a turn onto Fasler Ave heading southeast. The Project consists of portions of three lots (APN: 022-056-060, 022-056-080 and 022-056-090) covering approximately 0.69 acres. The proposed residences will be approximately 5250 square feet and the road extension will cover approximately 11,600 square feet.

2.2 Existing Site Features and Conditions

The Project is on previously undeveloped land that is covered with primarily grasses and eucalyptus trees. There are no existing impervious areas. These lots and surrounding areas are zoned for single family residential. The property generally slopes from the southeast to the northwest at between 8 and 20%. The lowest elevation, at the connection with an existing portion of Oddstad Way is about 110' and the property slopes up to a maximum of elevation 170'. There are no existing structures or utilities on the properties or under the proposed road extension.

Rockaway Creek flows east to west about 50-70 feet off-site to the north of the Project. In addition, a small ditch runs part of the way along the south side of the road extension and connects with the creek. Rockaway Creek and the existing ditch will not be altered by the proposed development.

A geotechnical investigation was performed by Romig Engineers and summarized in a report dated June 2014 (Romig Engineers). Four borings were drilled to depths of between 5.4 and 18 feet. Groundwater was not encountered. Based on the field investigation, it was concluded that the soils in the upper 5 feet are primarily clay; therefore, site class "D" is appropriate for this site.

The topography of the site is primarily sloping to the northwest at about 8 to 20%. Slopes along the road extension will largely follow existing topography and will be a maximum of 10%. In the area of the proposed residential lots, site drainage currently sheet flows to the northwest towards the Rockaway Creek. The west half of the project which includes the road extension, sheet flows to the south towards a ditch which runs from east to west and connects with an existing culvert under Oddstad Way before turning south.

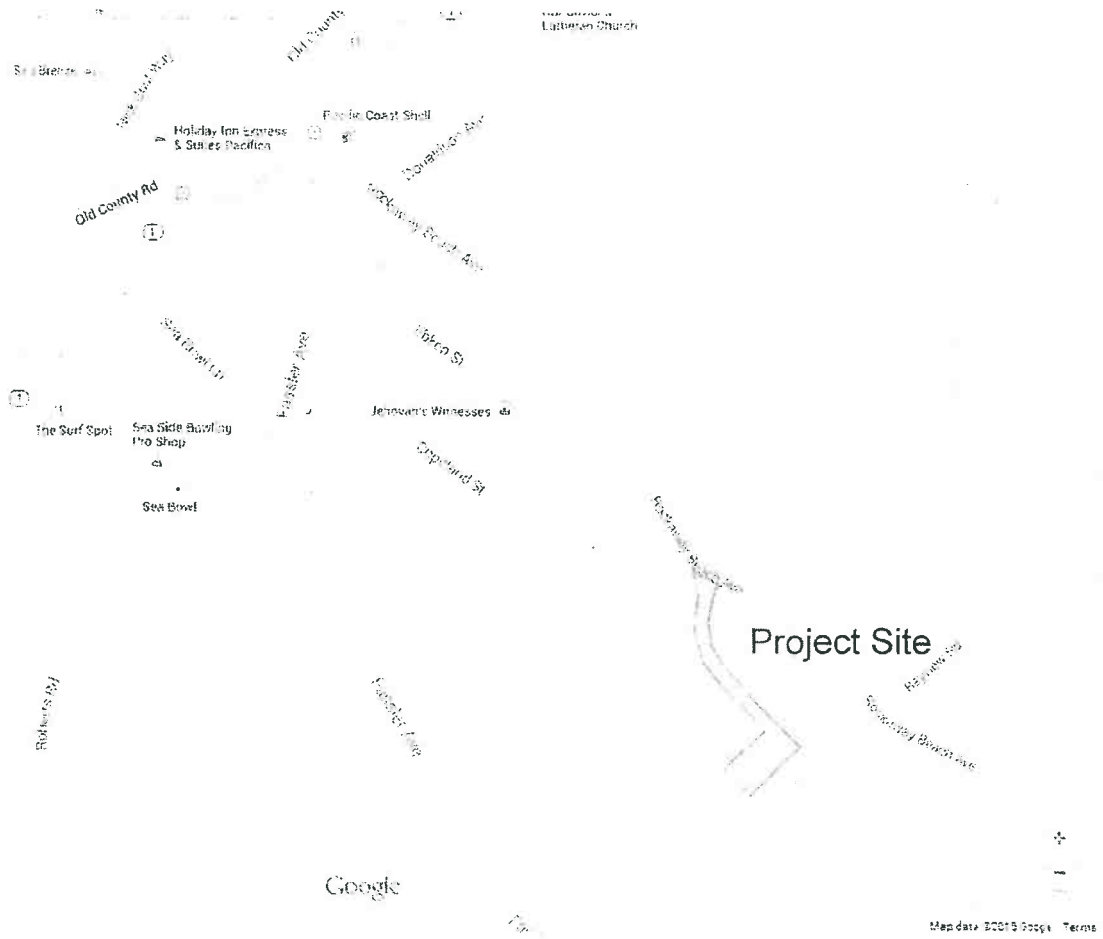
2.3 Low Impact Development Site Design Measures

Opportunities for stormwater management at the Project include the landscaped areas at the front, sides and back of each residence and along the north side of the road extension. The Project maximizes opportunities to utilize the landscaped areas as self-retaining areas and incorporates bioretention areas to minimize the effect of impervious areas.

- Limitation of development envelope: This project will be a moderately dense single family residential development.

- Preservation of natural drainage features: The existing site is mostly pervious. There are several trees and the Rockaway Creek and ditch that run on either side of the site. These drainages and many of the trees will be protected and kept as part of the natural landscape.
- Minimization of Imperviousness: Outside of the building footprints and the road, the proposed development limits hardscape and utilizes pervious pavement treatments whenever possible. The driveways and most of the hardscape in the backyards will be pervious pavers.
- Use of drainage as a design element: Self-retaining areas, self-treating areas, and bioretention facilities will be incorporated into landscaped areas on site and are considered alongside the design to provide functionality without compromising the program and aesthetics of the project.
- Dispersal of runoff to pervious areas: Runoff from impervious areas in the landscape will be directed to self-retaining areas. Runoff from the roofs and road extension will be directed towards bioretention areas.

Figure 1. Site Location



3.0 DOCUMENTATION OF DRAINAGE DESIGN

3.1 Drainage Design Approach

Infiltration is infeasible due to the type D soils present on the site. The Oddstad Way Project implements a flow-through planter and a bioretention area to accomplish treatment of the C.3.d amount of runoff. The biotreatment measures are sized using method 2.c, the "four percent" method. Data and Calculations are described below.

3.2 Drainage Management Areas (DMAs)

Impervious areas on the site, including all roofs, hardscape, parking areas, and driveways have been divided into distinct drainage areas as shown on the Storm Water Control Plan. Runoff from each of these areas are managed by routing stormwater to self-retaining areas and biotreatment facilities. DMAs are shown on Figure S-1 Stormwater Control Plan.

Table 1. Drainage Management Areas

DMA Name	Surface Type	Area (SF)
DMA-1A	Concrete	201
DMA-1B	Roof	1177
DMA-1C	Roof	468
DMA-1D	Roof	486
DMA-1E	Roof	994
DMA-1F	Wood deck	425
DMA-1G	Concrete	54
DMA-1H	Hardscape	486
DMA-1J	Concrete	49
DMA-2A	Roof	1077
DMA-2B	Roof	497
DMA-2C	Roof	492
DMA-2D	Roof	995
DMA-2E	Hardscape	515
DMA-2F	Concrete	51
DMA-2G	Concrete	126
DMA-R1	Asphalt/DG	10,222
DMA-R2	Asphalt/DG	920

Drainage Management Areas Descriptions:

DMA-1A, totaling 201 square feet, drains a portion of the concrete front porch and stairs. DMA 1-A drains to the bio treatment area, IMP-2.

DMA-1B, totaling 1177 square feet, drains a portion of the roof. DMA 1-B drains to the bio treatment area, IMP-2.

DMA-1C, totaling 468 square feet, drains a portion of the roof. DMA 1-C drains to planter box IMP-1.

DMA-1D, totaling 486 square feet, drains a portion of the roof. DMA 1-D drains to planter box IMP-1.

DMA-1E, totaling 994 square feet, drains a portion of the roof. DMA 1-E drains to planter box IMP-1.

DMA-1F, totaling 425 square feet, drains the back deck. DMA 1-F drains to self-retaining area SR-1A

DMA-1G, totaling 50 square feet, drains a portion of the concrete stairs. DMA 1-G drains to self-retaining area SR-1A

DMA-1H, totaling 486 square feet, drains a portion of the decomposed granite, pavers and other hardscape in the back yard. DMA 1-H drains to the self-retaining area SR-1B.

DMA-1J, totaling 49 square feet, drains a portion of the concrete stairs. DMA 1-J drains to the bio treatment area, IMP-2.

DMA-2A, totaling 1077 square feet, drains a portion of the roof. DMA 2-A drains to the bio treatment area, IMP-2.

DMA-2B, totaling 497 square feet, drains a portion of the roof. DMA 2-B drains to the bio treatment area, IMP-2.

DMA-2C, totaling 492 square feet, drains a portion of the roof. DMA 2-C drains to the bio treatment area, IMP-2.

DMA-2D, totaling 995 square feet, drains a portion of the roof. DMA 2-D drains to the bio treatment area, IMP-2.

DMA-2E, totaling 515 square feet, drains a portion of the decomposed granite and walkway in the back yard. DMA 2-E drains to drains to self-retaining area SR-2A

DMA-2F, totaling 51 square feet, drains a portion of the concrete walkway. DMA 2-F drains to self-retaining area SR-2A.

DMA-2G, totaling 126 square feet, drains a portion of the concrete walkway. DMA 2-G drains to self-retaining area SR-2A

DMA-R1 totaling 10,222 square feet, drains the asphalt road and decomposed granite walkway. DMA-R1 drains to bioretention area IMP-2.

DMA-R2 totaling 920 square feet, drains the asphalt road and decomposed granite walkway. DMA-R2 drains to a DI at the base of the site.

3.3 Self-Treating Areas

This project utilizes self-treating areas including landscaping and porous paving to reduce the runoff from the site. Self-treating areas are shown on Figure S-1 Stormwater Control Plan.

Table 2. Self-Treating Areas (STAs)

STA Name	Surface Type	Area (SF)
ST-1A	landscape	808
ST-1B	porous paving	359
ST-1C	landscape	418
ST-1D	landscape	40
ST-1E	porous paving	544
ST-1F	landscape	67
ST-1G	landscape	122
ST-1H	landscape	408
ST-2A	porous paving	593
ST-2B	landscape	343
ST-2C	landscape	268
ST-2D	landscape	785
ST-2E	landscape	161
ST-2F	landscape	109

3.4 Self-Retaining Areas

This project utilizes pervious landscaped self-retaining areas to reduce the runoff from the site. Self-retaining areas are designed to retain the first one-inch of rainfall without runoff. Each self-retaining areas shown has at least a 2:1 ratio of contributing area to self-retaining area and a 3" ponding depth. Self-retaining areas are shown on Figure S-1 Stormwater Control Plan. Contributing areas to the self-retaining areas are described above in Section 3.2.

Table 3. Self-Retaining Areas (SRs)

SRA Name	Surface Type	Area (SF)
SR-1A	landscape	251
SR-1B	landscape	278
SR-2A	landscape	346

3.5 Treatment Measures

This project utilizes a flow-through planter (IMP-1) and a bioretention area (IMP-2) to treat the runoff from the site. Treatment areas are shown on Figure S-1 Stormwater Control Plan. Design guidelines for each treatment area are provided in Appendix 1.

Table 4. IMP-1 Drainage Areas and Sizing

Areas Draining to IMP					Soil Type	IMP Name
DMA Name	DMA Area (SF)	Post-project surface type	DMA runoff factor	DMA Area x runoff factor	D	IMP-1
DMA-1C	468	roof	1	468	IMP Sizing Factor	Minimum Area
DMA-1D	486	roof	1	486		
DMA-1E	994	roof	1	994		
Total				1948		
					Area	78
					0.04	78

Table 5. IMP-2 Drainage Areas and Sizing

Areas Draining to IMPs					Soil Type	IMP Name	
DMA Name	DMA Area (SF)	Post-project surface type	DMA runoff factor	DMA Area x runoff factor	D	IMP-2	
DMA-1A	201	concrete	1	201	IMP Sizing Factor	Minimum Area	
DMA-1B	1177	roof	1	1177			
DMA-1J	49	concrete	1	49			
DMA-2A	1077	roof	1	1077			
DMA-2B	497	roof	1	497			
DMA-2C	492	roof	1	492			
DMA-2D	995	roof	1	995			
DMA-R1	11619	road, DG walkway	1	10222			
Total				14710			630
							Area
					0.04	588	

Table 6. Areas Not Treated

Area Name	Surface Type	Square Feet
DMA-R2	Asphalt and DG Path	920

4.0 SOURCE CONTROL MEASURES

Table 7. Source Control Measures

<i>Potential source of runoff pollutants</i>	<i>Permanent source control BMPs</i>	<i>Operational source control BMPs</i>
Need for future indoor and structural pest control.	Building design will minimize potential needs for future pest control	Buyers to receive integrated pest management information.
Landscape/Outdoor pesticide use	Final landscape plans will: <ul style="list-style-type: none"> • Preserve existing native trees, shrubs, and ground cover to the maximum extent possible. • Be designed to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize use of fertilizers and pesticides that can contribute to stormwater pollution. • Where landscape areas are used to retain stormwater, specify plants that are tolerant of saturated soil conditions. • Include pest-resistant plants. • Include plantings appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency and plant interactions. 	Landscape will be maintained using minimum or no pesticides. IPM information will be provided to new owners.

5.0 PLANT PALETTES FOR BIOTREATMENT MEASURES

Plants for the biotreatment measures will be selected from the following lists.

Table 8. Plants for Flow-Through Planter (IMP-1)

Botanical	Common	Type
<i>Achillea millefolium</i>	common yarrow	herbaceous
<i>Armeria marina</i>	sea pink	herbaceous
<i>Carex barbata</i>	Santa Barbara sedge	grasses/grasslike
<i>Carex tumulicola</i>	Berkeley sedge	grasses/grasslike
<i>Chondropetalum tectorum</i>	cape rush	grasses/grasslike
<i>Dietes</i> sp.	fortnight lily	grasses/grasslike
<i>Festuca californica</i>	California fescue	grasses/grasslike
<i>Festuca idahoensis</i>	Idaho fescue	grasses/grasslike
<i>Festuca rubra</i>	red fescue	grasses/grasslike
<i>Fragaria chiloensis</i>	beach strawberry	herbaceous
<i>Iris douglasiana</i>	Pacific iris	herbaceous
<i>Juncus patens</i>	blue rush	emergent
<i>Mahonia repens</i>	creeping Oregon grape	shrub
<i>Melica imperfecta</i>	coast melic grass	grasses/grasslike
<i>Rhamnus californica</i> 'Eve Case'	cofeeberry	shrub
<i>Sisyrinchium bellum</i>	blue eyed grass	grasses/grasslike
<i>Symphoricarpos albus</i>	snowberry	shrub
<i>Thymus pseudolanguinosus</i>	wooly thyme	herbaceous

Table 9. Plants for Bioretention Area (IMP-2)

Botanical	Common	Type
<i>Juncus patens</i>	blue rush	emergent
<i>Achillea millefolium</i>	common yarrow	herbaceous
<i>Arctostaphylos densiflora</i> 'McMinn'	manzanita	shrub
<i>Arctostaphylos manzanita</i>	manzanita	shrub
<i>Arctostaphylos uva-ursi</i> 'Emerald Carpet'	kinnickinnick	shrub
<i>Baccharis pilularis</i> 'Twin Peaks'	brostrate coyote bush	shrub
<i>Calycanthus occidentalis</i>	spicebush	shrub
<i>Carex barbarea</i>	Santa Barbara sedge	grasses/grasslike
<i>Cornus scericea</i>	redtwig dogwood	shrub
<i>Deschampsia cespitosa</i>	tufted hairgrass	grasses/grasslike
<i>Elymus glaucus</i>	blue wild rye	grasses/grasslike
<i>Festuca californica</i>	California fescue	grasses/grasslike
<i>Festuca idahoensis</i>	Idaho fescue	grasses/grasslike
<i>Festuca rubra</i>	red fescue	grasses/grasslike
<i>Leymus triticoides</i>	creeping wildrye	grasses/grasslike
<i>Mahonia aquifolium</i>	Oregon grape	shrub
<i>Melica imperfecta</i>	coast melic grass	grasses/grasslike
<i>Nasella pulchra</i>	purple needlegrass	grasses/grasslike
<i>Rhamnus californica</i> 'Eve Case'	cofeeberry	shrub
<i>Rosa californica</i>	California wild rose	shrub
<i>Rubus spectabilis</i>	salmonberry	shrub
<i>Symphoricarpos albus</i>	snowberry	shrub

5.0 STORMWATER FACILITY MAINTENANCE

5.1 Ownership and Responsibility for Maintenance in Perpetuity

All stormwater treatment facilities (self-retaining areas) in this plan will be owned and maintained by the developer and owner of Lot 1 until such time that the Lot 1 is sold to a new owner. The applicant (who is also the owner of Lot 1) accepts responsibility for operation and maintenance of the facilities until such time as this responsibility is formally transferred to the new owner(s) for maintenance.

5.2 Summary of Maintenance Requirements for Each Stormwater Facility

Routine Maintenance Plans are provided in Appendix 2 for the Flow-Through Planter (IMP-1) and the Bioretention Area (IMP-2).

Self-retaining areas remove pollutants primarily by spreading runoff across a large open space area. Routine maintenance is needed to insure that flow is unobstructed, and that erosion is prevented.

Typical routine maintenance consists of the following:

- Inspect self-retaining areas for channels, exposure of soils, or other evidence of erosion. Clear any obstructions and remove any accumulation of sediment. Examine rock or other material used as a splash pad and replenish if necessary.
- Inspect side slopes for evidence of instability or erosion and correct as necessary.
- Abate any potential vectors by filling holes in the ground, in and around the self-retaining areas and by ensuring that there are no areas where water stands longer than 48 hours following a storm. If mosquito larvae are present and persistent, contact the local Vector Control District for information and advice. Mosquito larvicides should be applied only when absolutely necessary and then only by a licensed individual or contractor.

6.0 CERTIFICATIONS

The selection, sizing, and preliminary design of stormwater treatment and other control measures in this plan meet the requirements of Regional Water Quality Control Board Order R2-2009-0074 and Order R2-2011-0083.

APPENDIX 1

Design Guidelines for Treatment Measures Flow-Through Planters and Bioretention Areas

6.1 Bioretention Areas

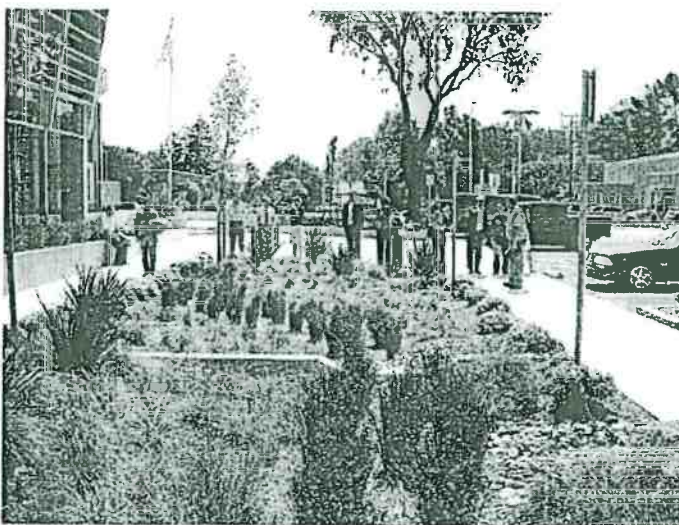


Figure 6-1. Bioretention Area.
Source: City of Brisbane

Best uses

- Any type of development
- Drainage area up to 2 acres
- Landscape design element

Advantages

- Detains low flows
- Landscape feature
- Low maintenance
- Reliable once established

Limitations

- Not appropriate where soil is unstable
- Requires irrigation
- Susceptible to clogging – especially if installed prior to construction site soil stabilization.

Bioretention areas¹, or “rain gardens,” are concave landscaped areas that function as soil and plant-based filtration devices that remove pollutants through a variety of physical, biological, and chemical treatment processes. Bioretention areas can be any shape, including linear. Linear bioretention areas are sometimes referred to as bioretention swales. Bioretention areas normally consist of the following layers, starting from the top: a surface ponding area, a layer of mulch, planting soil and plants, and an underlying rock layer with an underdrain that connects to the municipal storm drain system.

Bioretention areas are designed to distribute stormwater runoff evenly within the surface ponding area. The water is temporarily stored in the ponding area and percolates through the planting soil, which is engineered to have a high rate of infiltration. From there, the water filters down into the underlying rock layer.

The rock layer of the bioretention area may be designed to either maximize infiltration or prevent infiltration to the underlying soils. In bioretention areas that maximize infiltration, the underdrain is raised 6 inches above the bottom of the rock layer, and there is no liner between the rock layer or planting soil and the surrounding soils. Maximizing infiltration is only allowed where conditions are suitable for infiltration – check with the geotechnical engineer. Where infiltration is precluded, the bioretention area is fully lined with waterproof material, and the underdrain is placed at the bottom of the rock layer.

Design and Sizing Guidelines

DRAINAGE AREA AND SETBACK REQUIREMENTS

- Set back from structures 10' or as required by structural or geotechnical engineer, or local jurisdiction.

¹ A bioretention area that is unlined and has a raised underdrain in the underlying rock layer to promote infiltration may also be called a “bioinfiltration area”.

C.3 STORMWATER TECHNICAL GUIDANCE

- Area draining to the bioretention area does not exceed 2 acres.
- Area draining to the bioretention area shall not contain a significant source of soil erosion, such as high velocity flows along slopes not stabilized with vegetation or hardscape.
- Areas immediately adjacent to bioretention area shall have slopes more than 0.5% for pavement and more than 1% for vegetated areas.
- Bioretention areas, including linear treatment measures, shall not be constructed in slopes greater than 4%, unless constructed as a series of bioretention cells. Separate bioretention cells by check dams up to 24 inches high and at least 25 feet apart. The slope within cells shall not exceed 4%. Bioretention cells are not recommended if overall slope exceeds 8%.
- If treatment measure is designed to infiltrate stormwater to underlying soils, a 50-foot setback is needed from septic system leach field.

TREATMENT DIMENSIONS AND SIZING

- Bioretention area may be sized to 4% of the impervious surface area on the project site. The area of impervious surface multiplied by 0.04 sizing factor will equal the footprint of the bioretention area. Alternatively, bioretention sizing may be calculated using the flow-based treatment standard, or the combination flow- and volume-based treatment standard described in Section 5.1 based on the flow entering the basin at the treatment flow rate over the initial hours of the storm until the treatment volume is attained.
- The bioretention area shall be sized to either:
 - Percolate the design treatment flow using a rate of 5 inches per hour. No additional allowance is provided for storage or for infiltration rates in excess of 5 inches per hour; or,
 - Store the 24-hour treatment volume based on inflow at the water treatment rate for the initial hours of the storm and outflow by infiltration.
- Where there is a positive surface overflow, bioretention areas shall have freeboard of at least 0.2 feet to the lowest structural member versus the 100-year storm water level in the bioretention area, unless local jurisdiction has other requirements.
- Where the bioretention area is in a sump that depends on outflow through a catch basin, the bioretention area shall have a freeboard of at least 0.5 feet to the lowest building finished floor elevation (including garage and excluding crawl space) for conditions with the outlet 50 percent clogged, unless local jurisdiction has other requirements. Where the freeboard cannot be provided, emergency pump may be allowed on a case-by-case basis.
- Minimum 2 inches between the crest of the emergency outfall riser and elevation of the surface area.
- The elevation of the surface area may vary as needed to distribute stormwater flows throughout the surface area.
- Side slopes do not exceed 3:1; downstream slope for overflow shall not exceed 3:1.

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- Surface ponding depths should vary, with a maximum depth of 12 inches. If ponding depths exceed 6 inches, landscape architect shall approve planting palette for desired depth.
- The inlet to the overflow catch basin shall be at least 6 inches above the low point of the bioretention planting area.

INLETS TO TREATMENT MEASURE

Flow may enter the treatment measure (see example drawings in Section 5.13):

- As overland flow from landscaping (no special requirements)
 - As overland flow from pavement (cutoff wall required)
 - Through a curb opening (minimum 18 inches)
 - Through a curb drain
 - With drop structure through a stepped manhole (refer to Figure 5-3 in Chapter 5)
 - Through a bubble-up manhole or storm drain emitter
 - Through roof leader or other conveyance from building roof
- Where flows enter the biotreatment measure, allow a change in elevation of 4 to 6 inches between the paved surface and biotreatment soil elevation, so that vegetation or mulch build-up does not obstruct flow.
 - Cobbles or rocks shall be installed to dissipate flow energy where runoff enters the treatment measure.

VEGETATION

- Plant species should be suitable to well-drained soil and occasional inundation. See planting guidance in Appendix A.
- Shrubs and small trees shall be placed to anchor the bioretention area cover.
- Tree planting shall be as required by the municipality. If larger trees are selected, plant them at the periphery of bioretention area.
- Underdrain trench shall be offset at edge of tree planting zone, as needed, to maximize distance between tree roots and underdrain.
- Use integrated pest management (IPM) principles in the landscape design to help avoid or minimize any use of synthetic pesticides and quick-release fertilizer. Check with the local jurisdiction for any local policies regarding the use of pesticides and fertilizers.
- Irrigation shall be provided to maintain plant life.
- Trees and vegetation do not block inflow, create traffic or safety issues, or obstruct utilities.

SOIL AND DRAINAGE CONSIDERATIONS SPECIFIC TO BIORETENTION AREAS

- Planting soil shall have a long term minimum percolation rate of 5 inches per hour (initial infiltration rate may exceed this to allow for tendency of infiltration rate to reduce over time.) Soil guidance is provided in Appendix K. Check with municipality for any additional requirements.

C.3 STORMWATER TECHNICAL GUIDANCE

- Bioretention areas shall have a minimum planting soil depth of 18 inches.
- Provide 3-inch layer of mulch in areas between plantings.
- An underdrain system is generally required. Depending on the infiltration rate of in situ soils, the local jurisdiction may allow installation without an underdrain on a case-by-case basis.
- Consideration of groundwater level and placement of the underdrain:
 1. If there is less than a 5 foot separation between the bottom of the facility and the seasonal high groundwater level, or infiltration is not allowed due to other site constraints, an impermeable liner should be placed between the drain rock and the bottom of the facility and the underdrain placed on top of that liner.
 2. If there is at least a 5-foot separation between the bottom of the facility and the seasonal high groundwater level, and geotechnical conditions allow infiltration, the facility should be unlined and the underdrain should be raised at least 6 inches above the bottom of the drain rock to allow storage and infiltration of treated water.

SOIL AND DRAINAGE CONSIDERATIONS FOR ALL BIOTREATMENT SYSTEMS

- Filter fabric shall not be used in or around underdrain trench.
- The underdrain shall include a perforated pipe with cleanouts and connection to a storm drain or discharge point. Clean-out shall consist of a vertical, rigid, non-perforated PVC pipe, with a minimum diameter of 4 inches and a watertight cap fit flush with the ground, or as required by municipality.
- Underdrain trench shall include a 12-inch thick layer of Caltrans Standard Section 68-1.025 permeable material Class 2, or similar municipality-approved material. A minimum 4-inch diameter perforated pipe shall be placed within the backfill layer. To help prevent clogging, two rows of perforation may be used. There shall be adequate fall from the underdrain to the storm drain or discharge point.
- Beginning December 1, 2011, soils in the area of inundation within the facility shall meet biotreatment soil specifications approved by the Regional Water Board (Appendix K), which supersede other soil specifications. The minimum percolation rate for the biotreatment soil is 5 inches per hour. The long-term desired maximum infiltration rate is 10 inches per hour, although initial infiltration rate may exceed this to allow for tendency of infiltration rate to reduce over time.

CONSTRUCTION REQUIREMENTS FOR ALL BIOTREATMENT SYSTEMS

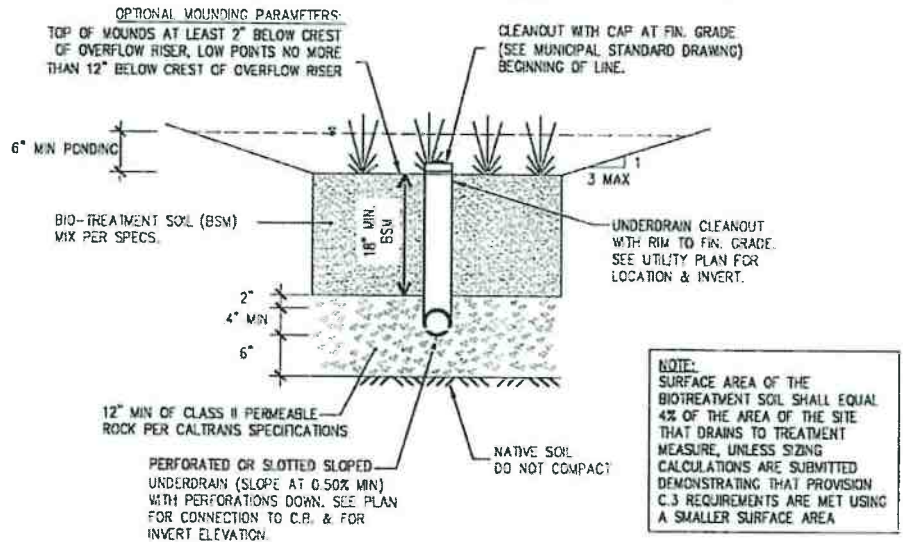
- When excavating, avoid spreading fines of the soils on bottom and side slopes. Remove any smeared soiled surfaces and provide a natural soil interface into which water may percolate.
- Minimize compaction of existing soils. Protect from construction traffic.
- Protect the area from construction site runoff. Runoff from unstabilized areas shall be diverted away from biotreatment facility.

MAINTENANCE CONSIDERATIONS FOR ALL TREATMENT MEASURES

- A Maintenance Agreement shall be provided.

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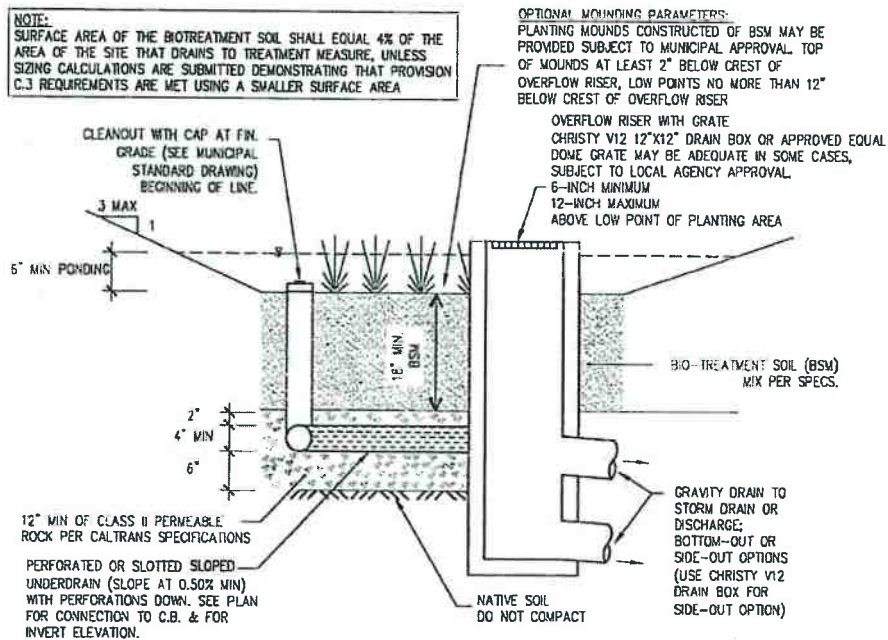
- Maintenance Agreement shall state parties' responsibility for maintenance and upkeep.
- Prepare a maintenance plan and submit with Maintenance Agreement. Maintenance plan templates are in Appendix



G.

NOT TO SCALE
SEE FIGURE 6-3 FOR TYPICAL OVERFLOW

Figure 6-2: Cross Section, Bioretention Area



NOT TO SCALE

Figure 6-3: Cross Section, Bioretention Area (side view)

C.3 STORMWATER TECHNICAL GUIDANCE

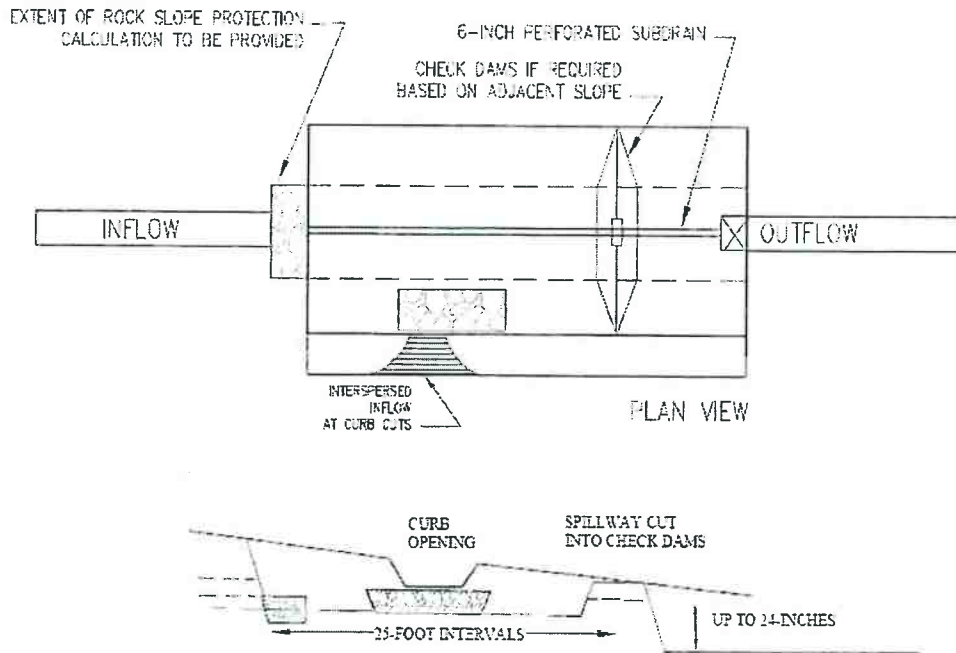


Figure 6-4: Check dam (plan view and profile) for installing a series of linear bioretention cells in sloped area

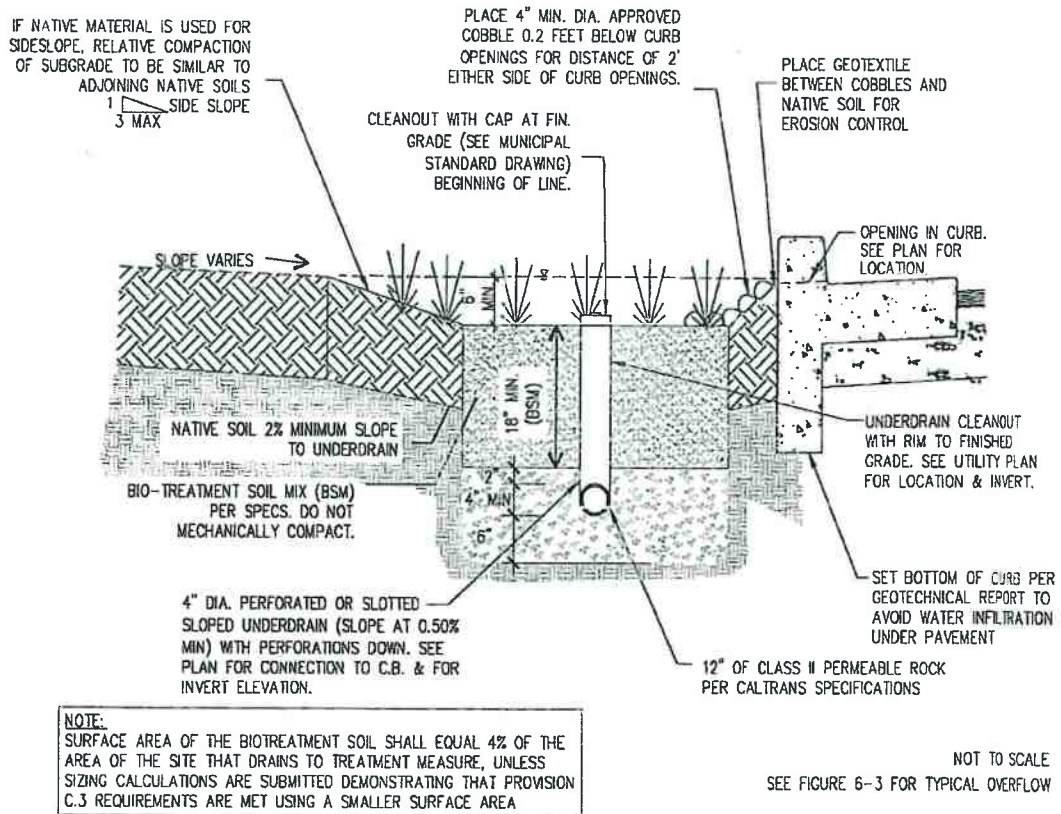


Figure 6-5: Cross section of bioretention area showing inlet from pavement.

SAN MATEO COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM

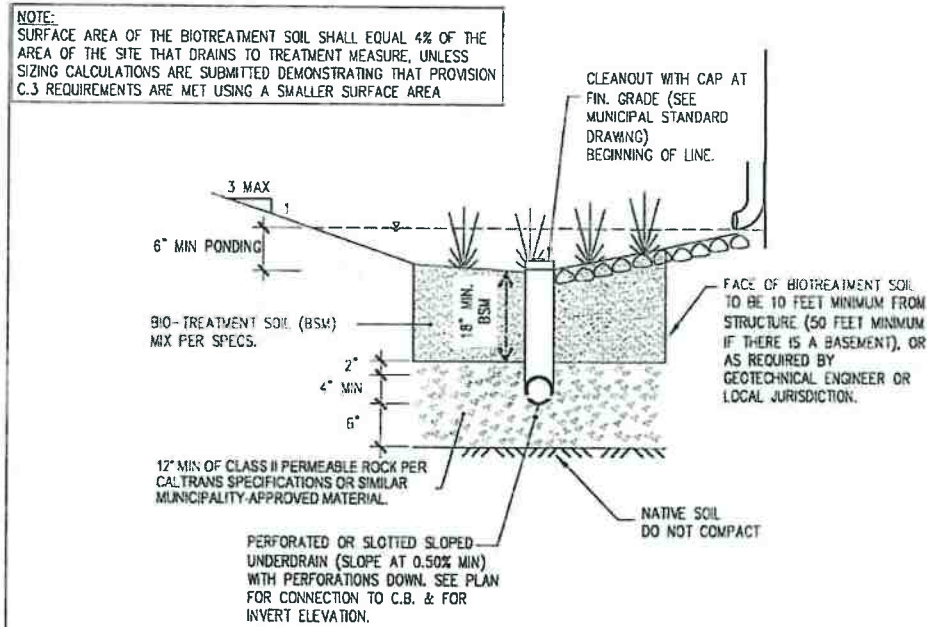


Figure 6-6: Bioretention area in landscaping to treat runoff from rainwater leaders (Not to Scale)

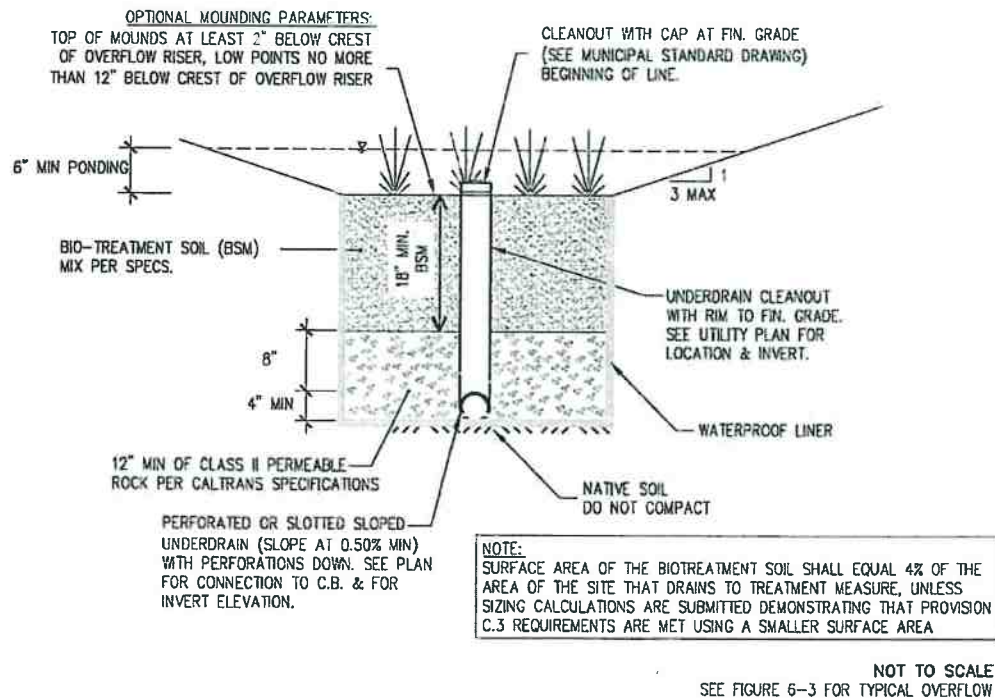


Figure 6-7: Cross section of lined bioretention area, for locations where infiltration is precluded.

6.2 Flow-Through Planter

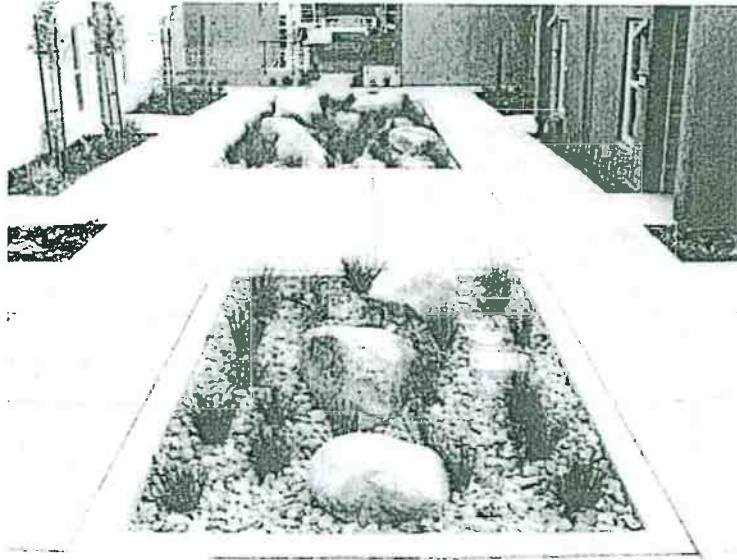


Figure 6-8: At-grade flow-through planter. Source: City of Emeryville

Best uses

- Treating roof runoff
- Next to buildings
- Dense urban areas
- Locations where infiltration is not desired

Advantages

- Can be adjacent to structures
- Multi-use
- Versatile
- May be any shape
- Low maintenance

Limitations

- Requires sufficient head
- Careful selection of plants
- Requires level installation
- Susceptible to clogging

Flow-through planters are designed to treat and detain runoff without allowing seepage into the underlying soil. They can be used next to buildings and other locations where soil moisture is a potential concern. Flow-through planters typically receive runoff via downspouts leading from the roofs of adjacent buildings. However, flow-through planters can also be set level with the ground and receive sheet flow. Pollutants are removed as the runoff passes through the soil layer and is collected in an underlying layer of gravel or drain rock. A perforated pipe underdrain must be directed to a storm drain or other discharge point. An overflow inlet conveys flows that exceed the capacity of the planter.

TREATMENT DIMENSIONS AND SIZING

- Flow-through planters may be designed with a 4% sizing factor (percentage of the surface area of planter compared to the surface area of the tributary impervious area). The area of impervious surface multiplied by 0.04 sizing factor will equal the footprint of the flow-through planter. Alternatively, calculations may be performed using either the hydraulic sizing criteria for flow-based treatment measures or the hydraulic sizing criteria for combination flow- and volume-based treatment measures, included in Section 5.1.
- Install an overflow weir adequate to meet municipal drainage requirements.
- Flow-through planters can be used adjacent to building and within set back area.
- Flow-through planters can be used above or below grade.
- Size overflow trap for building code design storm, set trap below top of planter box walls.
- Planter wall set against building should be higher to avoid overflow against building.



Figure 6-13: Above-grade planters. Source: City of Portland

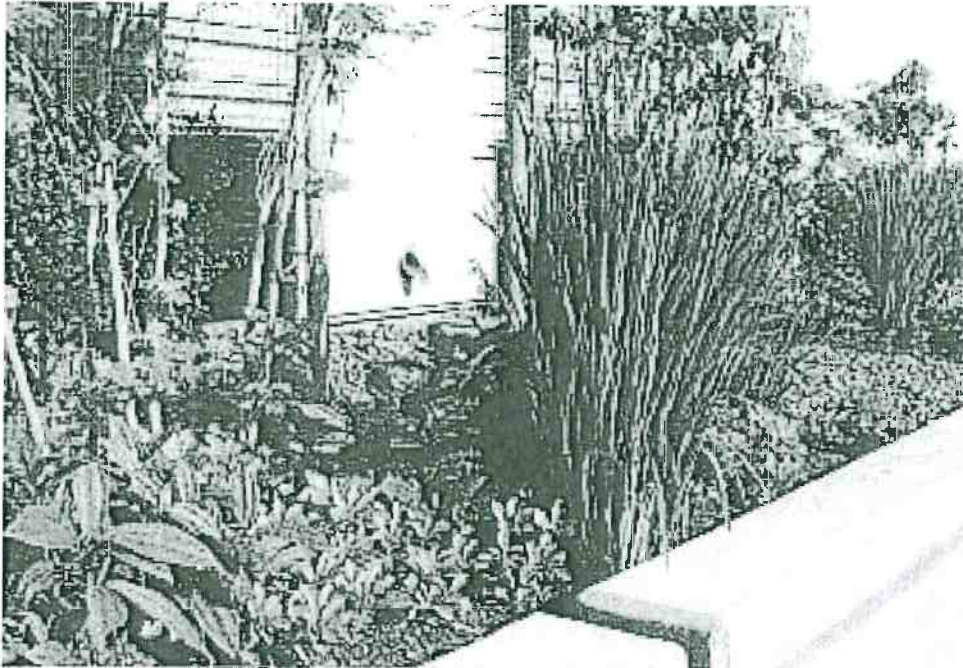
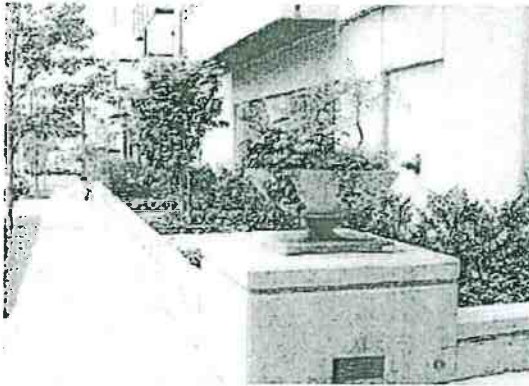


Figure 6-14: Close-up of Flow Through Planter. (Source: City of Portland)

APPENDIX 2
Maintenance Plans

Flow-Through Planter Maintenance Plan for Oddstead Way Residences

February 25, 2015



Flow-through planters are designed to treat and temporarily detain runoff without allowing seepage into the underlying soil. They typically receive runoff via downspouts leading from the roofs of adjacent buildings.

Project Address and Cross Streets:
Oddstead Way at Rockaway Beach _____

Assessor's Parcel No.:
022-056-060, 80 and 90 _____

Property Owner: Twin Peaks Construction _____

Phone No.: 415-238-9349 _____

Designated Contact: Javier Diaz-Masias _____

Phone No.: 415-238-9349 _____

Mailing Address: P.O. Box 401128 _____

The property contains one flow-through planter, located as described below and as shown in the attached site plan:

- **Flow-Through Planter No. 1** is located at the front entry of Lot 1.

I. Routine Maintenance Activities

The principal maintenance objectives are to ensure that water flows unimpeded into the flow-through planter and landscaping remains attractive in appearance. Table 1 shows the routine maintenance activities, and the frequency at which they will be conducted.

Table 1 Routine Maintenance Activities for Flow-Through Planters		
No.	Maintenance Task	Frequency of Task
1	Evaluate health of shrubs and groundcover. Remove and replace all dead and diseased vegetation. Treat vegetation using preventative and low-toxic methods.	Twice a year
2	Maintain vegetation and the irrigation system. Prune and weed to keep flow-through planter neat and orderly in appearance.	As needed
3	Check that mulch is at appropriate depth (3 inches per soil specifications) and replenish as necessary.	Monthly
4	Check that soil is at appropriate depth. Till or replace soil as necessary to maintain a minimum of 6 inches between top of mulch and overflow weir.	Before wet season and as necessary
5	Remove accumulated sediment, litter and debris from flow-through planter and dispose of properly. Confirm that no clogging will occur and that the box will drain within three to four hours.	Before wet season and as necessary
6	Inspect flow-through planter to ensure that there are no clogs. Test with garden hose to confirm that the planter will drain within three to four hours.	Monthly during the wet season, and as needed after storm events

Table 1 Routine Maintenance Activities for Flow-Through Planters		
7	Inspect downspouts from rooftops to ensure flow to planter box is unimpeded. Remove debris and repair damaged pipes. Check splash blocks or rocks and repair, replace and replenish as necessary.	Monthly during the wet season, and as needed after storm events
8	Inspect overflow pipe to ensure that it will safely convey excess flows. Repair or replace any damaged or disconnected piping.	Before the wet season, and as necessary
9	Inspect flow-through planter to ensure that box is structurally sound (no cracks or leaks). Repair as necessary.	Annually
10	Inspect flow-through planter using the attached inspection checklist.	Monthly, or after large storm events, and after removal of accumulated debris or material

II. Prohibitions

The use of pesticides and quick release fertilizers shall be minimized, and the principles of integrated pest management (IPM) followed:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Limit fertilizer use unless soil testing indicates a deficiency. Slow-release or organic fertilizer is preferable. Check with municipality for specific requirements.
5. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and the least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a prescheduled basis.
6. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
7. Do not over apply pesticide. Spray only where the infestation exists. Follow the manufacturer's instructions for mixing and applying materials.
8. Only licensed, trained pesticide applicators shall apply pesticides.
9. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
10. Unwanted/unused pesticides shall be disposed as hazardous waste.

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation. Should any mosquito issues arise, contact the San Mateo County Mosquito Abatement District (SMCMAD), as needed for assistance. Mosquito larvicides shall be applied only when absolutely necessary, as indicated by the SMCMAD, and then only by a licensed professional or contractor. Contact information for SMCMAD is provided below.

III. Mosquito Abatement Contact Information

San Mateo County Mosquito Abatement District
 1351 Rollins Road
 Burlingame, CA 94010
 PH: (650) 344-8592
 FAX: (650) 344-3843
 Email: info@smcmad.org

Flow-Through Planter Maintenance Plan
Property Address: _____

Date of Inspection: _____
Treatment Measure No.: _____

IV. Inspections

The attached Flow-Through Planter Inspection and Maintenance Checklist shall be used to conduct inspections monthly (or as needed), identify needed maintenance, and record maintenance that is conducted.

Flow-Through Planter Inspection and Maintenance Checklist

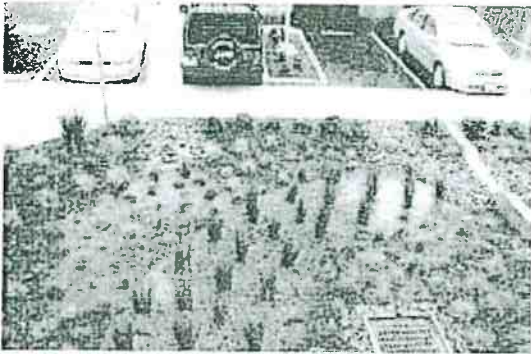
Property Address: _____ Property Owner: _____

Treatment Measure No.: _____ Date of Inspection: _____ Type of Inspection: _____ Monthly After heavy runoff Pre-Wet Season
 Inspector(s): _____ Other: _____ End of Wet Season

Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed and if needed maintenance was not conducted, note when it will be done)	Results Expected When Maintenance Is Performed
1. Vegetation	Vegetation is dead, diseased and/or overgrown.			Vegetation is healthy and attractive in appearance.
2. Soil	Soil too deep or too shallow.			Soil is at proper depth (per soil specifications) for optimum filtration and flow.
3. Mulch	Mulch is missing or patchy in appearance. Areas of bare earth are exposed, or mulch layer is less than 3 inches in depth.			All bare earth is covered, except mulch is kept 6 inches away from trunks of trees and shrubs. Mulch is even in appearance, at a depth of 3 inches.
4. Sediment, Trash and Debris Accumulation	Sediment, trash and debris accumulated in the flow-through planter. Planter does not drain as specified.			Sediment, trash and debris removed from flow-through planter and disposed of properly. Planter drains within 3-4 hours.
5. Clogs	Soil too deep or too shallow. Sediment, trash and debris accumulated in the flow-through planter. Planter does not drain within five days after rainfall.			Planter drains per design specifications.
6. Downspouts and Sheet Flow	Flow to planter is impeded. Downspouts are clogged or pipes are damaged. Splash blocks and rocks in need of repair, replacement or replenishment.			Downspouts and sheet flow is conveyed efficiently to the planter.
7. Overflow Pipe	Does not safely convey excess flows. Piping damaged or disconnected.			Overflow pipe conveys excess flow to storm drain efficiently.
8. Structural Soundness	Planter is cracked, leaking or falling apart.			Cracks and leaks are repaired and planter is structurally sound.
9. Miscellaneous	Any condition not covered above that needs attention in order for the flow-through planter to function as designed.			Meet the design specifications.

Bioretention Area¹ Maintenance Plan for Oddstad Way Residences

February 25, 2015



Bioretention areas function as soil and plant-based filtration devices that remove pollutants through a variety of physical, biological, and chemical treatment processes. These facilities normally consist of a grass buffer strip, sand bed, ponding area, organic layer or mulch layer, planting soil, and plants.

Project Address and Cross Streets:
Oddstad Way at Rockaway Beach _____

Assessor's Parcel No.:
022-056-060. 80 and 90

Property Owner: Twin Peaks Construction _____

Phone No.: 415-238-9349 _____

Designated Contact: Javier Diaz-Masias _____

Phone No.: 415-238-9349 _____

Mailing Address: P.O. Box 401128, San
Francisco, CA 94140 _____

The property contains one bioretention area(s), located as described below and as shown in the attached site plan².

- **Bioretention Area No. 1** is located north of Oddstad Road approaching the new homes.

I. Routine Maintenance Activities

The principal maintenance objective is to prevent sediment buildup and clogging, which reduces pollutant removal efficiency and may lead to bioretention area failure. Routine maintenance activities, and the frequency at which they will be conducted, are shown in Table 1.

Table 1 Routine Maintenance Activities for Bioretention Areas		
No.	Maintenance Task	Frequency of Task
1	Remove obstructions, debris and trash from bioretention area and dispose of properly.	Monthly, or as needed after storm events
2	Inspect bioretention area to ensure that it drains between storms and within five days after rainfall.	Monthly, or as needed after storm events
3	Inspect inlets for channels, soil exposure or other evidence of erosion. Clear obstructions and remove sediment.	Monthly, or as needed after storm events
4	Remove and replace all dead and diseased vegetation.	Twice a year
5	Maintain vegetation and the irrigation system. Prune and weed to keep bioretention area neat and orderly in appearance.	Before wet season begins, or as needed
6	Check that mulch is at appropriate depth (3 inches per soil specifications) and replenish as necessary before wet season begins.	Monthly

¹ Bioretention areas include linear treatment measures designed to filter water through biotreatment soils. A bioretention area that has no waterproof liner beneath it and has a raised underdrain in the underlying rock layer to promote infiltration, as shown in Section 6.1 of the C.3 Technical Guidance, may also be called a "bioinfiltration area".

² Attached site plan must match the site plan exhibit to Maintenance Agreement.

Table 1 Routine Maintenance Activities for Bioretention Areas		
7	Inspect bioretention area using the attached inspection checklist.	Monthly, or after large storm events, and after removal of accumulated debris or material

II. Prohibitions

The use of pesticides and quick release fertilizers shall be minimized, and the principles of integrated pest management (IPM) followed:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Limit fertilizer use unless soil testing indicates a deficiency. Slow-release or organic fertilizer is preferable. Check with municipality for specific requirements.
5. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and the least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a prescheduled basis.
6. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
7. Do not over apply pesticide. Spray only where the infestation exists. Follow the manufacturer's instructions for mixing and applying materials.
8. Only licensed, trained pesticide applicators shall apply pesticides.
9. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
10. Unwanted/unused pesticides shall be disposed as hazardous waste.

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation. Should any mosquito issues arise, contact the San Mateo County Mosquito Abatement District (SMCMAD), as needed for assistance. Mosquito larvicides shall be applied only when absolutely necessary, as indicated by the SMCMAD, and then only by a licensed professional or contractor. Contact information for SMCMAD is provided below.

III. Mosquito Abatement Contact Information

San Mateo County Mosquito Abatement District
1351 Rollins Road
Burlingame, CA 94010
PH: (650) 344-8592
FAX: (650) 344-3843
Email: info@smcmad.org

IV. Inspections

The attached Bioretention Area Inspection and Maintenance Checklist shall be used to conduct inspections monthly (or as needed), identify needed maintenance, and record maintenance that is conducted.

SAN MATEO COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM

- Elevation of the surface area may vary as needed to distribute stormwater flows throughout the surface area.
- Minimum 2 and up to 12 inches of water surface storage between the planting surface and crest of overflow weir.

VEGETATION

- Plantings should be selected for viability in a well-drained soil. See planting guidance in Appendix A.
- Use integrated pest management (IPM) principles in the landscape design to help avoid or minimize any use of synthetic pesticides and quick-release fertilizer. Check with the local jurisdiction for any local policies regarding the use of pesticides and fertilizers.
- Irrigation shall be provided, as needed, to maintain plant life.
- Trees and vegetation do not block inflow, create traffic or safety issues, or obstruct utilities.

INLETS TO TREATMENT MEASURE

Flow may enter the treatment measure (see example drawings in Section 5.13):

- As overland flow from landscaping (no special requirements)
- As overland flow from pavement (cutoff wall required)
- Through a curb opening (minimum 18 inches)
- Through a curb drain
- With drop structure through a stepped manhole (refer to Figure 5-3 in Chapter 5)
- Through a bubble-up manhole or storm drain emitter
- Through roof leader or other conveyance from building roof
- Where flows enter the biotreatment measure, allow a change in elevation of 4 to 6 inches between the paved surface and biotreatment soil elevation, so that vegetation or mulch build-up does not obstruct flow.
- Splash blocks, cobbles or rocks shall be installed to dissipate flow energy where runoff enters the treatment measure.
- For long linear planters, space inlets to planter at 10-foot intervals or install flow spreader.

SOIL AND DRAINAGE CONSIDERATIONS SPECIFIC TO FLOW THROUGH PLANTERS

- Waterproofing shall be installed as required to protect adjacent building foundations.
- An underdrain system is required for flow through planters.
- The biotreatment soil shall have long term minimum percolation rate of 5 inches per hour (although the initial infiltration rate may exceed this to allow for a tendency of the infiltration rate to reduce over time.) Soil specifications are provided in Appendix K. Check with municipality for additional requirements.
- The biotreatment soil shall be at least 18 inches deep.

C.3 STORMWATER TECHNICAL GUIDANCE

- Provide 3-inch layer of mulch in areas between plantings.
- To avoid excess hydraulic pressure on subsurface treatment system structures:
 1. The depth to seasonal high groundwater level should be at least 5 feet from the bottom of the structure.
 2. A geotechnical engineer should be consulted for situations where the bottom of the structure is less than 5 feet from the seasonal high groundwater level.

SOIL AND DRAINAGE CONSIDERATIONS FOR ALL BIOTREATMENT SYSTEMS

- Beginning December 1, 2011, soils in the area of inundation within the facility shall meet biotreatment soil specifications approved by the Regional Water Board (Appendix K), which supersedes other soil specifications. The minimum long term percolation rate for the biotreatment soil is 5 inches per hour although initial infiltration rate may exceed this to allow for tendency of infiltration rate to reduce over time.
- Filter fabric shall not be used in or around underdrain trench.
- The underdrain shall include a perforated pipe with cleanouts and connection to a storm drain or discharge point. Clean-out shall consist of a vertical, rigid, non-perforated PVC pipe, with a minimum diameter of 4 inches and a watertight cap fit flush with the ground.
- The underdrain trench shall include a 12-inch thick layer of Caltrans Standard Section 68-1.025 permeable material Class 2, or similar municipality-approved material. A minimum 4-inch diameter perforated pipe shall be placed within the backfill layer. To help prevent clogging, two rows of perforation may be used.
- There shall be adequate fall from the underdrain to the storm drain or discharge point.

CONSTRUCTION REQUIREMENTS FOR ALL BIOTREATMENT SYSTEMS

- When excavating, avoid spreading fines of the soils on bottom and side slopes. Remove any smeared soiled surfaces and provide a natural soil interface into which water may percolate.
- Minimize compaction of existing soils. Protect from construction traffic.
- Protect the area from construction site runoff. Runoff from unstabilized areas shall be diverted away from biotreatment facility.

MAINTENANCE CONSIDERATIONS FOR ALL TREATMENT MEASURES

- A Maintenance Agreement shall be provided.
- Maintenance Agreement shall state the parties' responsibility for maintenance and upkeep.
- Prepare a maintenance plan and submit with Maintenance Agreement. Maintenance plan templates are in Appendix G.

SAN MATEO COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM

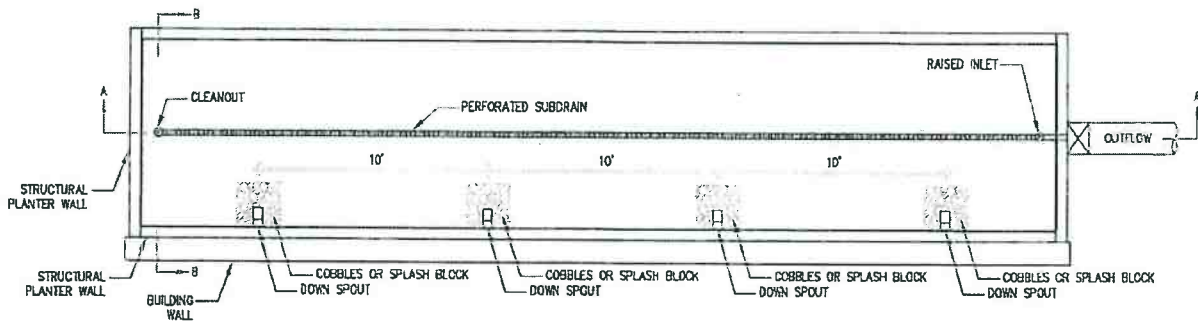


Figure 6-9: Plan view of long, linear planter, with inlets to the planter distributed along its length at 10' intervals.

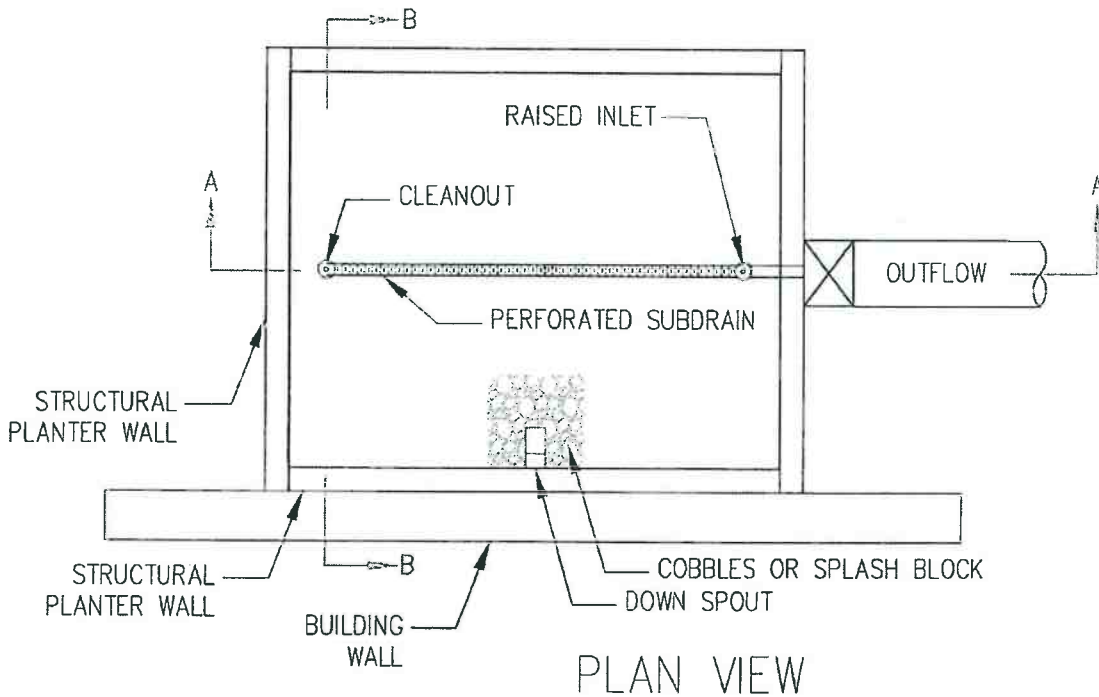


Figure 6-10: Plan view of planter designed to disperse flows adequately with only one inlet to planter

C.3 STORMWATER TECHNICAL GUIDANCE

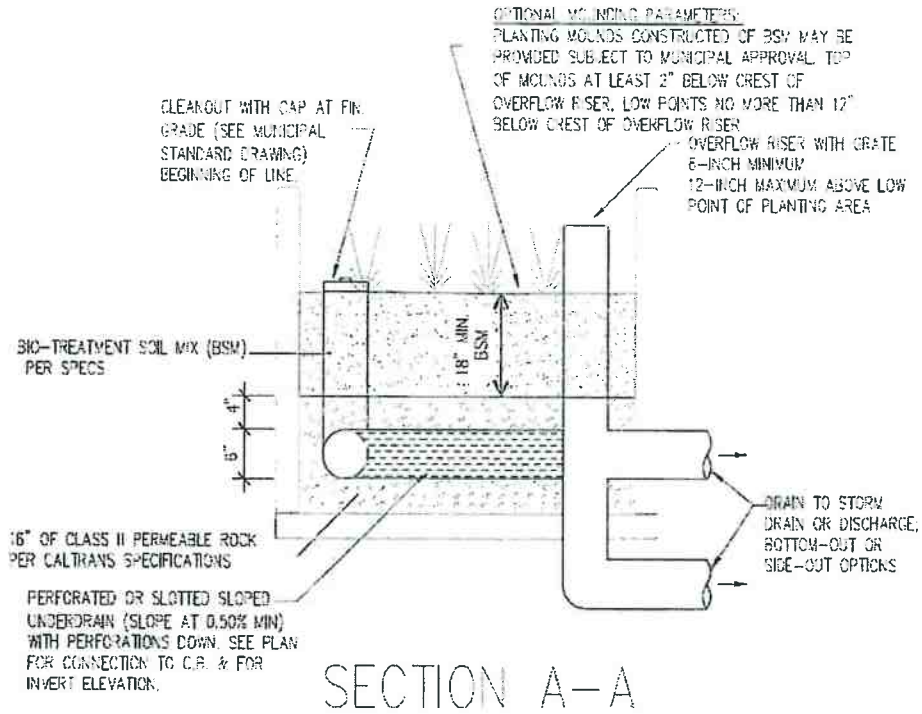


Figure 6-11: Cross section A-A of flow-through planter, shows side view of underdrain (Not to Scale)

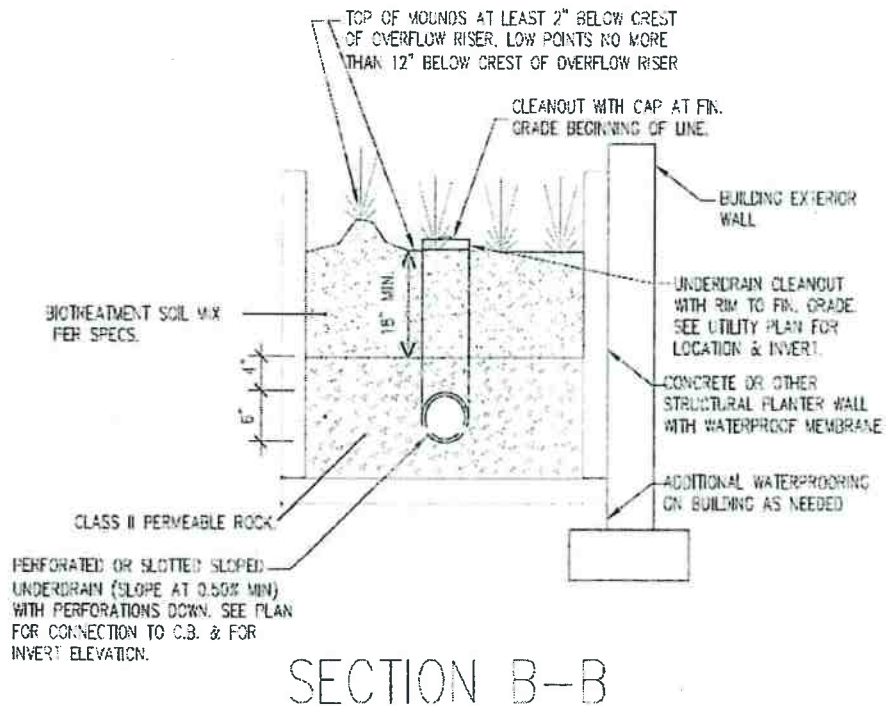


Figure 6-12: Cross section B-B of flow-through planter, shows cross section of underdrain

Bioretention Area Inspection and Maintenance Checklist

Property Address: _____ Property Owner: _____
 Treatment Measure No.: _____ Date of Inspection: _____ Type of Inspection: Monthly Pre-Wet Season
 After heavy runoff End of Wet Season
 Inspector(s): _____ Other: _____

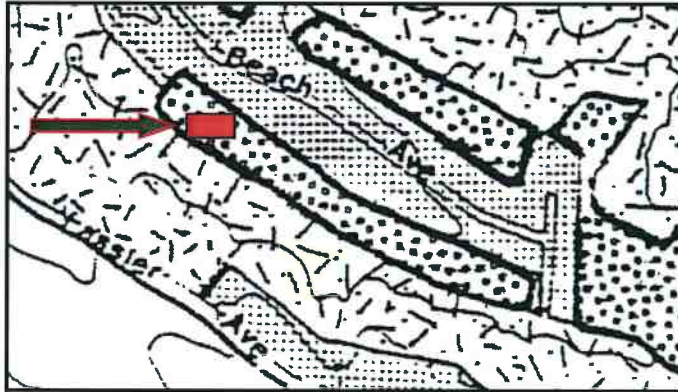
Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed and if needed maintenance was not conducted, note when it will be done)	Results Expected When Maintenance Is Performed
1. Standing Water	When water stands in the bioretention area between storms and does not drain within five days after rainfall.			There should be no areas of standing water once inflow has ceased. Any of the following may apply: sediment or trash blockages removed, improved grade from head to foot of bioretention area, or added underdrains.
2. Trash and Debris Accumulation	Trash and debris accumulated in the bioretention area.			Trash and debris removed from bioretention area and disposed of properly.
3. Sediment	Evidence of sedimentation in bioretention area.			Material removed so that there is no clogging or blockage. Material is disposed of properly.
4. Erosion	Channels have formed around inlets, there are areas of bare soil, and/or other evidence of erosion.			Obstructions and sediment removed so that water flows freely and disperses over a wide area. Obstructions and sediment are disposed of properly.
5. Vegetation	Vegetation is dead, diseased and/or overgrown.			Vegetation is healthy and attractive in appearance.
6. Mulch	Mulch is missing or patchy in appearance. Areas of bare earth are exposed, or mulch layer is less than 3 inches in depth.			All bare earth is covered, except mulch is kept 6 inches away from trunks of trees and shrubs. Mulch is even in appearance, at a depth of 3 inches.
7. Miscellaneous	Any condition not covered above that needs attention in order for the bioretention area to function as designed.			Meet the design specifications.

Zoning & Land Use Exhibit

City of Pacifica
Planning Development Department

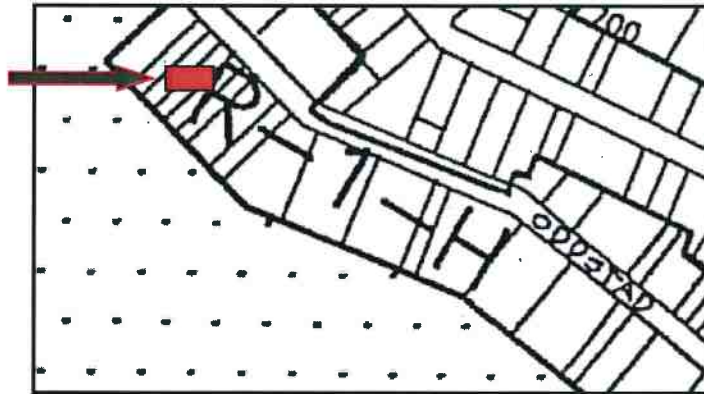
General Plan Diagram

Neighborhood: Rockaway Valley Neighborhood
Land Use Designation: Very Low Density Residential



Zoning Map Diagram

Existing Zoning District: R-1-H (Single Family Residential/Hillside District)



North Arrow



Maps Not to Scale

To: City of Pacifica Planning Dept., Commission, & Council	From: Javier Diaz-Masias P.O. Box 401128 San Francisco, CA 9401128
---	--

Date: 12/14/2015

RECEIVED

DEC 14 2015

City of Pacifica

Dear City of Pacifica Planning Dept, Commission, & Council,

I, Javier Diaz-Masias, owner of APNs 022-056-060, 022-056-080, & 022-056-090, under recommendation of the Pacifica Planning Department Director and the Pacifica City Attorney, respectfully request your approval and swift action for a General Plan amendment as part of my application for 50 & 60 Oddstad Way in the Rockaway neighborhood of Pacifica, CA ***[Two new 3400 sq. ft. dwellings, each on 7500 sq. ft. lots & a 400 ft. road| R-1-H zoning]***. Specifically, I am requesting for the General Plan Land Use Map to be amended as follows:

- Reclassify the aforementioned APNs from “**Very Low Density Residential**” to “**Low Density Residential**” within the General Plan Land Use Map.

The current Pacifica Zoning Ordinance is not consistent with the Very Low Density Residential Classification indicated within the General Plan. Consistency is required per the California State General Plan Consistency Doctrine of 1971. Zoning currently allows for a minimum building site area of **5,000 sq. ft.** for R-1-H zones. However, the General Plan requires a **21,780 sq. ft.** minimum building site for one residential dwelling. This applies to lots that were classified as *Very Low Density Residential* on the land use map, such as mine. ***[Important Note: The 1980 General Plan explicitly states that the Land Use Map within it was not detailed or specific (yet my application is stalled due to a specific location on the map). It further explicitly states that the intent was to show the predominant use for an area. The Map illustrated the thrust of development that was expected within the City up until the year 2000. As such, my amendment request will not change the predominant intended use for the area as my application applies to only 2 homes in relation to the entire scope of potential development on Oddstad Way]***

Prior to purchasing the lots, I sat down with Mr. Lee Diaz, interim Pacifica Planning Director, and he assured me that the lots met the requirements for residential building of two homes. We reviewed the zoning requirements, but there was never any mention of the Very Low Density classification or any concerns related to it. He estimated that I could be building my homes within 3-6 months, excluding issues with reports/assessments or required revisions, etc. As a result, I bought the lots and began working on the items for my application. ***My application was accepted by the city Planning Dept. per the current 5,000 sq. ft. R-1-H Zoning standards.*** I have spent almost 2 years to satisfy all other requirements under this premise. After 5 revisions, I finally received the letter of Application Determined Complete by the City Planning Department on May 14th, 2015. Since that time, due to unanticipated neighborhood controversy, my application suddenly stalled due to the inconsistency finding.

The inconsistency has been acknowledged as a long-standing error by the City of Pacifica. After the adoption of the 1980 General Plan, new zoning to reflect the "Very Low Density Residential" classification was never developed nor implemented by the city. As a result of this shortcoming, there have been numerous homes approved and built in Pacifica since 1980 with the same inconsistencies (See Table 1 for examples of homes I've identified in the Rockaway area). Unfortunately, I am now the first applicant who has been impacted by this 35-year shortcoming. Please understand that if Mr. Lee Diaz had indicated to me there was any possibility that the lots did not meet the fundamental requirements of the city of Pacifica, ***I would never have bought the lots.*** However, instead I was informed that the lots met the fundamental requirements and subsequently the city Planning Department accepted my application and allowed me to proceed up until receiving the Letter of Application Determined Complete.

I am now fully invested in my application, both financially as well as emotionally. Lot 1 has always been planned to be my family's forever home. This inconsistency issue is now causing a hardship for my application both in terms of time and expense. I have spent 2 years working on this application, following every requirement as guided by the city planning department, obtained the letter of application determined complete from the planning department, and yet have ***not*** been able to proceed as normal.

Below is a summary of my investment items to date for ***2 homes & a 400ft road:***

- Land Costs
- Initial City Application Fees
- On-going City Application Fees
- Architectural Fees & Engineering Structural Drawing Fees (including costs associated to 5 revisions)
 - Engineering Services
 - Project Management Fees
- Civil Engineer Drawing Fees (including costs associated to 5 revisions, road, fire truck turnaround, etc.)
 - Road design
 - Grading and drainage plan
 - Road topographic survey
 - Sewer line extension plan
 - Engineer for design of sewer line extension
 - Principal Engineer fees
 - Design Engineer fees
- Survey Fees
- Topographic Fees (including lots and road)
 - Boundary and topographic survey
 - Field topography
 - Field Control
 - Mathematical closure of field control and parcel boundary
 - Record of Survey for Lots
 - Setting of property corners with iron pipe movements
 - Drafting of a record of survey map

- Biological Assessment Fees (including CEQA Exemption Notice Addendum)
 - Scientist Fees
 - Senior Technician Fees
 - Technician fees
 - Project Management fees
- GeoTechnical Assessment Fees
 - Engineering Geologist
 - Reconnaissance and geologic study Fees
 - Geologic and Geotechnical investigation report
 - Laboratory testing, engineering analysis
 - Drilling for geotechnical investigation
- Earth Engineering Assessment Fees
- Storm Water Control Plan Fees
 - Storm Water Design
 - Storm Water Management Plan
 - Landscape Architect
 - Landscape Designer
- Arborist Fees (Includes second survey due to neighborhood concerns)
- City Attorney Fees (due to Inconsistency Finding)
- Legal Fees (due to Inconsistency Finding)
- General Plan Amendment Fees
- Meeting Fees
- Time

I have expressed to the Planning Director that I am seeking an amendment that would apply ***only to my specific lots***, and not to any subsequent lots within the area. This intent has been acknowledged. I feel strongly that I should not be paying to fix the errors of the city for the benefit of ***all*** landowners who would be in a similar situation. It would be unjust for me to have to pay both financially as well as with the added time that an endeavor like that would take. Additionally, since I've already spent almost 2 years on my application, waiting for an additional unknown number of years for the city to propose, approve, and implement completely new standards is not an option I favor or accept. As my application was already accepted and in-progress, it is neither appropriate nor honorable to suddenly require an applicant to wait for completely new fundamental standards to be created and then apply them midstream to an existing application. This is why I am seeking a general plan amendment that would apply to my lots only, given the circumstance.

Because the inconsistency is related with density, I reached out in an effort to compromise with the opposing neighborhood. Please note that a few leaders of the neighborhood steering committee initially and openly revealed themselves to be contentious and exceptionally anti-development. They have also openly used slanderous methods to gather opposition. Despite this fact, I was able to collect 9 signatures of support for my application as-is and 1 signature of support for a compromise. It is my understanding that the neighborhood steering committee is not willing to support any compromise primarily due to the implications it would have on subsequent development proposals in the area with the same General Plan land use classification. Currently, it is my understanding that my application is the

only one in-progress in direct area. It is also my impression that the city Planning Department of Pacifica will place greater scrutiny, going forward, on these types of applications now that this long-standing inconsistency has been uncovered. This should appease neighborhood concerns in regards to the potential of similar applications being accepted by the planning department in the future. As well, this would protect future applicants from the hardship that I am now facing.

Additionally to help ease the voiced concerns of the neighborhood, I would recommend that my request should also be approved with the stipulation that my application was **in progress** and **accepted** by the City Planning Department prior to any city-wide endeavors to change zoning standards or any major General Plan amendments regarding this long-standing inconsistency. This stipulation would prevent future similar applicants from the ability to pursue the same type of amendment that I am requesting. I believe this would be a mutually beneficial course of action for both the concerned neighbors and myself.

Your approval of my proposed amendment would also allow my application to proceed while the city can separately work to comprehensively remediate the long-standing inconsistency and develop new Very Low Density Residential/R-1-H standards for any future development in Pacifica.

My requested General Plan Amendment will:

1. Bring alignment and consistency between the General Plan and the Zoning Ordinance for my application. An amendment to a Low Density Residential classification would allow my application to proceed by applying a minimum required building site area of 4840 sq. ft. for my 7500 sq. ft. lots.
2. For my application, it will also bring the General Plan up to date with the acceptable standards of the city for over **30 years**. As historical precedent, please refer to the table and maps below that provide 30-year historical evidence of neighboring homes that were approved and built under the same inconsistencies. ***It is of special importance to note, that for the vast majority on the list, the density classifications on the map are also being amended/re-classified as "Low Density Residential" under the General Plan Update Project. I request the same actions to be applied to my lots.***

Table 1. Examples of neighboring homes that were inconsistent with the 1980 General Plan

Address	Lot Size	House Size	Lot Coverage	Year Built	Density (Per 1980 General Plan)	Density (per General Plan Update Project)
7 Spring	12,632	2510	20%	1992	Very Low Density Residential	Very Low Density Residential
200 Trogia	20,037	2560	13%	1993	Very Low Density Residential	Very Low Density Residential
400 Copeland	3930	1830	47%	1986	Very Low Density Residential	Low Density Residential
408 Copeland	3049	2560	84%	2004	Very Low Density Residential	Low Density Residential
432 Copeland	3000	1360	45%	1991	Very Low Density Residential	Low Density Residential
460 Copeland	3000	1430	48%	1991	Very Low Density Residential	Low Density Residential
472 Copeland	2999	1390	46%	1991	Very Low Density Residential	Low Density Residential
480 Copeland	2,999	1,663	55%	1990	Very Low Density Residential	Low Density Residential
494 Copeland	7500	2380	32%	1989	Very Low Density Residential	Low Density Residential
498 Copeland	7500	2380	32%	1996	Open Space Residential	Low Density Residential
520 Rockaway	2500	1340	54%	1990	Open Space Residential	Low Density Residential
743 Rockaway	10,440	1953	19%	2008	Very Low Density Residential	Low Density Residential
749 Rockaway	12632	2320	18%	1992	Very Low Density Residential	Low Density Residential
904 Pillar Place	15681	2970	19%	1992	Very Low Density Residential	N/A
907 Pillar Place	5225	3270	63%	1995	Very Low Density Residential	Low Density Residential

Average % Lot

Coverage:

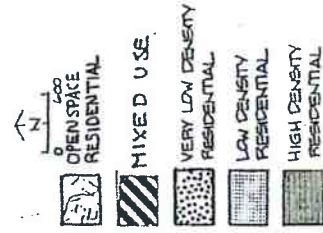
40%

My application is closely aligned with the averages of the data above. The average Lot Coverage is 40% and the average Lot Size Inconsistency to the General Plan (Very Low Density Requirement) is 14,238 sq/ft. Therefore according to this data, my application is neither unusual nor extravagant per the historical standards of the city of Pacifica

Density Comparison 1980 General Plan Land Use Map vs. current General Plan Draft

Note: Locations of lots indicated on the maps are approximate, due to map quality (not intended to be detailed or specific)

1980 General Plan



Current General Plan Update Project

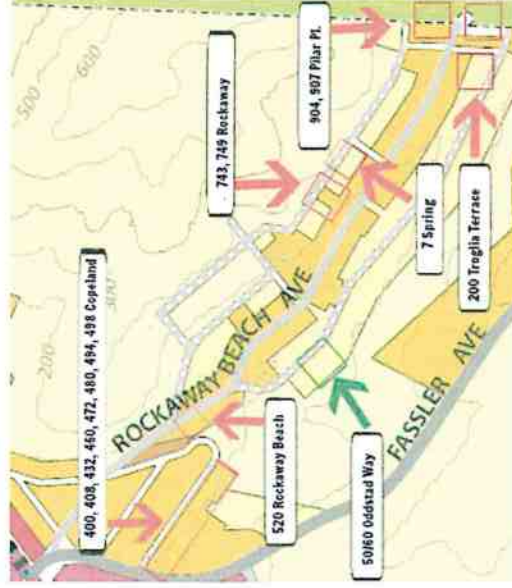


Figure 4-3: Land Use Diagram



The city Planning Department has acknowledged the zoning inconsistency with the General Plan, and has expressed the intent to take actions to allow for general consistency. My application, although already determined complete, has stalled for 7 months while the Planning Department and City Attorney have researched and evaluated the inconsistency to determine next steps. Now that next steps have been recommended and in the interest of expediency of my stalled application, I am requesting that the General Plan be amended as part of my application to allow for continuation in a timely manner and to update/align Pacifica's outdated Land Use documentation to the current and historical acceptable standards, ***as it relates to my lots.***

Best Regards,



12-14-2015

Javier Diaz-Masias

May 27, 2015

To: Planning Commission, Pacifica, CA

Re: Request for approval of development for two single family dwellings on Oddstad Way - APN 022-056-060, 080, 090

My family and I make a respectful request that the tremendous effort of Javier Diaz-Masias to develop two single family dwelling and the extension of Oddstad Way be approved by the Planning Commission. Javier is a man possessing integrity and ethics and capable of taking on this large task, and getting the work done following the rules and guidelines of the city building code.

Javier's interest parallels mine in that his family has a personal connection to Pacifica. Mrs Diaz-Masias was raised in Pacifica. As for me, my Father's family has held the ownership of two lots on Oddstad Way since the 1800's. It has been my dream for many years to build a family home on the lots but only until now, since Javier's desire to build, has it become feasible for us to do so. Javier is leading the way for my present family to design and build our own home there. He is a man with vision, expertise, resources and the initiative to accomplish a project of this magnitude. From the standpoint of money this effort will run in the millions for street and home construction. From an overall standpoint I intend to offer my support.

I am aware that past attempts to move forward with development of this property have failed. Reasoning of the developer and or the City is not known to me. But my family and I are excited to know that Javier is seriously pursuing this project. Otherwise there would be no feasibility for us to pursue our dream of building what we want, and to do it on our own family land. This project will be one which is new and fresh in Pacifica and will add to the community tax base.

We hope that the Pacifica Planning Commission will approve Javier's endeavor.

Respectfully,



Dolores (Lori) Day
APN 022-056-030, 040

Date: 27Nov2015

Dear Rockaway Neighbor:

We'd like to provide you with an update on our application for 50 & 60 Oddstad Way. It's very clear that our application has been caught in the middle of neighborhood controversy, and this was never intended on our part.

We feel that we have been very transparent and honest, and yet unfairly shutout and penalized from opposing neighbors for things that were not of our doing nor within our control. We were absolutely not involved in any land clearing nor had anything to do with any dirt that was left on the Willett property. There was overwhelming evidence in our favor; the city agreed. We had no prior association with any of the neighboring landowners or contractors prior to purchasing our lots, just as we did not know you either. Unfortunately, our initial encounters with a few neighbors were met with instant blame and hostility. We are a family who purchased the lots first and foremost to be our forever home. We chose to build two homes because they were within our means and within the requirements set forth by the city. The opposing neighbors do not like the city requirements, and we are not interested in being forced into another controversy regarding the city's policies and enforcement for over 30 years either. This is not our battle. Our intent is simply to minimize the controversy as it relates to our application.

While we found a lot of what was written and said about us and our application to be quite careless and offensive, we are not the type of people to fall to that level in response. Instead we remain focused, considerate, and tried to find a way to a compromise despite the completely rigid and inflexible standpoint of the opposition. So, we are reaching out to you today to let you know that that we are willing to make a huge sacrifice, if it will lead to more acceptance in the neighborhood. Please bear in mind that this is completely our voluntary decision, and was neither asked for, suggested, nor required of us by the City of Pacifica.

In an effort to show consideration of neighborhood concerns and to show that we are not some "development ring coming to make a profit" as we have been accused of. We are willing to remove the second dwelling entirely from the application. We will:

- Remove the second (investment) dwelling
- Combine the two lots into one with no future of separating and building another home
- Keep the remaining home at the current size (we could technically enlarge it due to the increased lot size, but we will not)
- Include a shed and personal office near the back of the empty lot

We would really like to hear back on your support of this possible new path forward before we move forward on our current path for two homes. Please understand what a big sacrifice this is

for us. We have spent the last two years investing and spending on everything (architectural drawings, civil & engineering drawings, geo engineering reports, surveys, etc.) for 2 homes! We are committed to building a road and bringing utilities to our home on our own account. Now, we are *additionally* willing to let the investment property idea and its associated costs go, if it will appease neighborhood opposition. This is *very* huge for us and it was not an easy decision to come to. Also, in order to continue being transparent and honest, we are *not* open to any further sacrifices on our dream home such as the size. We have two kids, a teenager, and two grandparents, in addition to us (and a dog & 2 turtles) that we want to live comfortably with as the family grows. We feel that what we are offering is far more than enough, and shows our good will.

We have every right to build on our lots as they are zoned for residential building. The city of Pacifica agrees to this fundamental point. We will *not* leave our lots undeveloped as the opposition irrationally demands, and we are prepared to see this application to completion. We are in too deep to turn back and we will not concede to irrational demands. This is your opportunity to ensure that only 1 home is ever built on the two lots. However, *if we do not receive significant positive support for our willingness to compromise, then we will continue on with our original intent of 2 lots/2 homes.* The Planning Director has already provided us with the next steps for our application *as-is*, which has been vetted by the Pacifica city attorney and reviewed by our lawyer. However, the choice is yours now if you want to be supportive of our *voluntary* compromise, but in either case we feel that just showing intent for this huge sacrifice will reflect positively in our favor when presented to the commission/council.

We would appreciate any support to be provided/postmarked by December 10th. We will move forward that week with the city of Pacifica depending on the response. If you have questions, you can give us a call or email us and we would be open to meeting with you as well. We also plan to be at Sea Bowl, Rockaway Bar and Grill on Tues Dec.08 @6-7:30pm if you would like to meet. We are not confrontational people and would appreciate respectful and considerate discussions during this time.

We ask for common courtesy from the neighborhood to also consider how this whole ordeal has impacted us and our family. Please remember that your decision and response to this letter is impacting *the family* of a 30-year native from Pacifica. We want nothing more than our right to build our home on our lots, to start making memories with our kids, and enjoy the same luxuries that you do every night. We hope you will agree, due to our intended actions, that we are *a family* with good intentions, undeserving of the severity of the backlash and exclusion that we have experienced. It is our sincere hope that we will no longer be at an impasse with opposing neighbors.

Sincerely,

Javier Diaz-Masias

&

Shirley Fulqui

javier0909@aol.com

sfulqui8@yahoo.com

Please postmark by December 10, 2015.

Conditional Statement of Support

I, _____ owner of the property located at
_____ in Pacifica, CA would support the

application for 50 & 60 Oddstad Way in Rockaway contingent upon the following acceptable changes/conditions to the application:

- Removal of the dwelling on Lot 2.
- Combination of the lots: APN 022-056-060 (Lot 1) and APN 022-056-080, 090 (Lot 2) into one lot with no future of separating and building another dwelling
- Addition of a shed and personal office near the back of Lot 2
- The square footage of the dwelling on Lot 1 will not be increased.

Signature

Date

Printed Name

Telephone and/or E-mail

RECEIVED
DEC 10 2015
City of Pacifica

December 9, 2015

Javier Diaz-Masias and Shirley Fulqui
P.O. Box 401128
San Francisco, CA 94140

Also Via Email:

Javier0909@aol.com

Sfulqui8@yahoo.com

Dear Mr. Diaz-Masias and Ms. Fulqui:

Thank you for your proposal to remove the second ("investment") dwelling from your proposed project and to instead build a single family dwelling on the combined two lots, including a separate out building. As you requested, we¹ are responding by your deadline of December 10th and understand from your recent letter (attached) that if you do not receive "significant positive support" for this revised proposal, then you will proceed with the original proposal that calls for building two dwellings – one on each 7500 square-foot lot. As we understand your original proposal, each single family dwelling would be a 3-story building with approximately 3300 square feet of living space (5 bedrooms).

You state in your letter that both you and the City of Pacifica have asserted that you have the right to build on your undeveloped land. As a neighborhood association, we agree in principle. Most of us are property owners and our organization respects the property rights of land owners. We also hold in high regard, along with our elected officials and the citizens of Pacifica, our City's General Plan. A general plan allows for orderly and appropriate development for the benefit of all property owners, residents, and the larger community. Unfortunately, both your original proposal and the current revised proposal do not conform to the Pacifica General Plan which designates your property as "Very Low Density Residential". Under this designation, development is limited to one single family dwelling on a parcel with a minimum size of a ½-acre.²

We realize that the 1992 Pacifica Zoning Code/Map for the undeveloped parcels on paper streets in Rockaway Beach (east of the Coast Highway) conflicts with the 1980 Pacifica General Plan's "Very Low Density Residential" designation for the same area. We have spent a great deal of time with the Director of the Pacifica Planning Department and her staff to understand why this is the case. After the adoption of the 1980 Pacifica General Plan, new zoning to reflect the "Very Low Density Residential" designation evidently was not developed or implemented by the City. In November 1989, the Pacifica Council adopted an urgency ordinance establishing temporary development regulation for vacant lots with frontage on undeveloped streets because of concerns regarding topography, limited traffic

¹ We are the Steering Committee of the Rockaway Valley Neighborhood Association and this letter contains our comments. Please note, however, that at a neighborhood-wide meeting on 4/27/15 with over 90 Rockaway Beach residents in attendance, we received many comments expressing opposition to the proposed project and/or concern regarding potential adverse impacts to the neighborhood from the proposed project. At that meeting, no one spoke in support of the proposed project.

² With an acre having 43,560 square feet, the minimum lot size allowed under the General Plan for the subject property would be 21,780 square feet.

circulation, hillside design implications, the need for a discretionary review process, and conflict with contemplated development standards and design guidelines. Unfortunately, the urgency ordinance expired before permanent development standards could be adopted. Then in November 1991, the City Council adopted a new zoning district of R-1-H for certain hillside areas, including parts of the Rockaway Beach neighborhood.

In California, it is well established that zoning codes and maps must conform to the general plan for the applicable jurisdiction. In 1971, the California State Legislature adopted a "general plan consistency doctrine" requiring that a city's zoning must be consistent with an adopted general plan.³ According to the Governor's Office of Planning and Research (State of California):

The general plan is the basis for all local land use decisions. Zoning (except in most charter cities⁴), subdivisions, and public works projects can only be approved when they are consistent with the general plan. An action, program or project is consistent with the general plan if, considering all its aspects, it will further the goals, objectives and policies of the plan and not obstruct their attainment.⁵

The R-1-H (Single-Family Residential Hillside District) zoning which requires a minimum lot size of 5000 square feet is clearly in conflict with the 1980 Pacifica General Plan's "Very Low Density Residential" designation which requires a minimum lot size of 21,780 square feet. Therefore, the 1992 Zoning Code/Map for R-1-H does not further the goals, objectives and policies of the 1980 General Plan for very low density residential development of vacant lots on undeveloped streets in Rockaway Beach.

As a neighborhood association, we have to consider the implications of your proposed project on the future of our neighborhood, including the potential cumulative effects of not only your proposed project, but subsequent development proposals on other vacant lots with the same General Plan land use designation. **We estimate that there are over 100 undeveloped lots on paper streets in the Rockaway Beach neighborhood east of Highway 1. If each of these lots were to be developed under the R-1-H zoning, our neighborhood would be adversely affected in many ways by an inappropriate intensity of development.** For example, there is a single point of ingress/egress to the Rockaway Valley, and the subdivision map shows all undeveloped streets converging on this single access point for ingress/egress. As the residents of our neighborhood quickly found out during a mandatory evacuation of the east end of our valley in January 2014, this kind of traffic "bottleneck" can impede a safe and rapid emergency exit from the neighborhood. This is compounded further when emergency vehicles are attempting to navigate our narrow and crowded main road (Rockaway Beach Avenue) to respond to a wildfire (as occurred last January). It is obvious that this situation would be significantly exacerbated by high density development of approximately 100 vacant parcels, beginning with yours.

The potential development of hillside parcels in Rockaway Beach and other neighborhoods is of considerable concern to City officials and citizens, to the extent that the proposed draft Pacifica General Plan Update Project also includes a "Very Low Density Residential" designation for these parcels. This indicates that the City of Pacifica, with the support of its citizens, intends to continue this designation as policy.

³ Curtin's California Land Use and Planning Law, 2011 Thirty-First Edition, Cecily Talbert Barclay, pages 9-38.

⁴ The City of Pacifica is not a charter city.

⁵ California Planning Guide: Planning in California, Governor's Office of Planning and Research, Sean Walsh, Director, OPR, December 2005 Edition, page 4.

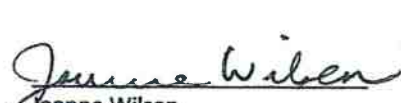
In our meeting with Pacifica Planning Director Tina Wehrmeister, she explained that the City of Pacifica cannot invalidate the economic value of existing parcels through a General Plan designation or zoning, and therefore, some type of development must be allowed. The Planning Director further stated that the City of Pacifica, however, can set reasonable standards for the development of these parcels. She also stated that she intends to pursue new development standards for undeveloped parcels on paper streets in our neighborhood, which may include limited building size (e.g., 500 to 800 square feet), so that development of pre-existing lots would be allowed. In addition, the Planning Director stated that these new standards would be written to disfavor subdivision of ½-acre or larger lots. She also said that the development of new building standards would include proper notification of property owners and a public participation process. We agree with the Planning Director's approach because it is a sensible solution that will allow less intensive development that is appropriate for hillside parcels in our neighborhood. This type of "lighter on the land" development would be more in keeping with the low density policy of the Pacifica General Plan.


Our only disagreement with the Planning Director is in accepting your site development permit application, which apparently now enables you to seek an amendment of the Pacifica General Plan to implement your proposed project. We believe that the City of Pacifica accepted your site development permit application in error because your proposal conflicts with the Pacifica General Plan. Instead, we believe the better course would have been for the Planning Department to acknowledge its error, reject your application, and recommend the adoption of an urgency ordinance to the City Council. The purpose of the urgency ordinance would be to place a moratorium on new development until reasonable zoning standards, consistent with the Pacifica General Plan, could be developed and adopted prior to consideration of any development proposal on vacant lots fronting on paper streets in the Rockaway Beach neighborhood.

Please try to understand our point of view. Many of us spent our life savings and literally mortgaged our futures to buy our homes. We did this with the expectation that our City's General Plan protected our quality of life, ensured our safety, and guaranteed orderly and reasonable development in our neighborhood. Mistakes by City officials should not invalidate the public's interest in the effective implementation of the City's General Plan.

For the reasons stated above, we cannot endorse or support your alternate proposal for a single family home on two lots or the original proposal for two single family homes on two lots. Instead, we support the Pacifica Planning Director's approach of a public process for the development of new standards consistent with the "Very Low Density Residential" designation of the Pacifica General Plan.

Sincerely,
The Rockaway Valley Neighborhood Association – Steering Committee


Joanne Wilson
671 Rockaway Beach Avenue



Chris Coppola
708 Rockaway Beach Avenue



Ahna and Tony Dominsky
840 Rockaway Beach Avenue


Tony Dominski A.


Ron Maykel
896 Rockaway Beach Avenue


Marianne Willett
660 Rockaway Beach Avenue


James Pickernall
875 Rockaway Beach Ave.


Daniel Roman
714 Rockaway Beach Av


JOHN E. WILLET
660 ROCKAWAY BCH AVE
PACIFICA, CA 94044

C: Tina Wehrmeister, Pacifica Planning Director
Kathryn Farbstein, Assistant Planner

Hal Bohner

Attorney

115 Angelita Avenue • Pacifica, CA 94044

650-359-4257

hbohner@earthlink.net

Sent via email to wehrmeister@ci.pacifica.ca.us March 13, 2016

Ms. Tina Wehrmeister
City of Pacifica Planning Director
1800 Francisco Boulevard
Pacifica
California 94044

Re: Proposed General Plan Amendment GPA-91-15 , Site Development Permit PSD-788-14 , Parking Exception PE-161-15 for 50 and 60 Oddstad Way

Dear Tina:

I see from the Pacifica Tribune that on March 21 the Planning Commission will consider the subject identified above. I respectfully submit the following comments concerning the project. Please transmit my comments to the Planning Commissioners for their consideration at the hearing and include my comments in the record.

Of course there has been no staff report that has been made public so I must assume certain things about how staff will address this.

I. An EIR Must be Prepared

I assume that staff considers this project to be categorically exempt from CEQA and that no CEQA Initial Study has been done. I also assume that staff considers the project to be categorically exempt from CEQA based on §15303 of the CEQA Guidelines. However, the project is not categorically exempt. In fact at least an Initial Study must be conducted. Moreover, after an environmental review including an initial study are conducted then a full EIR must be prepared.

The requirements of §15303 are not met

First of all, §15303 is not applicable to this project. The section states in pertinent part (emphasis added):

§ 15303. New Construction or Conversion of Small Structures.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and

facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption. . . .

Contrary to the requirements of §15303 the proposed structures would not be on legal parcels. In fact the General Plan designates the area as Very Low Density Residential which provides a minimum lot size of one-half acre or about 22,000 square feet. However, I understand that the proposed lot sizes for the project are 7,500 square feet each which is obviously far smaller than the allowable minimum. (It is possible that at some future time the City Council might change the General Plan to allow the proposed lots but at present that has not occurred.)

§15300.2 renders §15303 inapplicable

CEQA Guidelines §15300.2 limits the applicability of §15303. Section 15300.2 states in part:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

In this case a categorical exemption is not appropriate under each of parts (a), (b) and (c) above.

Regarding Section 15300.2 part (a)

The Rockaway neighborhood is a particularly sensitive area.

The City has provided documentation of this fact in two staff reports for Planning Commission Study Sessions February 16 and March 7, 2016. The Staff Report for the February 16 Study Session states on pp. 3-4:

Additional information for Rockaway Valley is contained in the following narrative excerpt from the General Plan (page 43):

On both the north and south sides of the Rockaway Valley are undeveloped areas under 35 percent slope. In some cases, they were previously subdivided, based on standards no longer acceptable. Because of soils and geologic problems, visual impacts, as well as public safety hazards, such as limited emergency access and high potential for grass fires, very low density residential development is recommended for these remaining hillside areas. Again, the sizes of lots or number of units should be determined on a site-by-site basis.

The Staff Report for the March 7 Study Session states on p 2. "Separate and apart from development design issues, the infrastructure issues discussed below present potential health and safety issues for the community." The Staff report continues by describing and summarizing the many issues.

In addition to affecting the Rockaway neighborhood the project would also affect other particularly sensitive areas of Pacifica as well. Traffic associated with the proposed project would travel on Highway One through the intersections at Fassler Avenue and Reina del Mar Avenue. That section of Highway One has been documented to be over its design capacity and "currently acts as a bottleneck to through travel." See for example p. i of Final Environmental Impact Report/ Environmental Assessment State Route 1/Calera Parkway/ Highway 1 Widening Project (from South of Fassler Avenue to North of Reina Del Mar Avenue in the City of Pacifica) San Mateo County, California 04-SM-1 PM 41.7/43.0 EA: 04-254600 Project ID: 0400000715 State Clearinghouse Number 2010022042. See also Pacifica General Plan Final Environmental Impact Report SCH No. 2012022046, April 2015

Regarding Section 15300.2 part (b)

The proposed project would have cumulative impacts with the impacts of many other projects in the Rockaway neighborhood. The Staff Report for the February 17 Study Session indicates that there are approximately 90 properties in the neighborhood situated similarly to the proposed project at issue. Furthermore throughout Pacifica south of Reina del Mar Avenue there are many other potential project which would adversely affect traffic on Highway 1 between Reina del Mar and Fassler Avenue.

Regarding Section 15300.2 part (c)

It is clear that the situation in this case is unusual. This is not a conventional residential neighborhood with an infrastructure system that is capable of supporting additional development.

II. The Planning Commission cannot lawfully grant a site development permit

Pacifica Municipal Code Title 9, Chapter 4, Article 32, Sec. 9-4.3204 states:

(a) A site development permit shall not be issued if the Commission makes any of the following findings:

(1) That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood;

. . . .

(9) That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.

In the present case the Planning Commission must find that 1) the proposed project will create a hazardous or inconvenient vehicular pattern and 2) the proposed development is inconsistent with the General Plan. Therefore the Commission may not grant a site development permit.

The proposed project will create a hazardous or inconvenient vehicular pattern as discussed above.

The proposed project is inconsistent with the General Plan. As discussed above the proposed project is presently inconsistent with the General Plan and it is apparently for that reason that staff is proposing General Plan amendment GPA-91-15. However, the Planning Commission has no authority to grant a General Plan amendment. In fact the Commission may only provide a recommendation to the City Council that the City Council amend the General Plan. Pacifica Municipal Code Title 2, Chapter 2, Article 2, §2-2.202. Unless and until the City Council in fact amends the General Plan the project is and will be inconsistent with the General Plan.

Sincerely,



Hal Bohner

REVISIONS	15

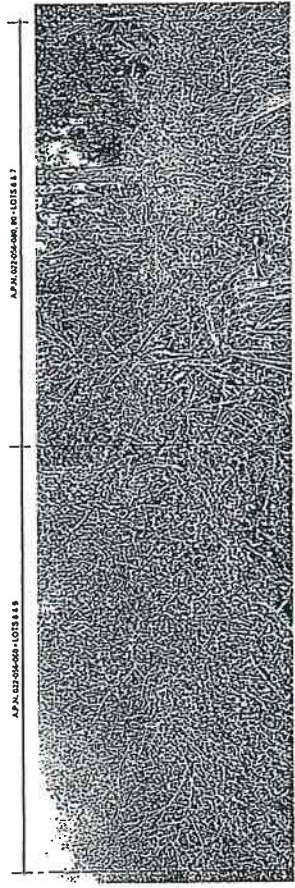
SANTOS & URRUTIA
 ARCHITECTURAL
 ENGINEERS
 1401 HARRISON STREET
 SAN FRANCISCO, CA 94103
 TEL: (415) 442-7222
 FAX: (415) 442-7200



**SITE PHOTOGRAPHS
 AND SITE RENDERINGS**

**NEW TWO SINGLE
 FAMILY RESIDENCES
 ODDSTAD WAY
 PACIFICA, CALIFORNIA
 A.P.N. 022-056-060, 80 & 90**

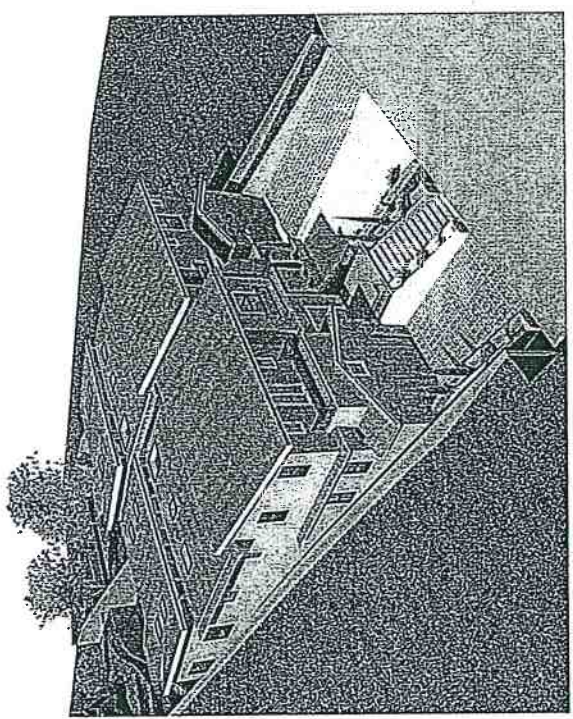
Date: 09/29/14
 Scale: 1/2" = 1'-0"
 Project No: R.S.
 Job No: 9500
 Sheet
AO.1
 0114 Sheets



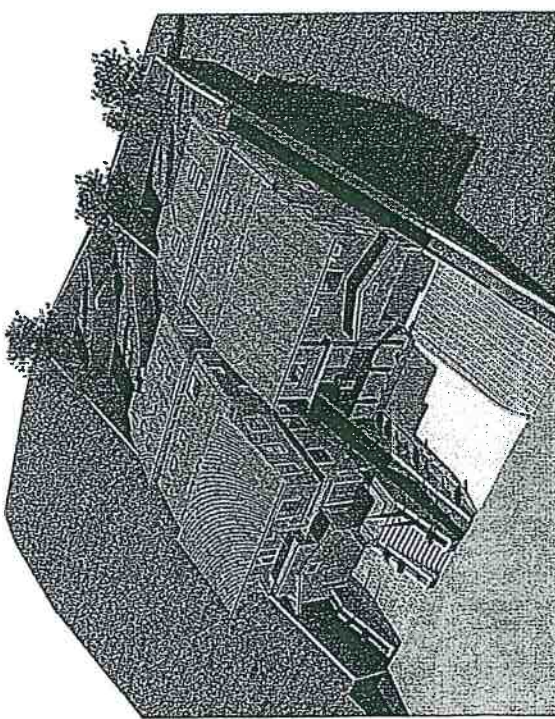
SUBJECT PROPERTIES PANORAMIC VIEW



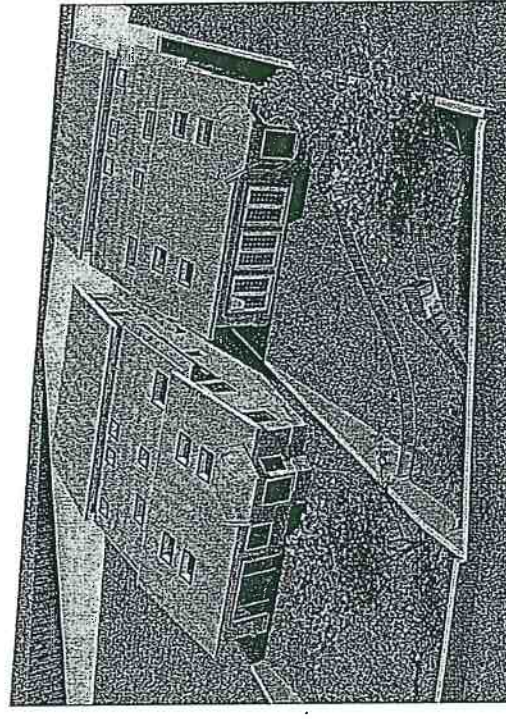
OPPOSITE STREET PANORAMIC VIEW



1 VIEW FROM NORTHEAST
 1/2" = 1'-0"



2 VIEW FROM NORTHWEST
 1/2" = 1'-0"



3 VIEW FROM SOUTH
 1/2" = 1'-0"



DATE: 09/29/14
 SCALE: 3/16" = 1'-0"
 SHEET: R.S.
 JOB NO: 9500
 SHEET: A1.1
 0114 Sheet

NEW TWO SINGLE
 FAMILY RESIDENCES
 ODDSTAD WAY
 A.P.N. 022-056-060, 80 & 90
 PACIFICA, CALIFORNIA

MAIN FLOOR, LOWER
 FLOOR AND GARAGE
 PLANS



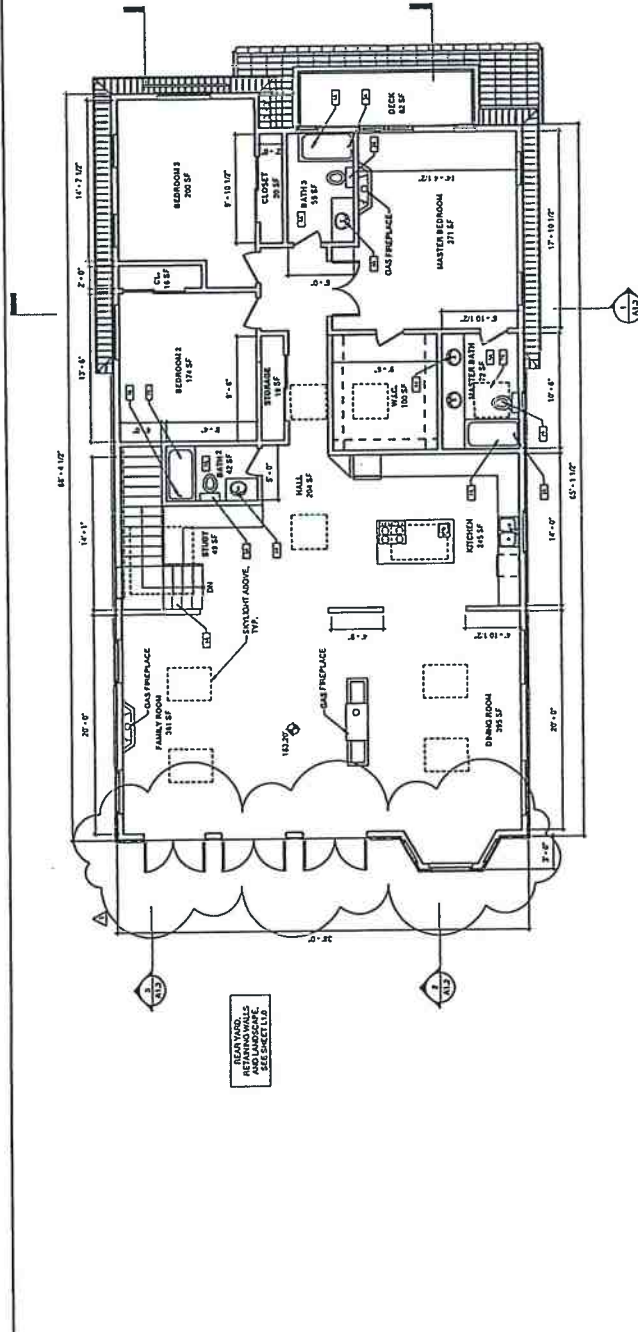
SANTOS & URRUTIA
 ARCHITECTS
 1525 14TH AVENUE
 BERKELEY, CA 94710
 TEL: (415) 842-7200
 FAX: (415) 842-7200

PLANNING CHECK: SB

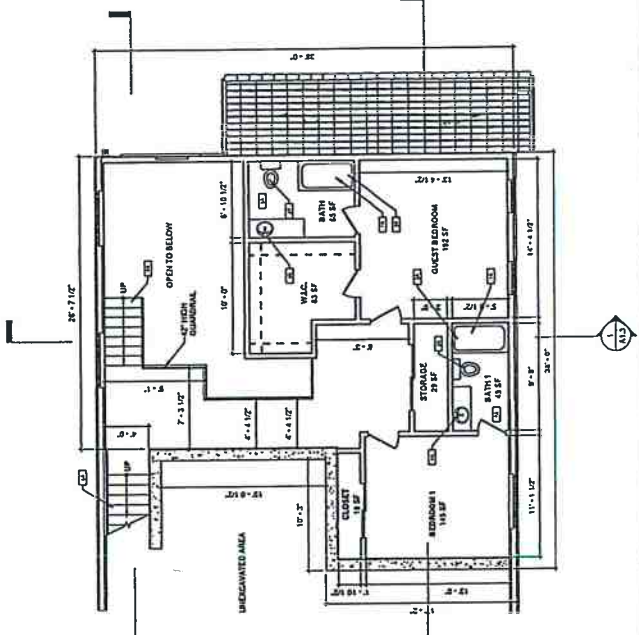
ADDITIONAL NOTES

1. LOWER COMPARTMENTS AND WALLS ABOVE BATH TUBS WITH REGULAR POWER HOSES SHALL BE PROVIDED WITH A 1/2" DIA. HOSE CONNECTION. THE HOSE SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END. THE HOSE SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
2. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
3. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
4. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
5. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
6. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
7. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
8. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
9. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.
10. TICKET SHALL BE 1/2" DIA. WITH A 1/2" DIA. HOSE END.

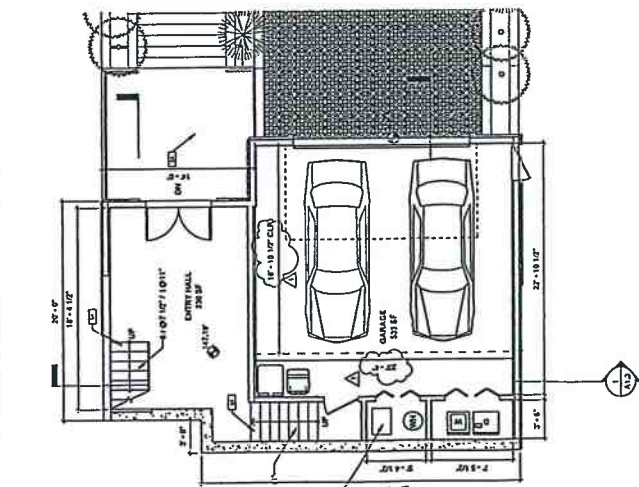
MAIN FLOOR PLAN
 3/16" = 1'-0"



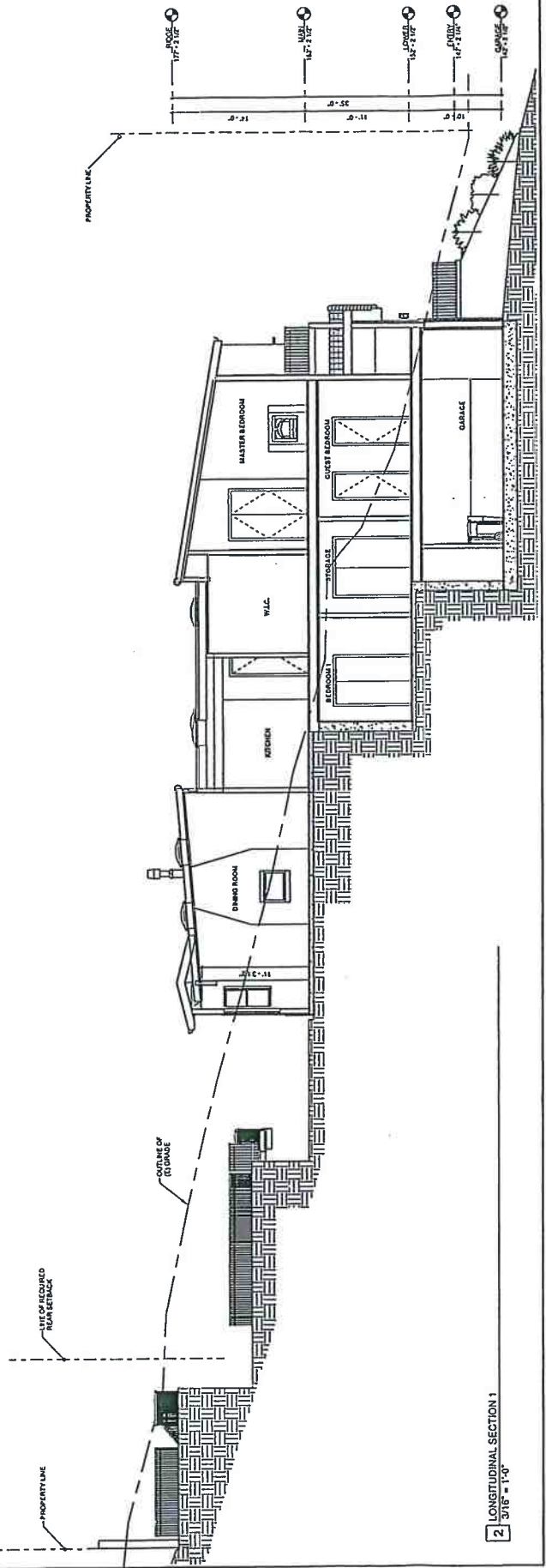
LOWER FLOOR PLAN
 3/16" = 1'-0"



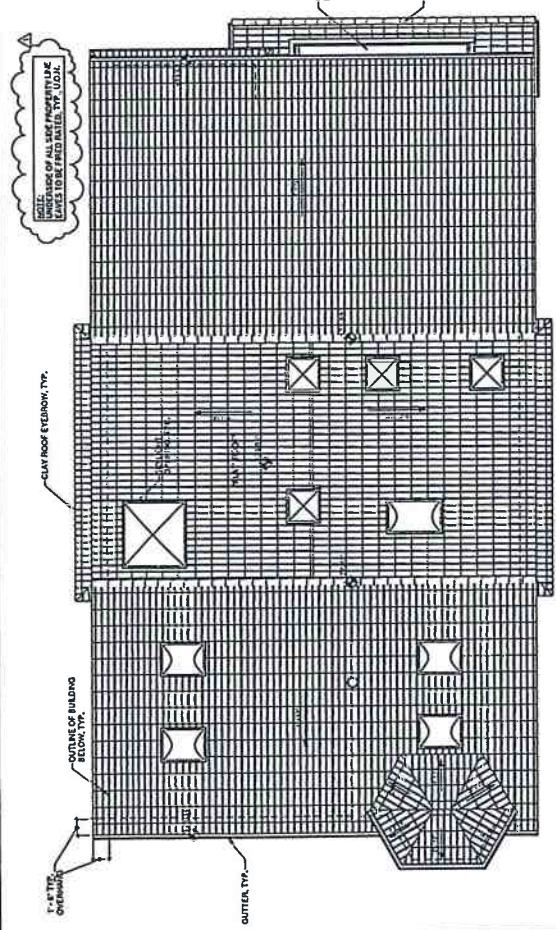
GARAGE PLAN
 3/16" = 1'-0"



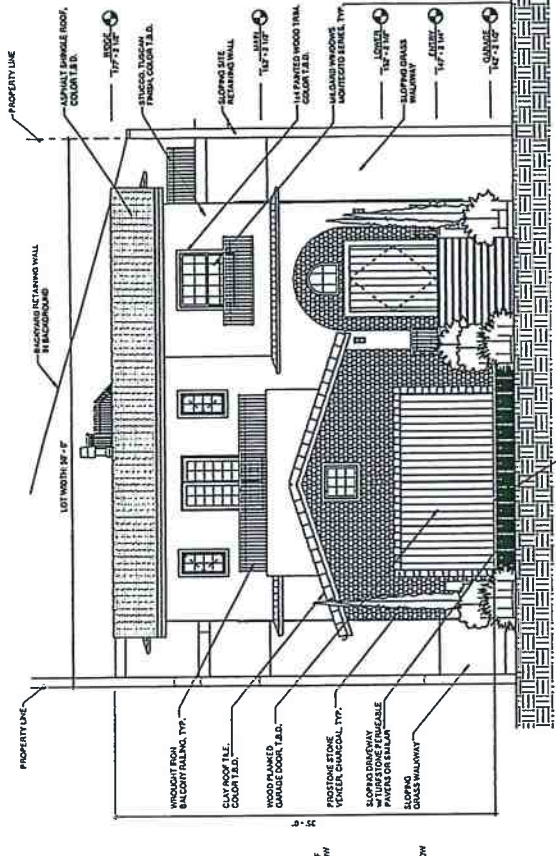
2 LONGITUDINAL SECTION 1
 3/16" = 1'-0"



ROOF PLAN
 3/16" = 1'-0"



1 NORTH ELEVATION (FRONT)
 3/16" = 1'-0"



NEW TWO SINGLE
 FAMILY RESIDENCES
 ODDSTAD WAY
 A.P.N. 022-056-060, 80 & 90
 PACIFICA, CALIFORNIA

ROOF PLAN, NORTH
 ELEVATION AND
 LONGITUDINAL
 SECTION 1



SANTOS & URRUTIA
 ARCHITECTS
 4811 HAMMOND STREET
 SAN FRANCISCO, CALIFORNIA 94116
 TEL: (415) 642-7222
 FAX: (415) 642-7000

PLANNING CHECK	\$B
PERCENT	

Sheet A1.2
 01/14 Sheets



1 TRANSVERSE SECTION
 3/16" = 1'-0"



2 SOUTH ELEVATION (REAR)
 3/16" = 1'-0"



3 LONGITUDINAL SECTION 2
 3/16" = 1'-0"



Sheet A2.1
 0114 Sheet

Date: 08/29/14
 Project: 3/16" = 1'-0"
 Drawn by: R.S.
 Job No: 9500

NEW TWO SINGLE
 FAMILY RESIDENCES
 ODDSTAR WAY
 A.P.N. 022-056-060, 80 & 90
 PACIFICA, CALIFORNIA

MAIN FLOOR, LOWER
 FLOOR AND GARAGE
 PLANS



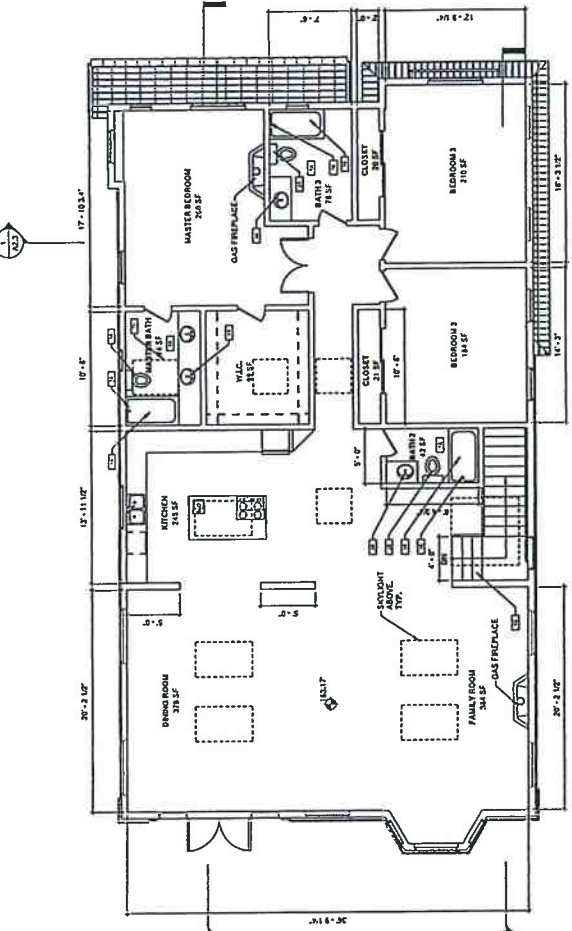
SANTOS & URRUTIA
 STRUCTURAL
 ENGINEERS
 2244 S. HARRIS
 CERRITOS, CA 94510
 TEL: (415) 942-7890
 FAX: (415) 942-7890

LOT 2

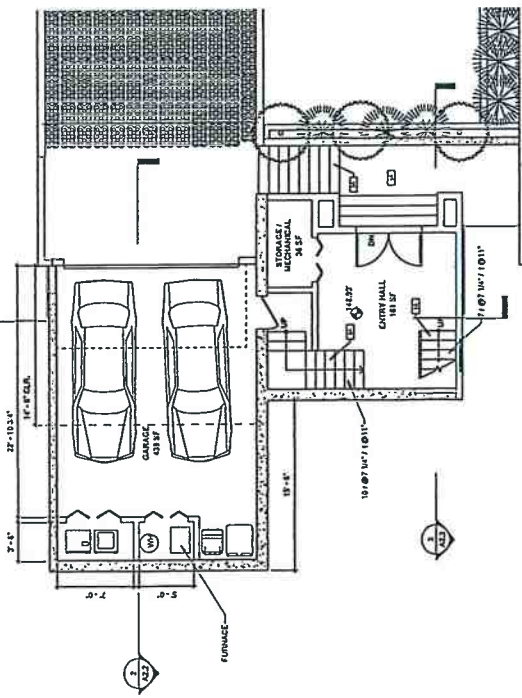
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ARCHITECTURAL NOTES

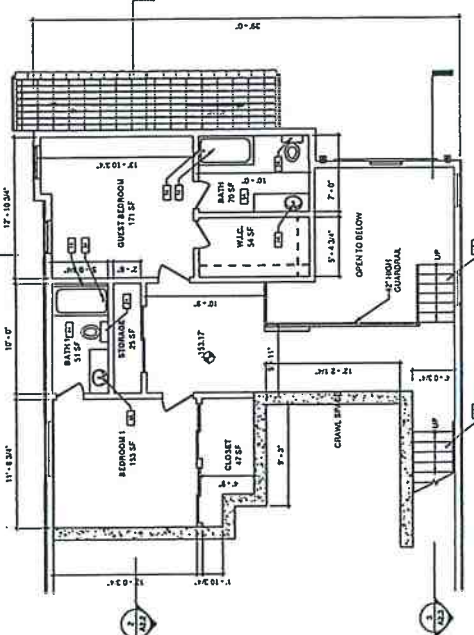
1. SHOWER COMPARTMENTS AND WALLS ABOVE BATH TUBS WITH INSTALLED SHOWER HEADS SHALL BE FINISHED WITH A DAMPROOFING SURFACE TO A HEIGHT OF NO LESS THAN 6" ABOVE THE FINISH FLOOR SURFACE.
2. SHOWER HEAD SHALL BE 2'-3" MIN.
3. SHOWER HEAD SHALL BE 2'-3" MIN.
4. ALL PLUMBING VENTS TO BE MINIMUM OF 8" PIPING FROM AT LEAST 3' OF ABOVE FINISH FLOOR.
5. ALL PLUMBING VENTS SHALL NOT BE MORE THAN 2' FROM THE TOP OF THE DOOR.
6. BATHROOM FLOOR SHALL BE TILED WALLS AROUND SHOWER SHALL BE TILED TO 2'-0" HIGHLINE.



MAIN FLOOR PLAN
 3/16" = 1'-0"



GARAGE PLAN
 3/16" = 1'-0"



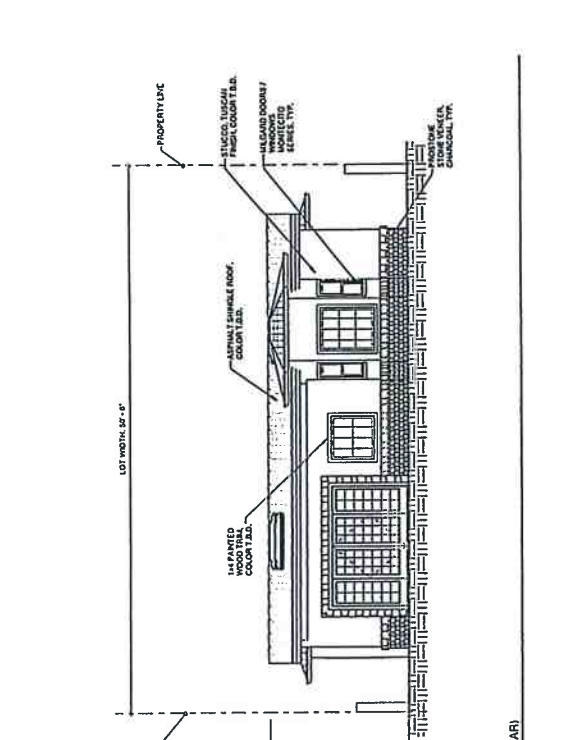
LOWER FLOOR PLAN
 3/16" = 1'-0"



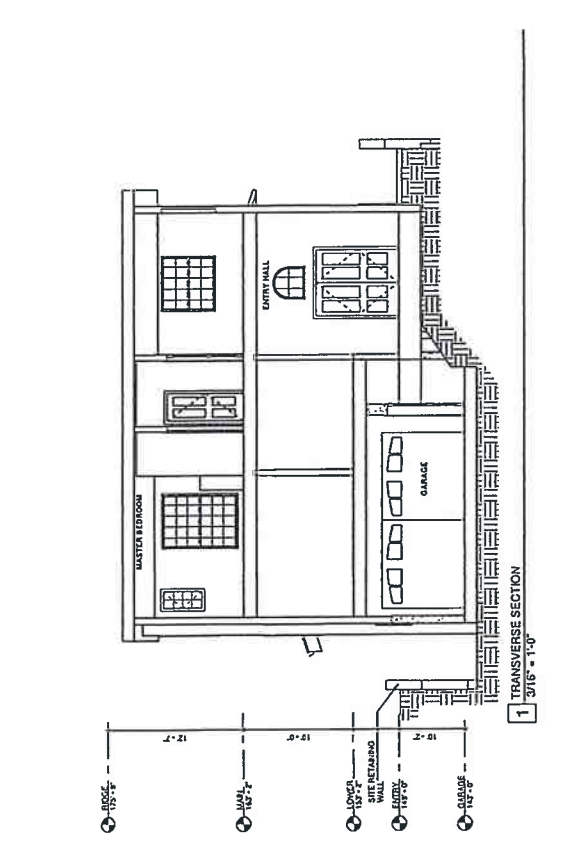
LONGITUDINAL SECTION 2
 SECTION 2,
 TRANSVERSE SECTION
 AND SOUTH ELEVATION

NEW TWO SINGLE
 FAMILY RESIDENCES
 ODDSTAD WAY
 PACIFICA, CALIFORNIA
 A.P.N. 022-056-060, 80 & 90

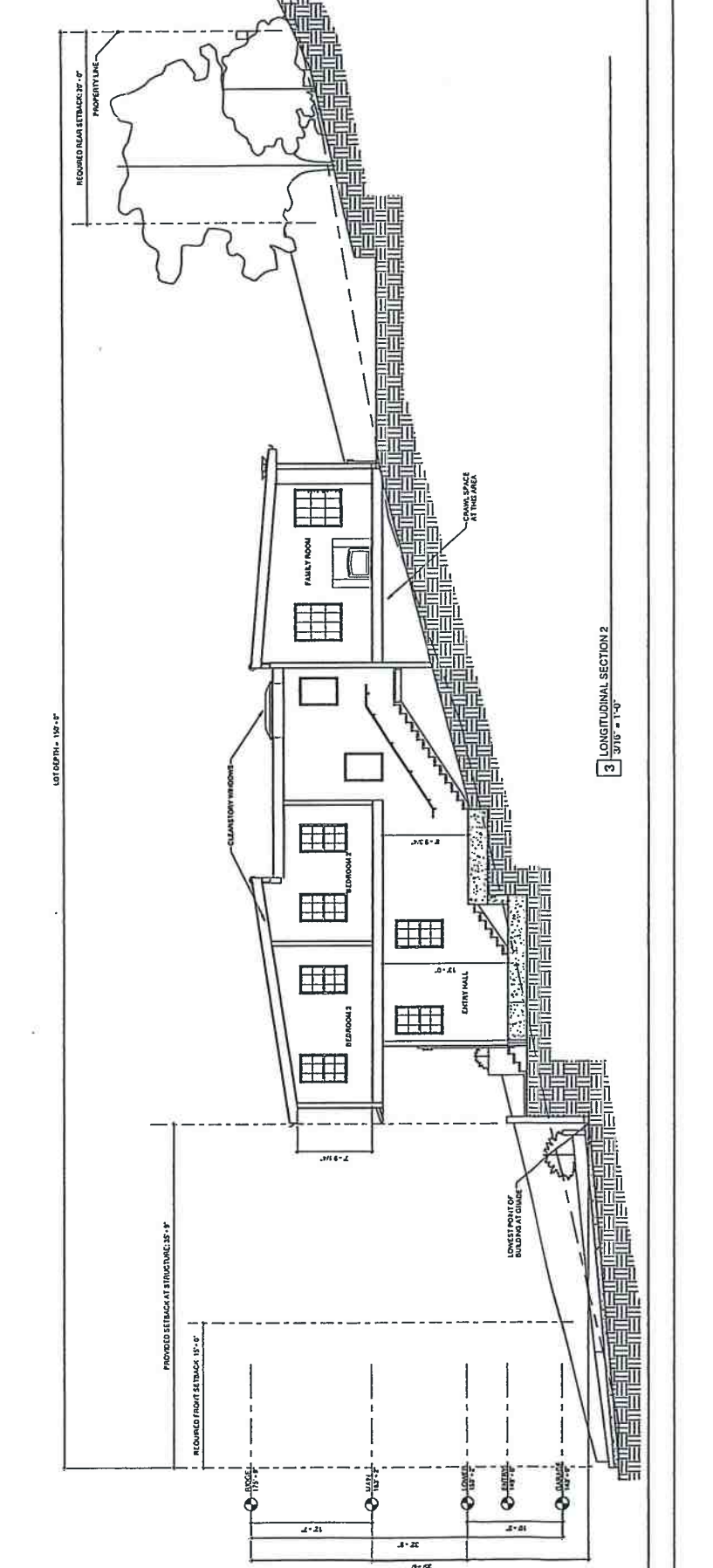
Sheet **A2.3**
 014 Sheets



2 SOUTH ELEVATION (REAR)
 3/16" = 1'-0"
 LOT WIDTH - 35'-0"
 LOT DEPTH - 132'-0"



1 TRANSVERSE SECTION
 3/16" = 1'-0"
 LOT WIDTH - 35'-0"
 LOT DEPTH - 132'-0"



3 LONGITUDINAL SECTION 2
 3/16" = 1'-0"
 LOT DEPTH - 132'-0"

NO.	REVISION

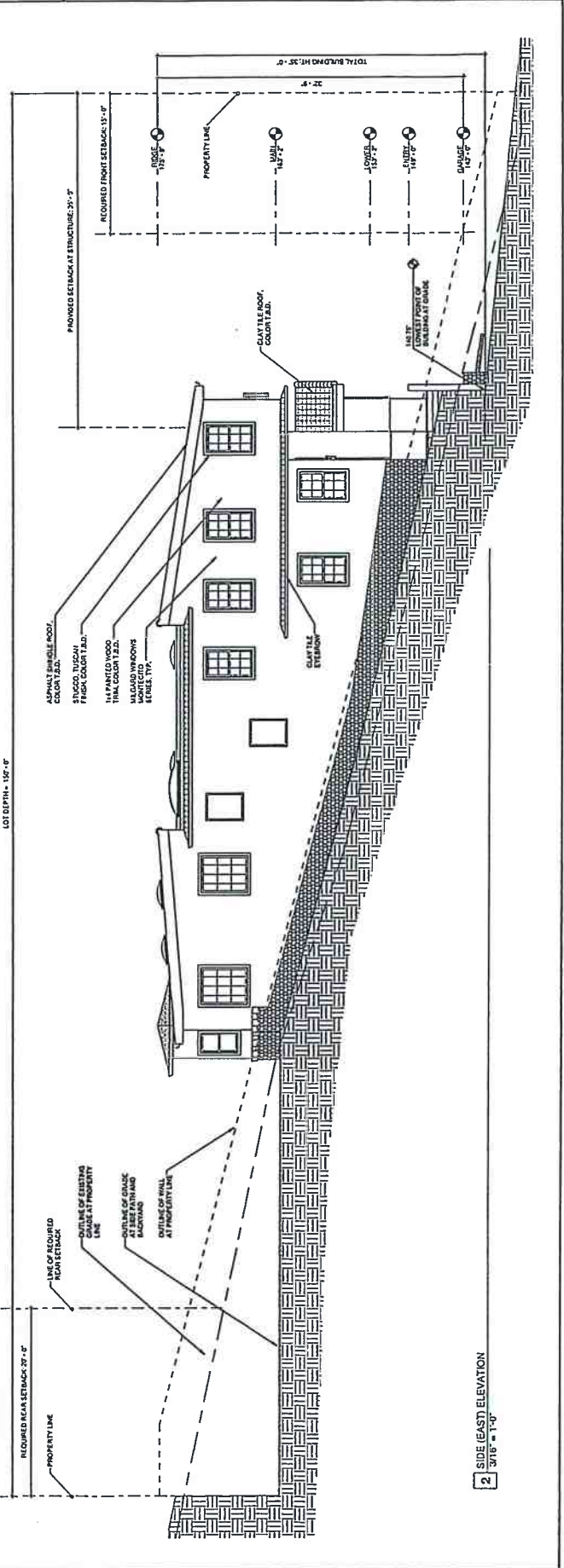
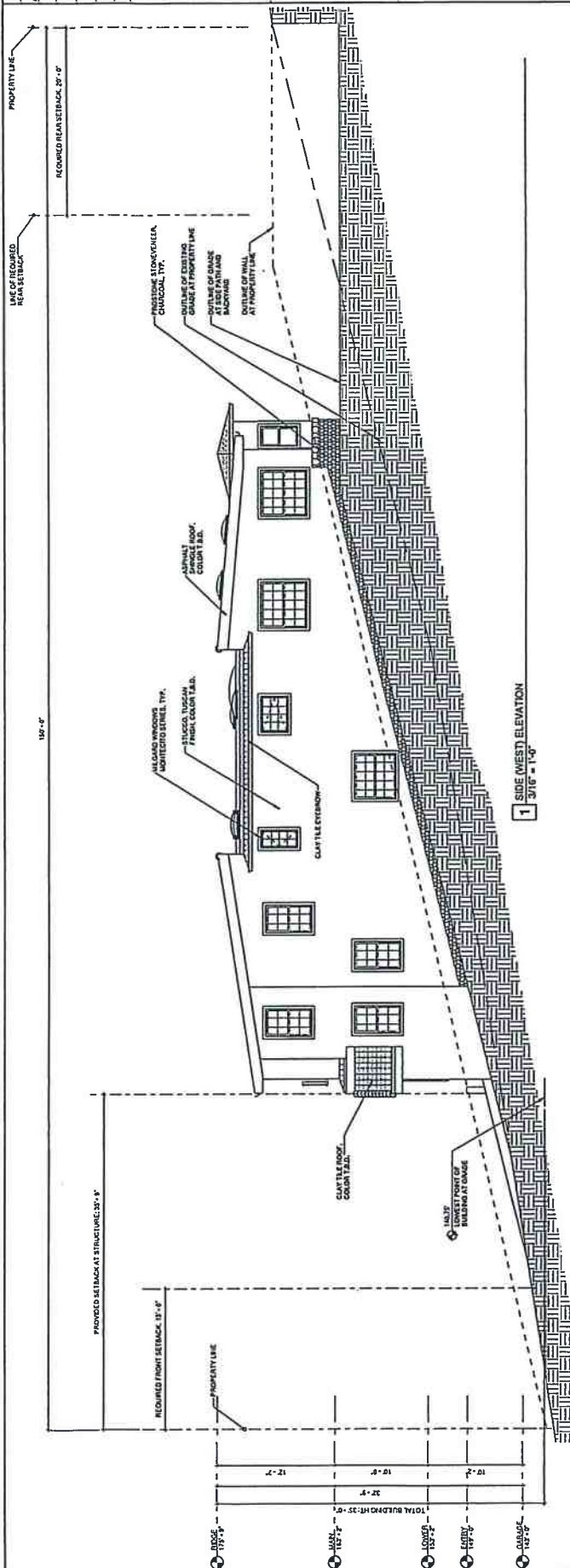
SANTOS & URRUTIA
 ARCHITECTS
 3021 W. WASHINGTON, SUITE 4110
 SAN FRANCISCO, CA 94110
 TELEPHONE (415) 842-7232
 FAX (415) 842-7000



LOT 2
EAST AND WEST ELEVATIONS

NEW TWO SINGLE FAMILY RESIDENCES
ODDSTAD WAY
 A.P.N. 022-056-060, 80 & 90
 PACIFICA, CALIFORNIA

DATE: 05/29/14
 SCALE: 3/16" = 1'-0"
 DRAWN BY: R.S.
 JOB NO.: 9000
 SHEET: A2.4
 01/4 Sheets



DATE: 05/29/14
 TITLE: As Indicated
 DRAWN BY: B.S.
 JOB NO: 9500
 Sheet
 0114

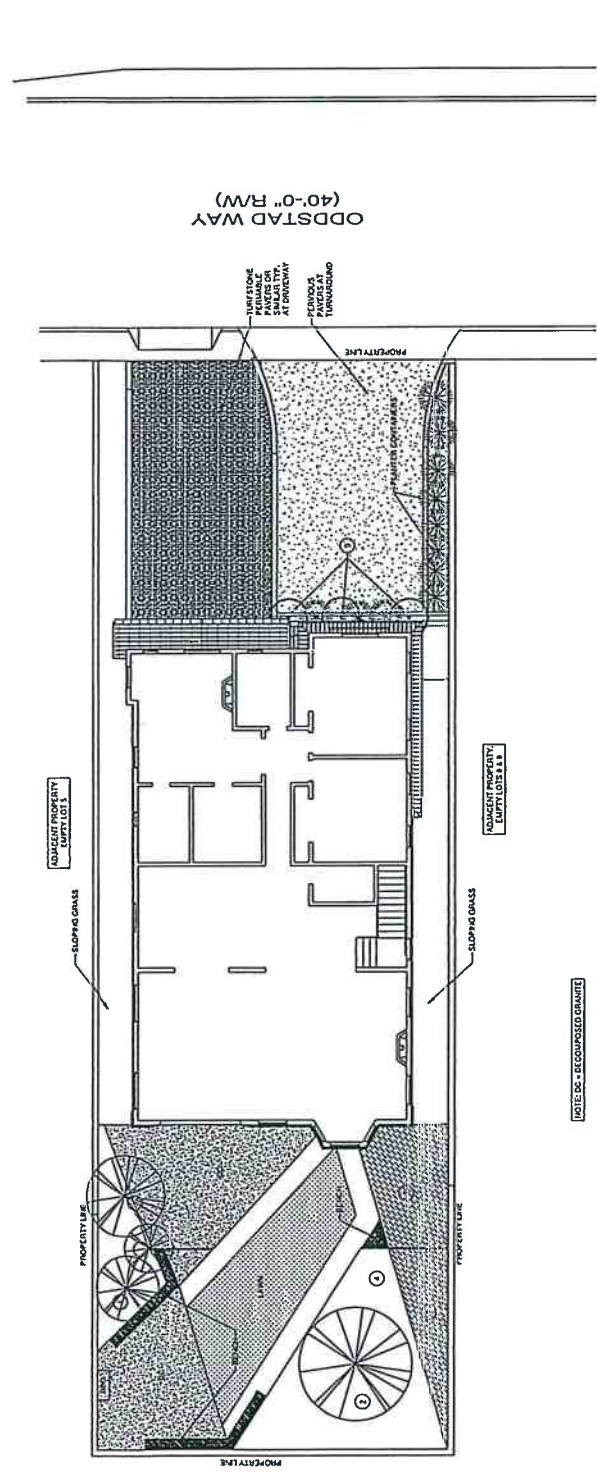
NEW TWO SINGLE
 FAMILY RESIDENCES
 ODDSTAD WAY
 A.P.N. 022-056-060, 80 & 90
 PACIFICA, CALIFORNIA

LANDSCAPE PLAN



SANTOS & URRUTIA
 ARCHITECTURAL
 ENGINEERS
 2401 MARSHALL STREET
 SAN FRANCISCO, CA 94110
 TEL: (415) 441-7732
 FAX: (415) 642-7200

PLANNING CHECK: SD



DRIVEWAY PAVERS

TURFSTONE PERMEABLE PAVER

PLANTERS

- ARTELIA INIZOLA
- AMPELATA CYLINDRICALURBANA
- UNIKALUREBOLA CAPLURE
- PROBIBUM TEXAS ATROPURPUREA

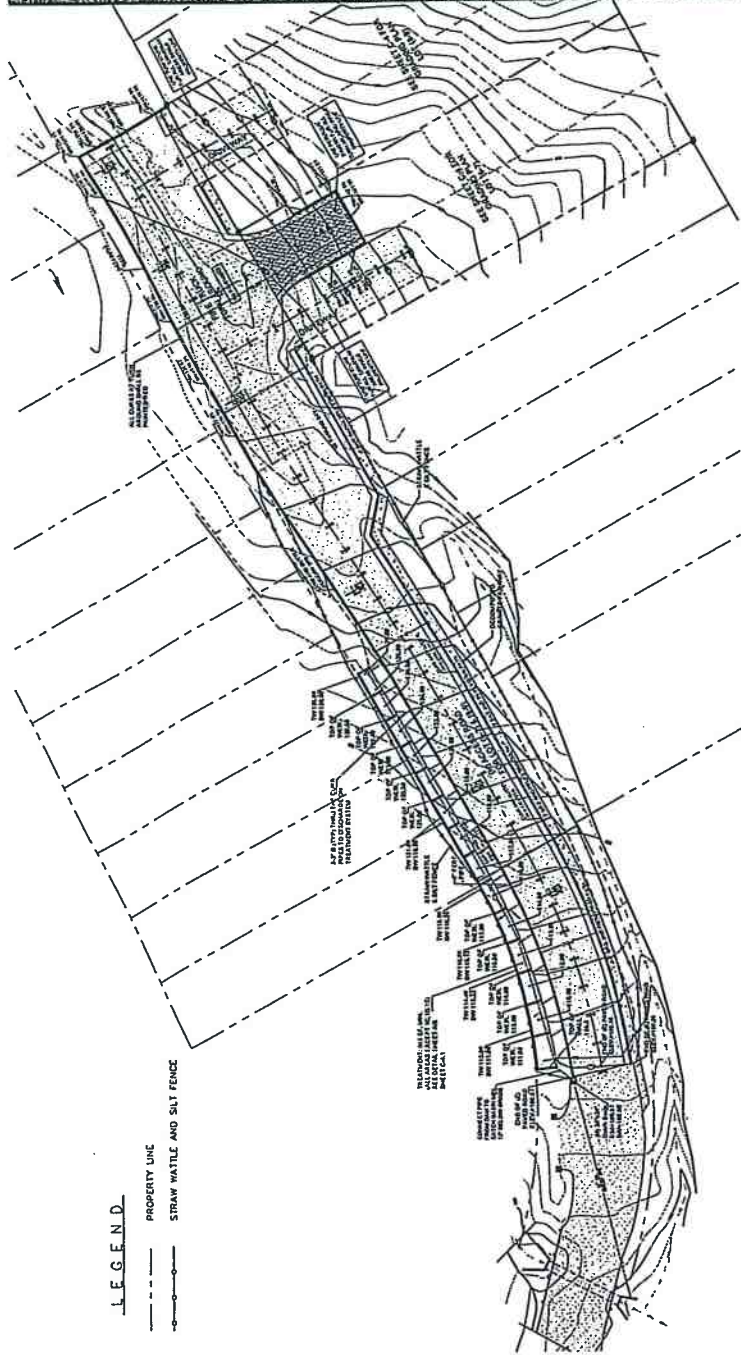
TREE / PLANTS LEGEND

- 1 OTYPRESBIA ANDROMEDA
- 2 AEGICOLUS CALIFORNICUM
- 3 LONARDBA 'BREEZE'
- 4 FERTUGA GUANCA
- 5 CAREX TESTAZEA
- 6 SMALL LAMPERS

LANDSCAPE PLAN
 1/8" = 1'-0"

DATE	ISSUED FOR
07/25/14	PERMIT SET
10/28/14	REV. 1
11/21/14	REV. 2
02/25/15	REV. 3
04/21/15	REV. 4

Drawn by: JC
Checked by: JC
Project No: 140613
Sheet No: C-2



ROAD GRADING, EROSION CONTROL & SWPPP
SCALE 1" = 20'-0"

LEGEND

- PROPERTY LINE
- STRAW WATTLE AND SILT FENCE

- EROSION CONTROL NOTES:
- 1) ALL EROSION AND EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY EARTH MOVEMENT AND SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. THE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).
 - 2) EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).
 - 3) ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).
 - 4) ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).

- 5) EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).
- 6) EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).
- 7) EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).
- 8) EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE REMOVED AT THE END OF EACH WORKING DAY DURING THE WINTER SEASON (OCTOBER 1ST TO APRIL 15TH).

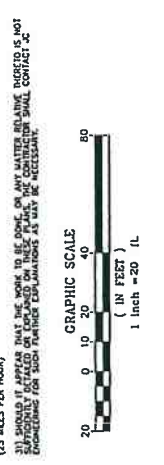
- 10 LBS/ACRE
CALIFORNIA BROME
CALIFORNIA TALL GRASS
CREEPING WHEAT
MEXICAN WHEAT GRASS
SMALL FLOWER BROME
HYDRANGEA
TOTAL = 45 LBS/ACRE

- 9) ALL GRADING OPERATIONS SHALL STOP DURING PERIODS OF HEAVY RAIN AS DETERMINED BY THE DETERIORATION OF SOIL COHESION.
- 10) ALL CUT AND FILL SLOPES AND PAVED ARE TO BE PROTECTED TO PREVENT OVER BANK EROSION FROM RAIN-FALL AND TO PREVENT EROSION FROM WIND-DRIVEN SAND AND DUST AS SHOWN ON THE PLAN.
- 11) DRAINAGE AREAS AND TEMPORARY STORMDRAINS SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE CITY ENGINEER.
- 12) ALL MATERIALS REFERENCED IN THIS PLAN SHALL BE STOCKPILED ON SITE PRIOR TO STARTING ANY GRADING OPERATIONS. MATERIALS SHALL BE STOCKPILED ON SITE PRIOR TO STARTING ANY GRADING OPERATIONS. MATERIALS SHALL BE STOCKPILED ON SITE PRIOR TO STARTING ANY GRADING OPERATIONS.

- 13) GRAVEL BARS, CATCH BASINS AND ALLEYS SHALL BE CLEANED OUT IMMEDIATELY PRIOR TO STARTING ANY GRADING OPERATIONS. GRAVEL BARS, CATCH BASINS AND ALLEYS SHALL BE CLEANED OUT IMMEDIATELY PRIOR TO STARTING ANY GRADING OPERATIONS.
- 14) NEARBY OFF-SITE SITES THAT MAY RECEIVE SEDIMENT-LADEN WATER SHALL BE PROTECTED.
- 15) NEARBY OFF-SITE SITES THAT MAY RECEIVE SEDIMENT-LADEN WATER SHALL BE PROTECTED.
- 16) NEARBY OFF-SITE SITES THAT MAY RECEIVE SEDIMENT-LADEN WATER SHALL BE PROTECTED.
- 17) NEARBY OFF-SITE SITES THAT MAY RECEIVE SEDIMENT-LADEN WATER SHALL BE PROTECTED.

- 18) ALL CONCRETE AND VEHICLES SHALL BE CLEAN OF GREASE AND/OR HYDRAULIC LEAKS.
- 19) ALL CONCRETE AND VEHICLES SHALL BE CLEAN OF GREASE AND/OR HYDRAULIC LEAKS.
- 20) IN THE ABSENCE OF RAIN, WATER ALL ACTIVE CONSTRUCTION SITES AT LEAST THREE DAILY TO MAINTAIN AT LEAST 100 VICTIMS (2 FEET) OF FREEBOARD.
- 21) COVER ALL TRUCKS HAULING SOIL, SAND AND OTHER LOOSE MATERIALS OR REQUIRE ALL TRUCKS TO MAINTAIN AT LEAST 100 VICTIMS (2 FEET) OF FREEBOARD.
- 22) SWEEP DAILY WITH WATER SWEEPERS ALL PAVED ACCESS ROADS, PARKING AREAS AND STANDING AREAS AT CONSTRUCTION SITES.
- 23) SWEEP STREETS DAILY WITH WATER SWEEPERS IF VISIBLE SOIL MATERIAL IS CARRIED ONTO ADJACENT PUBLIC STREETS.

- 24) UNDESIRABLE WEEDS SHALL BE REMOVED IMMEDIATELY PRIOR TO STARTING ANY GRADING OPERATIONS.
- 25) UNDESIRABLE WEEDS SHALL BE REMOVED IMMEDIATELY PRIOR TO STARTING ANY GRADING OPERATIONS.
- 26) UNDESIRABLE WEEDS SHALL BE REMOVED IMMEDIATELY PRIOR TO STARTING ANY GRADING OPERATIONS.
- 27) UNDESIRABLE WEEDS SHALL BE REMOVED IMMEDIATELY PRIOR TO STARTING ANY GRADING OPERATIONS.
- 28) REPAINT VEGETATION IN DISTURBED AREAS AS QUANTY AS POSSIBLE.
- 29) SUSPENDED CONSTRUCTION AND GRADING ACTIVITY WHOA WOULD EXCEED 40 KILOMETERS PER HOUR (25 MILES PER HOUR).
- 30) SHOULD IT APPEAR THAT THE WORK TO BE DONE ON ANY WATER RELATIVE FACILITY IS NOT CONSIDERABLE FOR ROAD, WATER OR OTHER CONSTRUCTION, AS MAY BE NECESSARY.



NOTES:

1. CHECK FOR DOUBLE BLOCKS IN ROWS OF CONCRETE WALLS.
2. ADJUST THE SIZE OF THE ROAD BLOCK FOR CASE 2 OR CASE 1.
3. CHECK FOR DOUBLE BLOCKS IN ROWS OF CONCRETE WALLS.

DATE ISSUED FOR

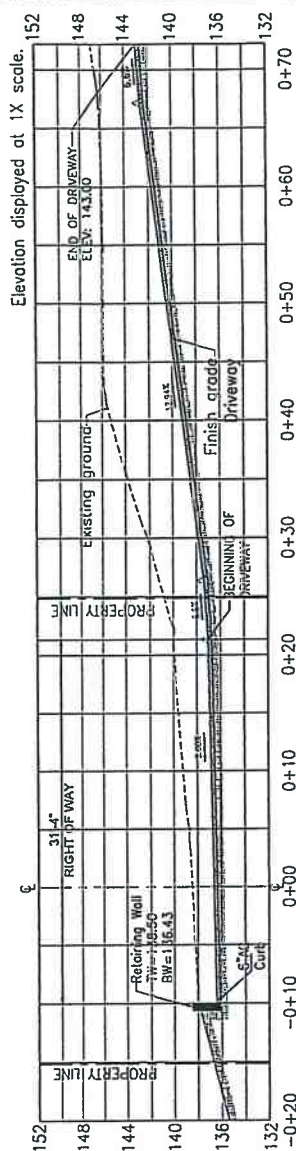
DATE	ISSUED FOR
07/25/14	PERMIT SET
10/28/14	REV. 1
11/21/14	REV. 2
02/25/15	REV. 3
04/21/15	REV. 4

Drawn by: JC
Checked by: JC
Project No: 140613
Sheet No: C-2

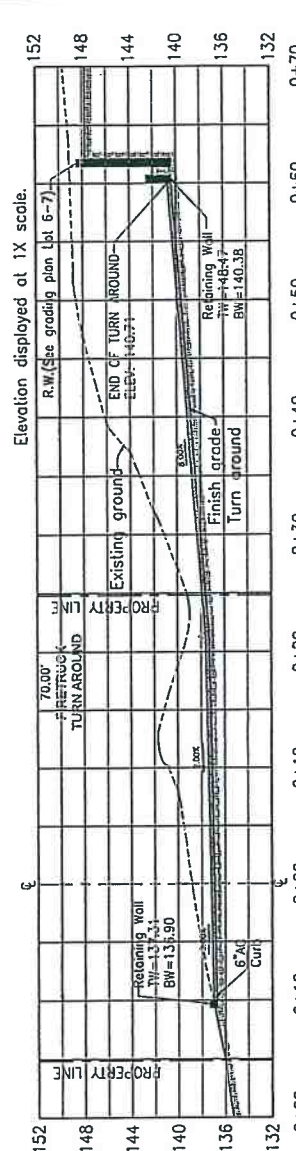


DATE	ISSUED FOR
07/25/14	PERMIT SET
10/29/14	PERMIT SET
10/21/14	REV. 1
12/11/14	REV. 2
07/25/15	REV. 3
08/15/15	REV. 4

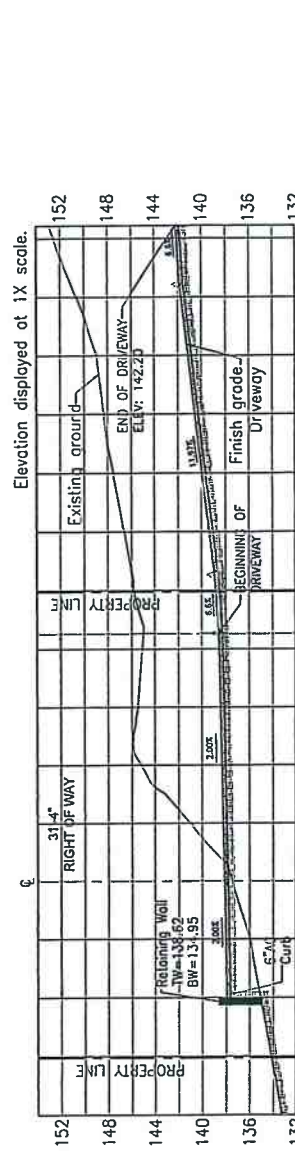
Drawn by: JC
Checked by: JC
140613
140613
C-3



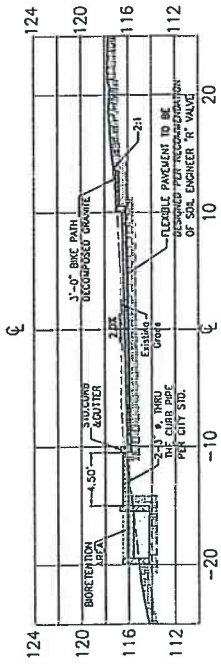
SECTION 2+78.57 (ALIGNMENT DRIVEWAY LOT 6-7)
SCALE= 1:5



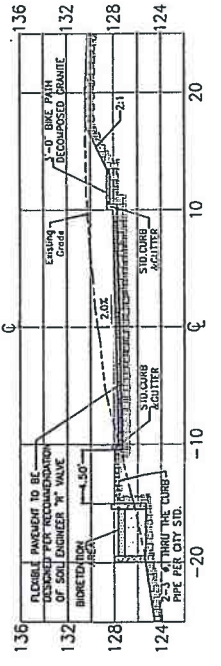
SECTION 2+97 (ALIGNMENT FIRE TRUCK TURN AROUND)
SCALE= 1:5



SECTION 3+43.94 (ALIGNMENT DRIVEWAY LOT 8-9)
SCALE= 1:5



SECTION 0+60 (MAIN ACCESS)
SCALE: 1:5



SECTION 1+60 (MAIN ACCESS)
SCALE: 1:5



DATE	ISSUED FOR
07/29/14	PERMIT SET
10/29/14	PERMIT SET
11/11/14	REV. 1
12/11/14	REV. 2
02/26/15	REV. 3
04/15/15	REV. 4

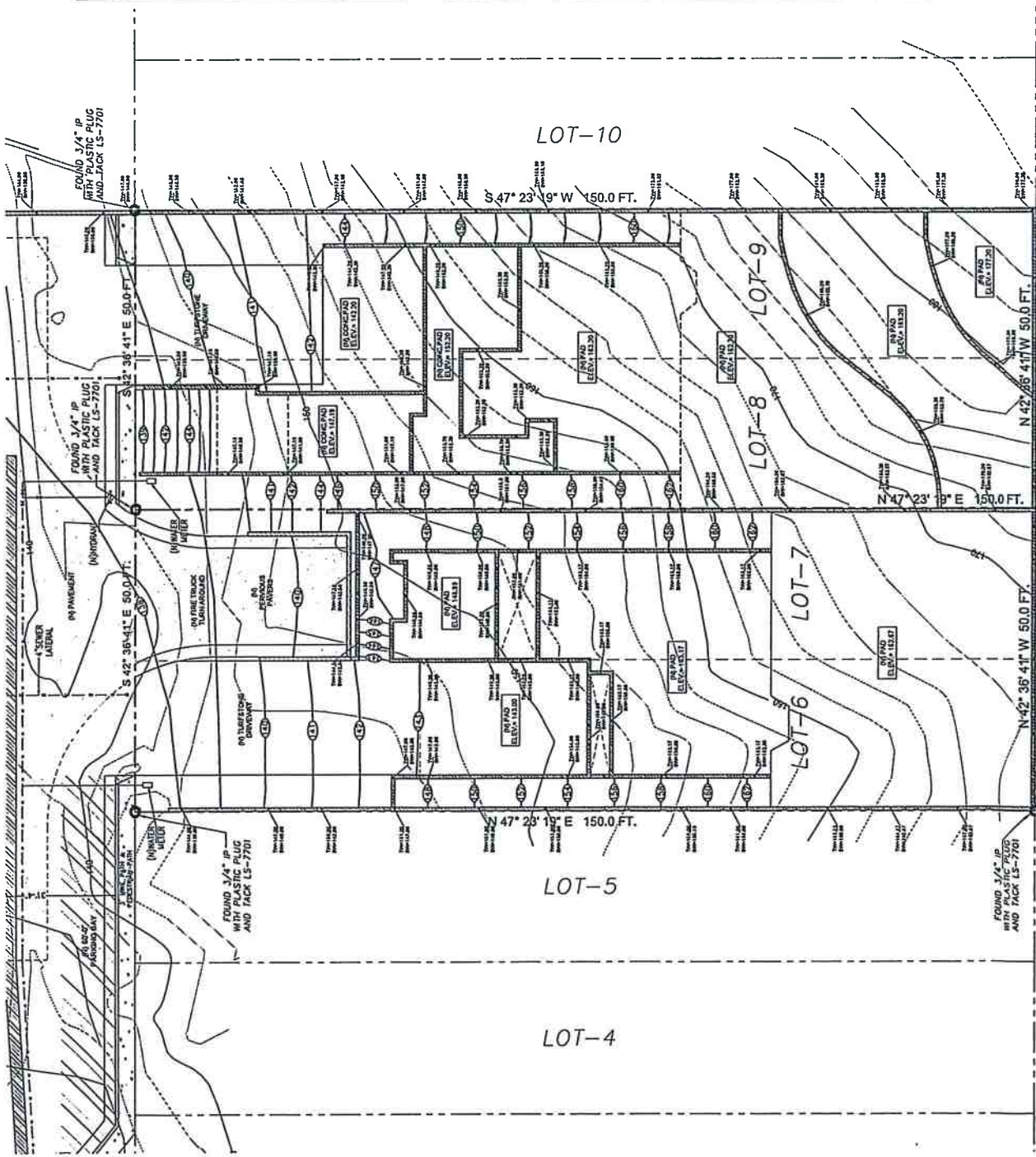
ABBREVIATIONS
ALL SYMBOLS NOT NECESSARILY ON DRAWINGS

FLAG POLE	FP
WATER METER	WM
GAS VALVE	GV
CONC. COLUMN	CC
VARIOUS	V
EUCALYPTUS	EUC
SANITARY SEWER MANHOLE	SSMH
FEET	FT.
IRON PIPE	IP
FLOW LINE	FL

SITE/GRADING PLAN LEGEND
ALL SYMBOLS NOT NECESSARILY ON DRAWINGS

SYMBOL	DESCRIPTION
---	PROPERTY LINE
- - -	CENTER LINE
.....	CONTOURS @ 2'
.....	CONTOURS @ 10'
	(N) RETAINING WALL
(Tree symbol)	EXISTING TREE
(Tree symbol with X)	TREE TO BE REMOVED
---	NEW WATER LINE
---	NEW SANITARY SEWER

FOR ROAD GRADING (ACCESS
LOT 6-7 & 8-9) SEE SHEET C-4.1



GRADING PLAN LOT (6-7) & (8-9)
SCALE 1"=12' = 1'-0"





Sheet:

- GRADING PLAN LOT 6-7
- GRADING PLAN LOT 8-9

DATE	ISSUED FOR
07/25/14	PERMIT SET
10/28/14	PERMIT SET
12/11/14	REV. 1
02/25/15	REV. 2
04/17/15	REV. 3
	REV. 4

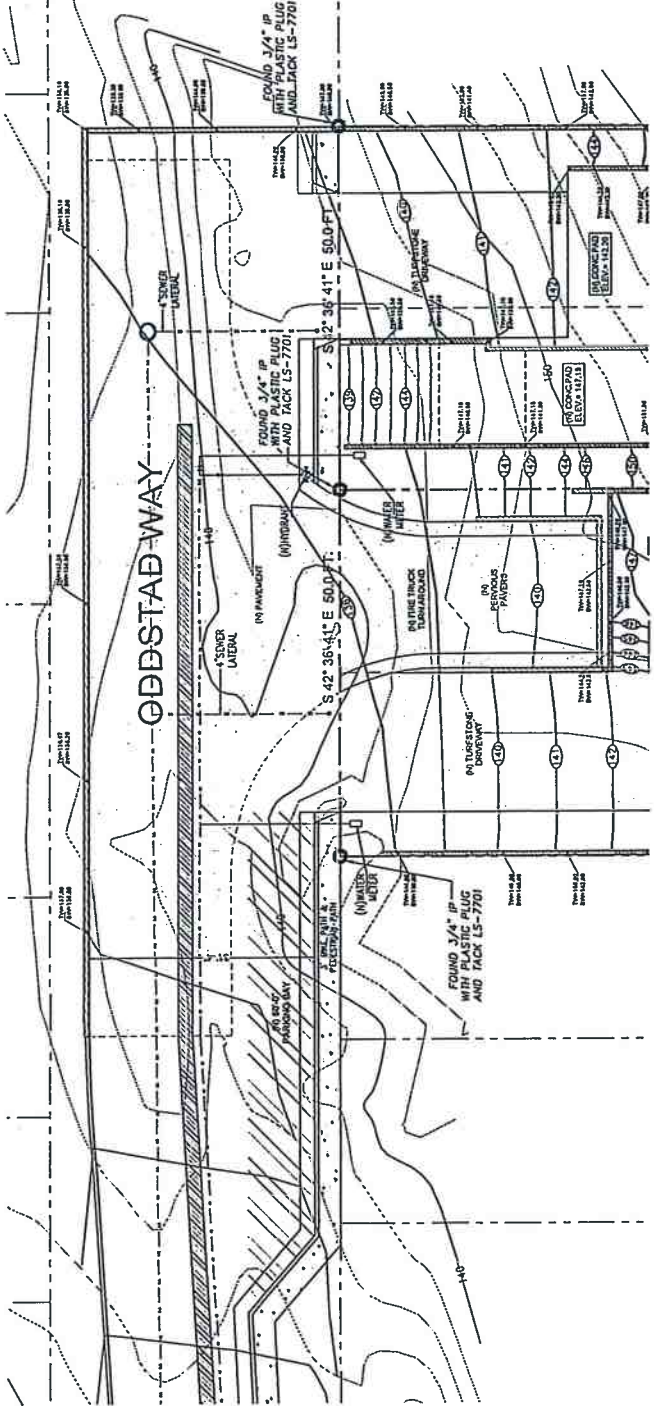
Drawn by: JC
Checked by: JC
Project no: 140613
Sheet no: C-4.1

ABBREVIATIONS
ALL SYMBOLS NOT NECESSARILY ON DRAWINGS

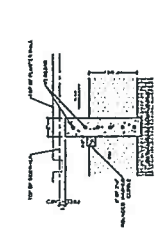
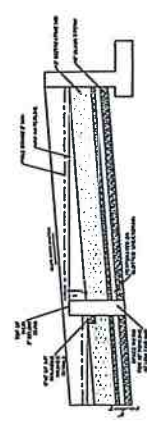
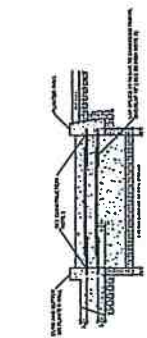
FLAG POLE	FP
WATER METER	WM
GAS VALVE	GV
CONC. COLUMN	CC
VARIOUS	V
EUCALYPTUS	EUC
SANITARY SEWER	SSMH
MANHOLE	
FEET	FT.
IRON PIPE	IP
FLOW LINE	FL

SITE/GRADING PLAN LEGEND
ALL SYMBOLS NOT NECESSARILY ON DRAWINGS

DESCRIPTION	SYMBOLS
PROPERTY LINE	---
CENTER LINE	---
CONTOURS @ 2'	---
CONTOURS @ 10'	---
(N) RETAINING WALL	---
EXISTING TREE	---
TREE TO BE REMOVED	---
NEW WATER LINE	---
NEW SANITARY SEWER	---



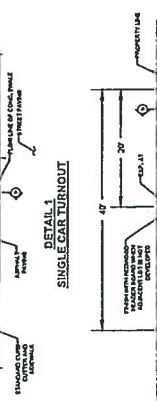
ROAD GRADING PLAN FOR ACCESS TO LOT (6-7) & (8-9)
SCALE 1/4" = 1'-0"



NOTES:

- FOR DIMENSIONS APPROVED BY CITY ENGINEER
- FOR JOINT LOCATION SEE STANDARD NO. 110
- FOR JOINT LOCATION SEE STANDARD NO. 110

CONCRETE CHECKDAM



NOTES:

- FOR DIMENSIONS APPROVED BY CITY ENGINEER
- FOR JOINT LOCATION SEE STANDARD NO. 110
- FOR JOINT LOCATION SEE STANDARD NO. 110

CITY OF PACIFICA	STANDARD	SEPT
PARKING TURN OUT STALLS	14-444	1986
REV	DATE	BY
111		



ENVIRONMENTAL CONSULTANTS
 2169-C East Francisco Blvd.
 San Rafael, CA 94901
 Phone: (415) 454-0129
 Fax: (415) 454-0129

**ODDSTAD WAY
 STORMWATER
 CONTROL PLAN**

PACIFICA, CALIFORNIA

DATE: 04/15/15, SWCD REVISION
 03/15/15 SWCD
 DRAWN AND REVISIONS

PROJECT #24152
 DRAWN BY: AMVS, CES
 CHECKED BY: AMVS
 ORIGINAL DRAWING SIZE: 22 X 34

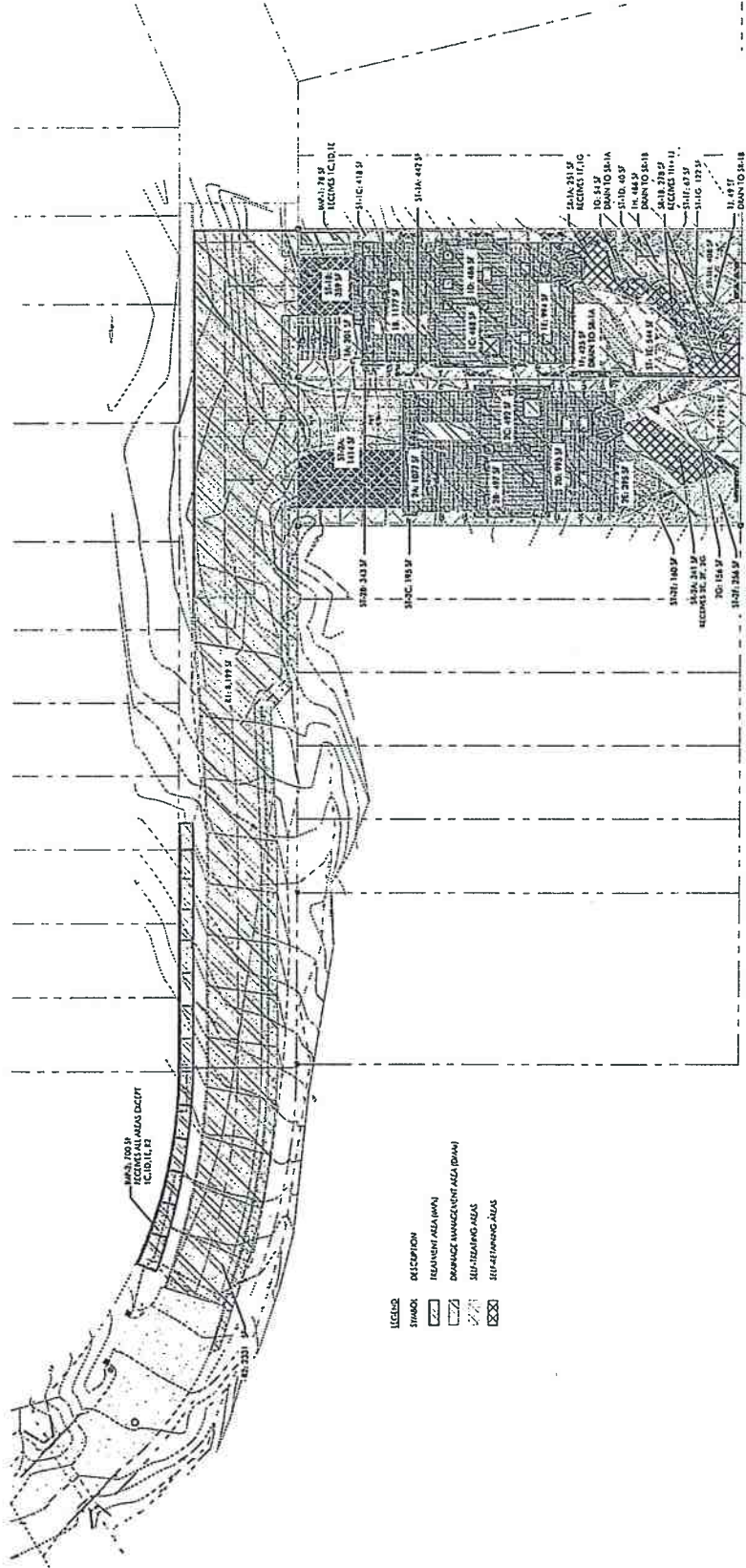
SCALE: 1" = 20'



**STORMWATER
 CONTROL PLAN**

Sheet

S-1



LEGEND

SYMBOL	DESCRIPTION
[Symbol: Dotted pattern]	RETAINMENT AREA (RAA)
[Symbol: Diagonal lines /]	DRAINAGE MANAGEMENT AREA (DMA)
[Symbol: Diagonal lines \]	SEDIMENTATION BASIN
[Symbol: Cross-hatch]	STREET PAVING AREAS



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: March 21, 2016

FILE: PSD-796-15
UP-49-15

ITEM: 2

PUBLIC NOTICE: Notice of Public Hearing was published in the Pacifica Tribune on March 9, 2016, and mailed to 66 surrounding property owners and occupants.

APPLICANT: David Melton
1035 Rio Vista Drive
Pacifica, CA 94044

OWNER: David Melton
1035 Rio Vista Drive
Pacifica, CA 94044

PROJECT LOCATION: 21 Malavear Drive (APN 023-270-580) – Linda Mar Neighborhood

PROJECT DESCRIPTION: Construct a single-family dwelling of 3,300 square feet (sf) in floor area with an attached garage of 600 sf on a 1.4 acre vacant lot at 21 Malavear Drive, Pacifica.

SITE DESIGNATIONS:

General Plan: Low Density Residential

Zoning: R-1 (Single-Family Residential)
A/B-5 Single-family(Agricultural/Lot Size Overlay)

RECOMMENDED CEQA STATUS: A Negative Declaration was previously adopted for this project.

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the City Council.

RECOMMENDED ACTION: Approval with conditions.

PREPARED BY: Kathryn Farbstein, Assistant Planner

PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS

ZONING STANDARDS CONFORMANCE:

<u>Proposed Single-Family Residence</u>	<u>Required</u>	<u>Proposed</u>
Lot Size	1 acre	1.4 acres (existing)
Minimum Lot Width	150'	75' (See Background)
Maximum Coverage		
Impervious Surface	30%	15%
Lot Coverage	30%	7.4%
Front Setback	25'	25'
Rear Setback	25'	400'
Side Setback	20'	20'
Height	35'	29'
Landscaping (Including Natural Vegetation)	20%	78%
Parking	2 car garage	2 car garage
Garage Inner Dimensions	18' wide by 19'deep	22' wide by 20'deep

PROJECT SUMMARY

1. **Background:** On October 16, 2003, a previous property owner obtained City approval to subdivide a 5.2-acre lot into four parcels. One of the parcels, at 1165 Linda Mar Boulevard (Lot 1), contained an existing single-family residence, while the three new parcels (Lots 2-4), accessed from a new street known as Malavear Drive, each were vacant but intended for future construction of one single-family residence each. Approval of a Variance request was necessary because: a) three of the proposed lots off Malavear Drive had less than the required 150 feet lot width; and, b) the lot at 1165 Linda Mar Blvd. had less than the required depth of 96 feet required in Table 4 of Pacifica Municipal Code (PMC) Section 9-10.912. Thus, the subject site (Lot 2) was approved with less than the minimum required lot width. As part of the subdivision, Malavear Drive was extended and a cul-de-sac constructed to provide access to the three new lots; however, not all the requirements of the Subdivision Improvement Agreement have been satisfied, which will be discussed later in this report.

Review of the original project for a subdivision and future single-family residences under the California Environmental Quality Act (CEQA) resulted in the City's adoption of a Negative Declaration (see Attachment C). The Planning Commission approved the subdivision request including the Variance and Modification described above, and adopted the Negative Declaration on March 15, 2004. The project was subsequently appealed to the City Council, which upheld the Planning Commission's decision on April 12, 2004.

On May 13, 2004, a group called Neighbors Concerned about Pacifica (NCAP) filed a civil lawsuit against the City of Pacifica and the applicants alleging that the City failed to comply with CEQA when issuing the subdivision approvals. By March 1, 2005, the City of Pacifica, the applicants, and NCAP had negotiated a Settlement Agreement which applies to this project. Following the settlement, the City Council approved the Final Map for the four lot subdivision on February 14, 2006. The recorded and executed Subdivision Improvement Agreement (SIA), which contains the Settlement Agreement, is included as Attachment D. The Settlement Agreement for the project required construction of a detention pond

system on the subject site (Lot 2) for stormwater management. A building permit was issued for construction of the detention ponds on March 1, 2016. Construction of the detention ponds was ongoing at the time of this report.

The Planning Commission approved the first of the three single-family dwellings on July 28, 2006, with Use Permit UP-959-06 and Site Development Permit PSD-752-06. Construction of the project, located at 30 Malavear Drive (Lot 4), was completed in 2008.

On August 3, 2015, the Planning Commission approved Use Permit UP-047-15 and Site Development Permit PSD-795-15 for construction of the second single-family dwelling at 35 Malavear Drive (Lot 3). The project is currently undergoing plan check and a building permit has not been issued.

2. Project Description: The applicant proposes to construct a single-family dwelling on the vacant Lot 2 with a street address of 21 Malavear Drive. The subject site is the last parcel of the four lot subdivision for which the Planning Commission will consider permits for a single-family dwelling.

The single-family dwelling proposed is a two-story structure of approximately 3,300 square feet (sf) located on the south side of the cul-de-sac. The first floor of approximately 2,600 sf would contain the attached garage of 600 sf, three bedrooms, three bathrooms, a kitchen, family room, great room, dining room and laundry facility. The upper floor of approximately 700 sf would contain a bedroom, bathroom, game room, and cantilevered deck. Garage access would be "swing" type parking in that the access to the garage is not directly from the street but is provided at the side of the proposed dwelling. A shed of approximately 300 sf at the back of the driveway is proposed as part of the dwelling since it is attached by a breezeway.

The proposed siding materials include board and batten on the lower portions of the primary dwelling and second unit, and entirely covering the shed attached to the main house. Horizontal lap siding is proposed for the majority of both dwellings. Stone veneer is proposed to cover the chimney, and as accents on the north and west elevations of the main dwelling. Grid windows and composition asphalt roofing shingles are proposed for both dwellings.

The site plan submitted by the applicant includes a detached second dwelling unit of approximately 850 sf. However, the second dwelling unit is not part of the subject application because it is a type of development subject to ministerial review rather than discretionary review (PMC 9-4.453(c)). The location identified for future construction of the second unit at the southwest corner of Sheila Lane and Malavear Drive is located on a roughly 7,400 sf portion of the 1.4-acre parcel zoned as R-1 (Single-Family Residential). Since this portion of the site is not zoned as A/B-5, and because the future second dwelling unit will comply with all development standards, it is therefore exempt from discretionary review. Furthermore, since Section 21080 of the Public Resources Code exempts ministerial projects from environmental review, the future second unit is exempt from CEQA.

3. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject property is LDR (Low Density Residential) and the Zoning Classification is A/B-5 (Agricultural/Lot Size Overlay) and R-1 (Single-Family Residential). The General Plan designation to the north, south and east sides of the subject site is LDR. The Alma Heights Academy (a private school), located to the west of the project site, has a General Plan designation of Church. The zoning designation is A/B-5 to the north and

south of the site. The west side containing the private school property has a zoning designation of PF+ (Public Facilities – Public Vote to Rezone). Properties to the east across Sheila Lane are zoned R-1.

4. Municipal Code: In PMC Section 9-4.1901(d)(1) Uses permitted: Restrictions (A), a single-family dwelling is a conditionally allowed use on a lot zoned for agricultural use, meaning it requires approval of a use permit and a site development permit.

5. CEQA Recommendation: As discussed previously, a Negative Declaration for the four lot subdivision development of single family residences was prepared and adopted by the City Council in 2004 upon appeal. The construction of three new dwellings, including 21 Malavear Drive (Lot 3) as proposed, was considered in the adopted Negative Declaration and all environmental issues addressed at that time.

CEQA Guidelines Section 15162 Subsequent EIRs and Negative Declarations provides guidelines regarding environmental review of projects that have already obtained a Negative Declaration. No subsequent environmental review is necessary unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

The Negative Declaration considered development of a single family dwelling on this site which is the same project being proposed currently. No new significant environmental effects have been identified for this current project to construct a single family dwelling and no significant environmental impacts were identified in the adopted Negative Declaration. The subject site has remained unchanged; thus, no substantial increase in the severity of previously identified significant events has occurred. The proposed development of a single family dwelling on a vacant lot is also exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

- (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

No substantial changes have occurred with respect to the circumstances under which the project will be undertaken in that no changes have occurred to the subject site that would require any revisions to the previously adopted Negative Declaration.

- (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, shows any of the following:*

- (A) *The project will have one or more significant effects not discussed in the previous Negative Declaration;*

The project will not have any significant effects on the environmental and it is considered exempt under CEQA Guidelines Section 15303 New Construction Class 3 (a).

(B) Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration;

No significant effects were identified in the adopted Negative Declaration and no new significant effects have been identified. The proposed development of a single family dwelling on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No mitigation measures were identified in the adopted Negative Declaration and no alternative site was proposed. The proposed development of a single family dwelling on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No mitigation measures were identified in the adopted Negative Declaration and no alternative site was proposed. The proposed development of a single family dwelling with a second unit on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

6. Required Findings: The PMC sets forth required findings for each permit considered by the Planning Commission. The findings required for approval of a Site Development Permit and Use Permit are included in the following sections with a discussion addressing each finding.

A. *Site Development Permit.* Section 9-4.3204 of the PMC states that a site development permit shall not be issued if the Commission makes any of the following findings:

- i. *That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

Discussion: The proposed use is a single-family dwelling in a neighborhood composed entirely of other single-family dwellings with the exception of the private school. The previously-adopted Negative Declaration for the subdivision that created this lot

determined that the proposed single-family use would not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

Discussion: The proposed dwelling satisfies the two car garage parking requirement, and complies with all the development standards for parking as listed in PMC Section 9-4.2817 Design standards for parking spaces. Additional temporary guest parking is available on the driveway and along the street. Thus, this project will not create a hazardous or inconvenient condition in accessing off-street parking spaces.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

Discussion: Sufficient landscaped areas have been provided for this development. The front yard will be landscaped as required by PMC Section 9-4.402(i) since the front yard area is substantially within the R-1 zoning district. Landscaping standards for the R-1 zone require a landscaped front yard and landscaping on at least 20 percent of the lot. In this case, the front yard adjacent to Sheila Lane will be landscaped and the areas surrounding both buildings will be landscaped. An irregularly shaped concrete patio which matches the walkways is proposed on the west side of the main dwelling. The hillside beyond the Development Boundary line has been seeded with native plants as required in the Settlement Agreement #4 Protection of Hillsides (b) [page 4]. The area beyond the Development Boundary line cannot be developed and will remain in a natural vegetated condition. Staff has recommended a condition of approval that requires a landscape plan with plants that are native and drought tolerant. In addition, the State's Model Water Efficient Landscape Ordinance requirements must also be implemented into the project as recommended in the landscaping condition of approval.

This is not a commercial development; and therefore, no screening of service areas, storage areas or large expanses of paved areas and parking lots is needed. The subject site is private property and no public access to open spaces is permitted.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

Discussion: The closest existing dwelling to the south of the main building is approximately 100 feet away at 1165 Linda Mar Blvd. The abutting vacant lot to the north is also part of the original subdivision and obtained approval recently for construction of a single-family dwelling addressed as 35 Malavear Drive. Due to the 20 foot wide side setbacks required at each site, at least 40 feet will separate the two buildings.

Setbacks for the proposed dwelling are larger than a typical single-family unit zoned R-1 because the B Lot Size Overlay designation requires larger setbacks based on the larger size of the lot. In this case the B-5 designation requires front and rear setbacks of 25 feet along with the 20 foot side setback. Currently no other buildings exist closer than ninety feet to the proposed dwellings; thus, the new buildings will not unreasonably restrict or cut out light and air on the subject site or on any property in the neighborhood. The proposed dwelling is appropriate for the neighborhood of predominately single-family development, and will not impair the value of any other nearby dwellings.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

Discussion: No improvement of a commercial or industrial structure is proposed for this project; therefore, this finding does not apply in this case.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code.*

Discussion: A very small portion of the lot will be developed with this project. The resulting 7.4 percent lot coverage means a substantial portion of the site will not be disturbed or developed. Moreover, the site has been improved to create detention ponds that will prevent damage to existing trees, shrubs, rocks, and the natural grade of the site from excessive and uncontrolled stormwater drainage. In addition, the Settlement Agreement has identified an area beyond the Development Boundary line that cannot be developed and which has been planted with native plants as described previously. This hillside area will remain protected as required by the Settlement Agreement. Thus, the proposed dwellings will not excessively damage or destroy natural features.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

Discussion: The proposed single-family residence is a custom built dwelling designed for this particular site. A partial second story is proposed with a cross gable roofline. The same siding materials of vertical board and batten siding is specified for the lower portions of the elevations and horizontal lap siding for the rest of the walls. The dwelling will also have a covered porch with wooden railings. The varied roofline, variety of siding materials and covered porch are features that serve to create visual interest for the project. As described previously, landscaping is also proposed that will improve the appearance of the area surrounding the building. Due to these design elements, there is sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance of the proposed dwelling.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The Design Guidelines under B. Building Design, 3. Details (page 4) encourage design elements from the surrounding neighborhood to be incorporated into

the project such as chimneys, decks, porches and roof shapes. In this particular case, there is a chimney on the west elevation and a second story deck, a covered porch and varied peaked roofline on the main dwelling. The scale is similar to other two-story dwellings in the neighborhood. On page 5 of the Design Guidelines B. Building Design, 4. Materials, additional guidelines such as compatibility of materials and consistency are also encouraged in new development. The proposed exterior vertical and horizontal siding for both buildings can also be found on dwellings in the neighborhood. The design is consistent in that siding materials and grid windows are located on all the elevations of the dwelling. Thus, the single-family dwelling as designed is consistent with the adopted Design Guidelines.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed single-family dwelling is consistent with the General Plan designation of LDR (Low Density Residential) which allows an average of 3 to 9 dwelling units per acre as specified in the General Plan on page 32. However, the General Plan description of LDR goes on to state that site conditions such as slope, geology, soils access and environmental sensitivity will determine specific density. In this case, the Negative Declaration and approval of the four lot subdivision considered the site conditions and determined that a single-family dwelling was the appropriate use for this property. The A/B-5 zoning of the site where the single-family dwelling is proposed conditionally permits the project with approval of a site development permit and use permit. Therefore, if approved, the project will be consistent with the Zoning Regulations. The subject site is not within the Coastal Zone; thus, the requirements of the Local Coastal Plan do not apply.

B. *Use Permit.* Section 9-4.3303 of the PMC states that the Planning Commission shall grant a use permit only upon making all of the following findings:

1. That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City.

Discussion: The construction of a single-family dwelling on the subject site will not in this particular case be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood nor will the development negatively impact the general welfare of the City. The site is located within a neighborhood of single-family residences. The subject site is also larger than many of the nearby lots accessed off Sheila Lane, Malavear Court and Alviso Court. The dwelling is proposed adjacent to the cul-de-sac and near the existing residence at 30 Malavear Drive in order to preserve the hillside at the rear (northwest) portion of the subject site. Specifically, the Settlement Agreement will ensure that the hillside is preserved with natural plantings and no development allowed beyond the Development Boundary line on the hillside (approximately 200 feet from the cul-de-sac) as stated in TERMS AND CONDITIONS, #4. Protection of Hillside (a) [page 4].

2. That the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the local Coastal Plan.

Discussion. The proposed single-family dwelling is consistent with the General Plan designation of LDR (Low Density Residential) which allows an average of 3 to 9 dwelling units per acre as specified in the General Plan on page 32. However, the General Plan description of LDR goes on to state that site conditions such as slope, geology, soils access and environmental sensitivity will determine specific density. In this case, the Negative Declaration and approval of the four lot subdivision considered the site conditions and determined that a single-family dwelling was the appropriate use for this property. The A/B-5 zoning of the site where the single-family dwelling is proposed conditionally permits the project with approval of a site development permit and use permit. Therefore, if approved, the project will be consistent with the Zoning Regulations. The subject site is not within the Coastal Zone; thus, the requirements of the Local Coastal Plan do not apply.

3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Discussion. The Design Guidelines under B. Building Design, 3. Details (page 4) encourage design elements from the surrounding neighborhood to be incorporated into the project such as chimneys, decks, porches and roof shapes. In this particular case, there is a chimney on the west elevation and a second story deck, a covered porch and varied peaked roofline on the main dwelling. The scale is similar to other two-story dwellings in the neighborhood. On page 5 of the Design Guidelines B. Building Design, 4. Materials, additional guidelines such as compatibility of materials and consistency are also encouraged in new development. The proposed exterior vertical and horizontal siding for both buildings can also be found on dwellings in the neighborhood. The design is consistent in that siding materials and grid windows are located on all the elevations of the dwelling. Thus, the single-family dwelling as designed is consistent with the adopted Design Guidelines.

7. Staff Analysis:

Site Development Permit/Use Permit – The proposed development of the single-family dwelling within a neighborhood of predominantly single-family residences is the type of use that should be constructed on this site. The development standards for projects within the B Lot Size Overlay District have been satisfied. The project is also consistent with the Design Guidelines. Issues to be avoided as identified in the Site Development Permit findings have been addressed with the result that no negative impacts are anticipated with the proposed development. Thus, the findings for approval of the Use Permit and Site Development Permit can be satisfied for this project.

Subdivision Improvement Agreement and Settlement Agreement – The SIA which includes the Settlement Agreement is attached as Attachment D. The SIA specifies the improvements, primarily in the public right-of-way, necessary for the subdivision. The SIA has been largely implemented by the previous and current property owners for the four lots within the subdivision as monitored by the Engineering Division of Public Works. However, according to Engineering Division staff, some minor improvements are still outstanding and as a result, a condition of approval is recommended that the applicant complete those outstanding improvements prior to building permit issuance. The outstanding improvements include, but may not be limited to, providing a light standard and street monument survey on the centerline of the street.

The executed Settlement Agreement is included within the recorded SIA. Sections regarding site improvements and hillside protection have been referenced previously in this report. In addition to those sections of the Settlement Agreement, there is another section that applies to the development of this project entitled TERMS AND CONDITIONS, 2. Onsite Drainage and Other Improvements, (a) Site Improvements (page 3) which specifies that 21 Malavear Drive (Lot 2) shall preserve and maintain the detention ponds. Although some preliminary work on the detention ponds may have been started several years ago, a building permit was issued to the applicant on March 1, 2016 to ensure that construction of the detention ponds is done correctly. The applicant has provided a written response to the activities required by the Settlement Agreement. The applicant states that both the drainage and seeding activities as required by the Settlement Agreement have been satisfied; however, the additional runoff from the roof of the approved building at 35 Malavear Drive has not been connected to the drainage system yet. Thus, staff is recommending a condition to ensure that all requirements in the SIA and Settlement Agreement are satisfied.

The Overall Site Plan on page A1.1 specifies the Development Boundary line which is approximately 200 feet from the cul-de-sac. All proposed development will be within the buildable area and will not extend beyond the Development Boundary line.

Design – The design of the project and consistency with the Design Guidelines have been discussed previously in this staff report. In staff's opinion, the design is visually appealing due to the varied roofline, covered porches, vertical and horizontal siding, and grid windows.

8. Summary: Staff believes, as conditioned, the project satisfies all Zoning Code development standards and it is consistent with the General Plan and the Design Guidelines. Design features such as varied gable rooflines and several siding materials ensure that a visually interesting building will be constructed on the site. The proposed single-family dwelling is a conditionally permitted use at this location upon approval of a site development permit and use permit, for which the applicant has applied and staff recommends approval (with conditions). Staff supports granting Site Development Permit PSD-796-15 and Use Permit UP-49-15, and staff recommends approval of the project subject to the conditions in Exhibit A of the attached Resolution.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find that the project substantially conforms to the development considered in the adopted Negative Declaration; **APPROVE** Site Development Permit PSD-796-15 and Use Permit UP-49-15 for the proposed single-family dwelling at 21 Malavear Drive 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. Resolution
- B. Exhibit A Conditions of Approval
- C. Negative Declaration from 2004
- D. Subdivision Improvement Agreement Including Settlement Agreement

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Proposed SFR and Second Unit
21 Malavear Drive
March 21, 2016
Page 11

- E. Response to Settlement Agreement provided by Applicant Dated January 10, 2016
- F. Land Use and Zoning Exhibit
- G. Plans

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SITE DEVELOPMENT PERMIT PSD-796-15, AND USE PERMIT UP-49-15, SUBJECT TO CONDITIONS, TO CONSTRUCT A SINGLE FAMILY DWELLING WITH AN ATTACHED GARAGE AT 21 MALAVEAR DRIVE (APN 023-270-590).

Initiated by: David Melton (“Applicant”)

WHEREAS, an application has been submitted to construct a single family dwelling of 3,300 square feet with an attached garage of 600 square feet on a vacant lot 1.4 acres at 21 Malavear Drive; and

WHEREAS, a notice of public hearing to consider the project was sent to all property owners and occupants within a 300 foot distance of the project via US Mail; and

WHEREAS, a Negative Declaration for the four lot subdivision development of single family residences was prepared and adopted by the City Council in 2004 upon appeal. The construction of three new dwellings, including 21 Malavear Drive (Lot 3) as proposed, was considered in the adopted Negative Declaration and all environmental issues addressed at that time; and

WHEREAS, the project requires approval of a Use Permit and Site Development Permit as required by the A/B-5 Zoning designation; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on March 21, 2016, 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:

- A. The above recitals are true and correct and material to this Resolution.
- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

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

A. *Environmental Review.* CEQA Guidelines Section 15162 Subsequent EIRs and Negative Declarations provides guidelines regarding environmental review of projects that have already obtained a Negative Declaration, which are discussed below. No further environmental review is necessary in this case for the reasons discussed:

- (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

The Negative Declaration considered development of a single family dwelling on this site which is the same project being proposed currently. No new significant environmental effects have been identified for this current project to construct a single family dwelling and no significant environmental impacts were identified in the adopted Negative Declaration. The subject site has remained unchanged; thus, no substantial increase in the severity of previously identified significant events has occurred. The proposed development of a single family dwelling on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

- (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

No substantial changes have occurred with respect to the circumstances under which the project will be undertaken in that no changes have occurred to the subject site that would require any revisions to the previously adopted Negative Declaration.

- (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, shows any of the following:*

- (A) *The project will have one or more significant effects not discussed in the previous Negative Declaration;*

The project will not have any significant effects on the environmental and it is considered exempt under CEQA Guidelines Section 15303 New Construction Class 3 (a).

- (B) *Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration;*

No significant effects were identified in the adopted Negative Declaration and no new significant effects have been identified. The proposed development of a single family dwelling on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No mitigation measures were identified in the adopted Negative Declaration and no alternative site was proposed. The proposed development of a single family dwelling on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No mitigation measures were identified in the adopted Negative Declaration and no alternative site was proposed. The proposed development of a single family dwelling with a second unit on a vacant lot is exempt per CEQA Guidelines Section 15303 Class 3 New Construction (a).

B. *Site Development Permit.* Section 9-4.3204 of the PMC states that a site development permit shall not be issued if the Commission makes any of the following findings:

- i. *That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

Discussion: The proposed use is a single-family dwelling in a neighborhood composed entirely of other single-family dwellings with the exception of the private school. The previously-adopted Negative Declaration for the subdivision that created this lot determined that the proposed single-family use would not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

Discussion: The proposed dwelling satisfies the two car garage parking requirement, and complies with all the development standards for parking

as listed in PMC Section 9-4.2817 Design standards for parking spaces. Additional temporary guest parking is available on the driveway and along the street. Thus, this project will not create a hazardous or inconvenient condition in accessing off-street parking spaces.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

Discussion: Sufficient landscaped areas have been provided for this development. The front yard will be landscaped as required by PMC Section 9-4.402(i) since the front yard area is substantially within the R-1 zoning district. Landscaping standards for the R-1 zone require a landscaped front yard and landscaping on at least 20 percent of the lot. In this case, the front yard adjacent to Sheila Lane will be landscaped and the areas surrounding both buildings will be landscaped. An irregularly shaped concrete patio which matches the walkways is proposed on the west side of the main dwelling. The hillside beyond the Development Boundary line has been seeded with native plants as required in the Settlement Agreement #4 Protection of Hillsides (b) [page 4]. The area beyond the Development Boundary line cannot be developed and will remain in a natural vegetated condition. Staff has recommended a condition of approval that requires a landscape plan with plants that are native and drought tolerant. In addition, the State's Model Water Efficient Landscape Ordinance requirements must also be implemented into the project as recommended in the landscaping condition of approval.

This is not a commercial development; and therefore, no screening of service areas, storage areas or large expanses of paved areas and parking lots is needed. The subject site is private property and no public access to open spaces is permitted.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

Discussion: The closest existing dwelling to the south of the main building is approximately 100 feet away at 1165 Linda Mar Blvd. The abutting vacant lot to the north is also part of the original subdivision and obtained approval recently for construction of a single-family dwelling addressed as 35 Malavear Drive. Due to the 20 foot wide side setbacks required at each site, at least 40 feet will separate the two buildings.

Setbacks for the proposed dwelling are larger than a typical single-family unit zoned R-1 because the B Lot Size Overlay designation requires larger setbacks based on the larger size of the lot. In this case the B-5

designation requires front and rear setbacks of 25 feet along with the 20 foot side setback. Currently no other buildings exist closer than ninety feet to the proposed dwellings; thus, the new buildings will not unreasonably restrict or cut out light and air on the subject site or on any property in the neighborhood. The proposed dwelling is appropriate for the neighborhood of predominately single-family development, and will not impair the value of any other nearby dwellings.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

Discussion: No improvement of a commercial or industrial structure is proposed for this project; therefore, this finding does not apply in this case.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code.*

Discussion: A very small portion of the lot will be developed with this project. The resulting 7.4 percent lot coverage means a substantial portion of the site will not be disturbed or developed. Moreover, the site has been improved to create detention ponds that will prevent damage to existing trees, shrubs, rocks, and the natural grade of the site from excessive and uncontrolled stormwater drainage. In addition, the Settlement Agreement has identified an area beyond the Development Boundary line that cannot be developed and which has been planted with native plants as described previously. This hillside area will remain protected as required by the Settlement Agreement. Thus, the proposed dwellings will not excessively damage or destroy natural features.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

Discussion: The proposed single-family residence is a custom built dwelling designed for this particular site. A partial second story is proposed with a cross gable roofline. The same siding materials of vertical board and batten siding is specified for the lower portions of the elevations and horizontal lap siding for the rest of the walls. The dwelling will also have a covered porch with wooden railings. The varied roofline, variety of siding materials and covered porch are features that serve to create visual interest for the project. As described previously, landscaping is also proposed that will improve the appearance of the area surrounding the building. Due to these design elements, there is sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance of the proposed dwelling.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The Design Guidelines under B. Building Design, 3. Details (page 4) encourage design elements from the surrounding neighborhood to be incorporated into the project such as chimneys, decks, porches and roof shapes. In this particular case, there is a chimney on the west elevation and a second story deck, a covered porch and varied peaked roofline on the main dwelling. The scale is similar to other two-story dwellings in the neighborhood. On page 5 of the Design Guidelines B. Building Design, 4. Materials, additional guidelines such as compatibility of materials and consistency are also encouraged in new development. The proposed exterior vertical and horizontal siding for both buildings can also be found on dwellings in the neighborhood. The design is consistent in that siding materials and grid windows are located on all the elevations of the dwelling. Thus, the single-family dwelling as designed is consistent with the adopted Design Guidelines.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed single-family dwelling is consistent with the General Plan designation of LDR (Low Density Residential) which allows an average of 3 to 9 dwelling units per acre as specified in the General Plan on page 32. However, the General Plan description of LDR goes on to state that site conditions such as slope, geology, soils access and environmental sensitivity will determine specific density. In this case, the Negative Declaration and approval of the four lot subdivision considered the site conditions and determined that a single-family dwelling was the appropriate use for this property. The A/B-5 zoning of the site where the single-family dwelling is proposed conditionally permits the project with approval of a site development permit and use permit. Therefore, if approved, the project will be consistent with the Zoning Regulations. The subject site is not within the Coastal Zone; thus, the requirements of the Local Coastal Plan do not apply.

B. *Use Permit.* Section 9-4.3303 of the PMC states that the Planning Commission shall grant a use permit only upon making all of the following findings:

1. That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City.

Discussion: The construction of a single-family dwelling on the subject site will not in this particular case be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood nor will the development negatively impact the general welfare of the City. The site is located within a neighborhood of single-family residences. The subject site is also larger than many of the nearby lots accessed off Sheila Lane, Malavear Court and Alviso Court. The dwelling is proposed adjacent to the cul-de-sac and near the existing

residence at 30 Malavear Drive in order to preserve the hillside at the rear (northwest) portion of the subject site. Specifically, the Settlement Agreement will ensure that the hillside is preserved with natural plantings and no development allowed beyond the Development Boundary line on the hillside (approximately 200 feet from the cul-de-sac) as stated in TERMS AND CONDITIONS, #4. Protection of Hillside (a) [page 4].

2. That the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the local Coastal Plan.

Discussion. The proposed single-family dwelling is consistent with the General Plan designation of LDR (Low Density Residential) which allows an average of 3 to 9 dwelling units per acre as specified in the General Plan on page 32. However, the General Plan description of LDR goes on to state that site conditions such as slope, geology, soils access and environmental sensitivity will determine specific density. In this case, the Negative Declaration and approval of the four lot subdivision considered the site conditions and determined that a single-family dwelling was the appropriate use for this property. The A/B-5 zoning of the site where the single-family dwelling is proposed conditionally permits the project with approval of a site development permit and use permit. Therefore, if approved, the project will be consistent with the Zoning Regulations. The subject site is not within the Coastal Zone; thus, the requirements of the Local Coastal Plan do not apply.

3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Discussion. The Design Guidelines under B. Building Design, 3. Details (page 4) encourage design elements from the surrounding neighborhood to be incorporated into the project such as chimneys, decks, porches and roof shapes. In this particular case, there is a chimney on the west elevation and a second story deck, a covered porch and varied peaked roofline on the main dwelling. The scale is similar to other two-story dwellings in the neighborhood. On page 5 of the Design Guidelines B. Building Design, 4. Materials, additional guidelines such as compatibility of materials and consistency are also encouraged in new development. The proposed exterior vertical and horizontal siding for both buildings can also be found on dwellings in the neighborhood. The design is consistent in that siding materials and grid windows are located on all the elevations of the dwelling. Thus, the single-family dwelling as designed is consistent with the adopted Design Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica approves the Site Development Permit PSD-796-15, and Use Permit UP-49-15, to allow construction of a single family dwelling, with an attached garage at 21 Malavear Drive (APN 023-270-590), subject to conditions of approval attached as Exhibit A.

* * * * *

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 21st day of March, 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Richard Campbell, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Use Permit, UP-49-15 and Site Development Permit, PSD-796-15, For a Two-Story Single-Family Residence on a Vacant Lot at 21 Malavear Drive (APN 023-270-580)

Planning Commission Meeting of March 21, 2016

Planning Department

1. Development shall be substantially in accord with the plans entitled "New Single Family Home & 2nd Unit 21 Malavear Drive," consisting of 13 (thirteen) sheets, date stamped November 24, 2015 except as modified by the following conditions.
2. All requirements as specified in the Settlement Agreement and Mutual Release of Claims dated March 1, 2005 must be satisfied to the Planning Director's satisfaction prior to building permit issuance.
3. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director.
4. The applicant shall submit a final landscape plan for approval by the Planning Director prior to the issuance of a building permit. All requirements of the Model Water Efficient Landscape Ordinance (State of California), July 9, 2015 shall be documented and implemented in the landscape plan. The landscape plan shall show each type, size, and location of plant materials. 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 occupancy. 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.
5. 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.

Attachment B

6. All transformers, HVAC units, backflow preventors 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, berming, painting, and/or landscaping, to the satisfaction of the Planning Director.
7. 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.
8. 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.
9. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
10. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
11. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to the issuance of a building permit. Said plan shall indicate fixture design, illumination, location, height, and method of shielding so as not to adversely affect adjacent properties. Lighting shall be directed away from adjacent residences. Buffering techniques to reduce light and glare impacts to residences shall be required. Building lighting shall be architecturally integrated with the building style, materials and colors and shall be designed to minimize glare. Show fixture locations, where applicable, on all building elevations.
12. 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.

13. The applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction prior to approval of a building permit.

Wastewater Division of Public Works

14. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wash water) shall be discharged to the storm drain system, the street or gutter. New storm drain inlets shall be protected from being blocked by large debris to the Public Work Director's satisfaction.

Engineering Division of Public Works

15. Per the Subdivision Improvement Agreement, 1165 Linda Mar Blvd. Subdivision dated February 14, 2006, a building permit for this development cannot be issued until all improvements including but not limited to streetlight, monument's and detention pond are completed per the Subdivision Improvement Agreement, Settlement Agreement and to the satisfaction of the City Engineer.
16. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
17. Roadways shall be maintained clear of construction materials and debris, especially mud and dirt tracked, onto Malavear Drive and Sheila Lane. Dust control and daily road cleanup will be strictly enforced.
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 occupancy of the first unit.
19. All proposed sanitary sewer system up to their connection to the existing mains shall be privately maintained. Show all existing and proposed sanitary sewer system on the Site Plan.

20. All proposed storm drain system up to their connection to the existing mains shall be privately maintained. Show all existing storm drain system within ROW and property on the Site Plan. Applicant shall record a Private Storm Drainage Easement (PSDE) for the existing storm drain system.
21. All utilities shall be installed underground from the nearest joint pole or box.
22. 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."
23. Prior to approval of the Building Permit, applicant shall provide an erosion control plan.
24. Applicant shall grind and overlay existing asphalt with minimum 2 inch AC to the limits of all utility connection or to street centerline whichever is greater across entire property frontage of Malavear Drive and Sheila Lane. All pavement markings and markers shall be replaced in kind.
25. A City of Pacifica Encroachment Permit shall be obtained for all work undertaken in the public right-of-way. All work shall be done 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 and shall be completed prior issuance of the Certificate of Occupancy. Permit fees shall be determined per the current adopted fee schedule at the time of permit issuance.
26. 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.

North County Fire Department

27. The Applicant shall submit plans for the required fire sprinklers per Pacifica Muni code and 2013 CFC at the same time or before they submit for a building permit.
28. The Applicant shall provide a horn strobe on the front of the building for the fire sprinkler to the satisfaction of the Fire Chief or designee.

Conditions of Approval: UP-49-15 and PSD-796-15
Single Family Dwelling
21 Malavear Drive (APN 023-270-580)
March 21, 2015
Page 5 of 5

29. The Applicant shall provide a fire flow report from North Coast County Water District (NCCWD) showing a fire flow of 750 gpm or greater per 2013 CFC Appendix B, Table B105.1 for structures over 3600 sq. ft. to the satisfaction of the Fire Chief or designee.
30. The Applicant shall mark the cul-de-sac and road per 2013 CFC Appendix D, D103.6 through D103.6.2 including signs per D103.6 to the satisfaction of the Fire Chief or designee.
31. The Applicant shall provide clearly visible illuminated premises Identification (address) per 2013 CFC to the satisfaction of the Fire Chief or designee.
32. The Applicant shall install smoke detectors and CO monitors per 2013 CFC and 2013 CBC to the satisfaction of the Fire Chief or designee.
33. The Applicant shall install and make serviceable all fire service features prior to beginning construction to the satisfaction of the Fire Chief or designee.
34. The Applicant shall conform to 2013 CFC chapter 33 for fire Safety during all construction to the satisfaction of the Fire Chief or designee.
35. The Applicant shall not begin construction without approved plans and a permit on site at all times.


End

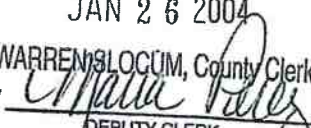
**NOTICE OF AVAILABILITY OF NEGATIVE DECLARATION AND
PUBLIC HEARING FOR A PROPOSED FOUR-LOT SUBDIVISION
AT 1165 LINDA MAR BLVD. (SUB-200-03 AND PV-468-03)**

NOTICE IS HEREBY GIVEN that the City of Pacifica has prepared a Draft Negative Declaration stating that the following project at 1165 Linda Mar Blvd. (APN 023-270-460) will have no adverse affect on the environment and that the Planning Commission of the City of Pacifica will conduct a public hearing on Monday, March 1, 2004, at 7:00 p.m., in the Council Chambers, 2212 Beach Boulevard, Pacifica, to consider the following:

The applicant is proposing a four-lot subdivision for an existing lot. A Variance is necessary to allow three of the newly created lots to have less than the required lot width for B-5 zoned properties. The existing house with attached garage would remain on proposed Lot 1. The existing wooden sheds and other structures related to a previous agricultural use and located on proposed lot 2, 3 and 4 would be removed. If the subdivision is approved, one single-family unit could be constructed on each new lot.

The Negative Declaration is available for public review and comment for 20 days, beginning January 28, 2004. A copy of the Negative Declaration, detailed plans and additional information is available for public review in the Planning and Economic Development Department, 1800 Francisco Boulevard, Pacifica. A copy of the Negative Declaration and Initial Study is also available in the Sanchez and Sharp Park Public libraries. Anyone interested may appear and be heard at the time and place noted above. If any of the above actions are challenged in court, issues that 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.


Michael Crabtree
City Planner
Published in the Pacifica Tribune January 28, 2004.

FILED
JAN 26 2004
WARREN SLOCUM, County Clerk
By 
DEPUTY CLERK

NEGATIVE DECLARATION

DATE: January 28, 2004

The Planning Department of the City of Pacifica has analyzed the project described below and has determined that the project will not have any significant adverse effects on the environment including any adverse effect, either individually or cumulatively on wildlife resources.

PROJECT DESCRIPTION

PROJECT NAME: TENTATIVE PARCEL MAP – 1165 LINDA MAR BLVD.

APPLICANT and OWNER: Gary and Dianne Bonini, 1165 Linda Mar Blvd., Pacifica, Ca 94044

PROJECT

LOCATION: Linda Mar Blvd. located on the northeast corner with Sheila Lane in the Linda Mar neighborhood
APN:023-270-460

PROJECT

DESCRIPTION: The applicant is proposing a four-lot subdivision for an existing lot. A Variance is necessary to allow three of the newly created lots to have less than the required lot width for B-5 zoned properties. The existing house with attached garage would remain on proposed Lot 1. The existing wooden sheds and other structures related to a previous agricultural use and located on proposed lot 2, 3 and 4 would be removed. If the subdivision is approved, one single-family unit could be constructed on each new lot. The proposed subdivision would result in development of the site that is consistent with the surrounding single-family development in the neighborhood but the larger lots would allow some of the steeper portions of the new lots to be undeveloped and appear as open hillside areas.

FINDINGS

As documented in the accompanying Initial Study and Checklist, the proposed project will not significantly adversely affect the environment, either in the alteration of the land or by creating short- or long-term adverse impacts.

DE MINIMUS IMPACT FINDINGS: No evidence exists in the record that the project will have the potential for any adverse effect, either individually or cumulatively on wildlife resources or the habitat upon which wildlife depends, based on the following findings of fact: a) the project area is an infill site surrounded by fully or partially developed properties; and b) there are no known wildlife resources within the project boundaries or in the immediate vicinity of the project site.

This Negative Declaration was prepared in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and applicable guidelines. A copy of the Initial Study and Checklist and related material may be obtained at the Planning & Economic Department, 1800 Francisco Boulevard, Pacifica, CA 94044. Notice of completion of this Negative Declaration was published in the Pacifica Tribune on January 23, 2004, and was posted in the San Mateo County Clerk's Office.

Prepared by:


Kathryn Farbstein, Assistant Planner.



INITIAL STUDY & CHECKLIST

Prepared For:

**TENTATIVE PARCEL MAP AND VARIANCES
1165 LINDA MAR BLVD., PACIFICA, CA
(APN 023-270-460)**

Date Prepared:

January 28, 2004

Prepared By:

**CITY OF PACIFICA
PLANNING DEPARTMENT
1800 FRANCISCO BOULEVARD
PACIFICA, CA 94044**

(650) 738-7341

**CITY OF PACIFICA
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**



INITIAL STUDY AND CHECKLIST

Date: January 28, 2004

California Environmental Quality Act (CEQA) Requirements

This report has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and applicable guidelines.

Project Title: **TENTATIVE PARCEL MAP AND VARIANCE
1165 LINDA MAR BLVD., PACIFICA, CA**

<u>Lead Agency:</u>	City of Pacifica 1800 Francisco Blvd. Pacifica, CA 94044	<u>Contact Person:</u>	Kathryn Farbstein, Assistant Planner (650) 738-7443
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Project Applicant and Owner: Gary and Dianne Bonini
1165 Linda Mar Blvd.
Pacifica, CA 94044

Project Location: 1165 Linda Mar Blvd. APN: 023-270-460

General Plan Designation/Zoning Classification: Low Density Residential for the General Plan Designation and A/B-5 Zoning Classification which is Agricultural and Lot Size Overlay District.

Project Description: The applicant is proposing a four-lot subdivision for an existing lot. A Variance is necessary to allow three of the newly created lots to have less than the required lot width for B-5 zoned properties. The existing house with attached garage would remain on proposed Lot 1. The existing wooden sheds and other structures related to a previous agricultural use and located on proposed lot 2, 3 and 4 would be removed. If the subdivision is approved, one single-family unit could be constructed on each new lot. The proposed subdivision would result in development of the site that is consistent with the surrounding single-family development in the neighborhood but the larger lots would allow some of the steeper portions of the new lots to be undeveloped and appear as open hillside areas.

Site Description: The applicant proposes the subdivision of a 5.35-acre lot into 4 parcels in the Linda Mar neighborhood. The subject site contains one single-family residence and several structures previously utilized in a flower business that operated on the site. The existing house would remain and will be located on Lot 1. The dilapidated sheds and other structures spread across the remaining proposed lots will be removed. Several medium and large sized trees, and bushes are located on the site. In addition, the site is covered by grass.

The subject site is a corner lot that is bounded by Linda Mar Blvd. on the south, and Sheila Lane and Malavear Ct. on the east. Pillar of Fire is the owner of the property and operator of

the Alma Heights Christian Academy, a private school, that borders the project on the west side. On the northern border, the site abuts the rear yards of single-family homes that front onto Alviso Ct.. The subject site is located on a hillside that slopes up from Linda Mar Blvd. and the steepest portion of the property is on the northwest corner

The four proposed parcels are consistent with the requirements of Table 4 of the City's Subdivision Ordinance. Lot 1 with an average cross slope of 21% would require 10, 666.67 square feet of lot area and 76.66 feet in width in contrast to 1.34 acres and 564 feet in width proposed. Proposed Lot 2 at 1.42 acres and 262.4 feet in lot width exceeds the required lot area of 11,333.34 square feet and 78.33 in lot width based on a n average cross slope of 22%. Lots 1 and 2 are required to have at least 100 feet in lot depth, and at 103.5 feet and 770 feet, respectively; both proposed parcels exceed the lot depth requirement. Proposed Lot 3 is 1.19 acres in lot area, 77.4 feet in frontage and 460 feet in depth. Proposed Lot 4 is 1.25 acres in lot area, 111.9 feet in frontage and 560 feet in depth. Both parcels have an average cross slope of 19% and exceed the minimum required dimensions of 9,500 square feet in lot area, 72.50 in frontage and 98 feet in depth.

As discussed previously, a Variance would be necessary to allow Lots 2, 3 and 4 to be created with a lot width less than the required 150 feet in the B-5 current zoning. No zone change is proposed at this time. The Variance request and the fact that two of the parcels exceed 20% average cross slope ensures that an Initial Study be completed and an environmental determination made on the proposed subdivision as required by CEQA.

Surrounding Land Uses and Setting: This is an infill site. The properties to the north, south and east of the subject site have the same General Plan designation of Low Density Residential. The property on the west border has a General Plan classification of school and a zoning designation of P-F+ for the private school. The properties to the north, south and west have a zoning designation of R-1.

Other public agency approval(s) required: None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked (X) below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Public Services | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Agricultural Resources |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

X I find that the proposed project **COULD NOT** have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared.

___ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures, as described on an attached sheet and agreed to by the applicant, have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

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

___ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze on the effects that remain to be addressed.

___ I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

City of Pacifica: _____
(Signature)

Date: January 28, 2004

Kathryn Farbstein, Assistant Planner
(Name & Title)

Applicant/Owner: N/A
(for mitigated projects) (Name & Title)

Date: _____

(Name, Title & Company)

	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	Less Than Significant Impact	No Impact
--	--	--------------------------------------	------------------------------------	--------------

LEVEL OF ENVIRONMENTAL IMPACTS

This checklist indicates the potential level of impact for each environmental factor, including subcategory, as follows:

Potentially Significant Impact: Applies if there is substantial evidence that an effect is significant. If one or more of these entries are made, an EIR is required.

Less Than Significant With Mitigation Incorporated: Applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". Describe mitigation measures and briefly explain how they reduce the effect accordingly. Reference source documentation in parenthesis ().

Less Than Significant Impact: Requires brief explanation. Reference source documentation in parenthesis ().

No Impact: No explanation required when source documentation is referenced () and adequately supports that impact does not apply. Explanation is, however, required when finding is based on project-specific factors or general standards.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the project:

- | | | | | |
|---|-----|-----|----------|----------|
| a) Physically divide an established community? (1) | ___ | ___ | ___ | <u>X</u> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1) | ___ | ___ | <u>X</u> | ___ |
| b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (1) | ___ | ___ | ___ | <u>X</u> |

Discussion of Evaluation: This is an infill site that is surrounded on three sides by single-family residential development. Since the application includes a Variance request, the project upon approval by the City would be consistent with the Zoning Code and it is already consistent with the General Plan. The proposed subdivision would be consistent with the existing surrounding single-family development and will not alter the land use patterns in the area. Additionally, the four-lot subdivision as proposed is consistent with the Subdivision Code including Table 4.

Approval of a Variance request would be necessary to allow Lots 2, 3 and 4 to be less than the required amount lot width of 150 feet in the B-5 zone. Each new lot will be more than an acre in size, which offsets the smaller lot widths proposed. In addition, the average lot width in the surrounding neighborhood is 50 feet and each newly created lot is more than 50 feet in width.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: None required.

II. POPULATION AND HOUSING. Would the project:

- | | | | | |
|---|-----|-----|-----|----------|
| a) Induce substantial population growth in an area, either directly (e.g. construct new homes or businesses) or indirectly (e.g. extend roads or other major infrastructure)? (1) | ___ | ___ | ___ | <u>X</u> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1) | ___ | ___ | ___ | <u>X</u> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1) | ___ | ___ | ___ | <u>X</u> |

Discussion of Evaluation: The proposal is in conformance with the planned and realized growth patterns in Pacifica as anticipated in the General Plan. Since three new lots will be created, the density will increase by three households. This increase in density is not inconsistent with the General Plan or planned and related growth pattern of the surrounding area. The existing single-family dwelling will remain unchanged so this project will not displace existing housing or people.

Mitigation: None required.

III. GEOLOGY AND SOILS. Would the project:

- | | | | | |
|--|-----|-----|----------|----------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| 1) Rupture of known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (6,9) | ___ | ___ | ___ | <u>X</u> |
| 2) Strong seismic ground shaking? (6,9) | ___ | ___ | <u>X</u> | ___ |
| 3) Seismic-related ground failure, including liquefaction? (6,9) | ___ | ___ | ___ | <u>X</u> |
| 4) Landslides? (6,9) | ___ | ___ | ___ | <u>X</u> |
| b) Result in substantial soil erosion or the loss of topsoil? (9) | ___ | ___ | ___ | <u>X</u> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (9) | ___ | ___ | ___ | <u>X</u> |

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property? (9) ___ ___ ___ X
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? (9) ___ ___ ___ X

Discussion of Evaluation: This development, along with all of the City of Pacifica, engenders risk of seismic instability, due to the proximity of the San Andreas Fault, approximately 5 km from the site. In addition, the site is 3.5 km from the San Gregorio fault. No known fault runs through the site. In addition, the State of California, "Alquist-Priolo Special Studies Zone Act" does not show the site within the "Special Studies Zone." Due to its proximity to the San Andreas Fault and the generally seismically active region, strong site ground shaking may occur during the life of the structure(s); however, no significant environmental impacts are anticipated.

Due to the steepness of the subject site, a geotechnical report has been completed and submitted by the applicant. All proposed residential structures on the site would be constructed according to the current California Building Code requirements and based upon the geotechnical report recommendations. No significant impacts are expected.

Mitigation: None required.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

- a) Violate any water quality standards or waste discharge requirements? () ___ ___ ___ X
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted? () ___ ___ ___ X
- c) Substantially alter the exiting drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (9) ___ ___ ___ X
- d) Substantially alter the exiting drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in substantial flooding on- or off-site? (9) ___ ___ ___ X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? () ___ ___ ___ X
- f) Otherwise substantially degrade water quality? () ___ ___ ___ X
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map? (5) ___ ___ ___ X
- h) Place within a 100-year flood hazard area structures which could impede or redirect flood flows? (5) ___ ___ ___ X
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (5) ___ ___ ___ X
- j) Inundation by seiche, tsunami, or mudflow? (5) ___ ___ ___ X

Discussion of Evaluation: The A/B-5 zoning designation allows a maximum of 30% lot coverage and 30% impervious surface area for each of the proposed four lots. The construction of three single-family residences on the newly created lots would result in covering and/or compacting existing vacant land; this in turn results in increased impermeable surfaces. Consequently, the absorption rates and drainage patterns would change. This change, however, is not inconsistent with the surrounding neighborhood and is not expected to create a significant environmental impact.

All project grading would take place in the dry season to minimize immediate erosion/siltation effects. Nevertheless, erosion/siltation controls will be required during the construction process. Best Management Practices (BMPS) such as straw mulch, silt fences, sediment basins or traps and/or other measures will be employed during construction. Additionally, the project would not degrade water quality due to the implementation of BMPs to control pollution in runoff. The project will also use the municipal water supply and have no impact on groundwater. Drainage recommendations from the geotechnical report will be incorporated into the design of any future buildings on the proposed four lots.

The project involves no new construction within the 100-year flood zone. The site is far away from a potential tsunami hazard according to the General Plan. However, the site is within the boundaries of Area C as designated on the flood map, which indicates this area has a potential for minimal, if any, flooding.

Mitigation: None required.

V. AIR QUALITY. Would the project:

- a) Conflict with or obstruct implementation of the applicable

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
air quality plan? (1)	___	___	___	<u>X</u>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (1)	___	___	___	<u>X</u>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal and state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? (1)	___	___	___	<u>X</u>
d) Expose sensitive receptors to substantial pollutant concentrations? (1)	___	___	___	<u>X</u>
e) Create objectionable odors affecting a substantial number of people? (1)	___	___	___	<u>X</u>

Discussion of Evaluation: Pacifica is located along the western edge of the San Francisco Bay Area air basin, and is affected by persistent and frequently strong winds from off the Pacific Ocean. The city is also within the Bay Area Air Quality Management District. Other than occasional violations of standards for ozone and suspended particulate matter (PM10), within San Mateo County, the area's air quality standards are generally met.

There is no construction associated with the proposed subdivision; although creating three additional lots will likely result in construction of three additional dwellings. The majority of air quality impacts would occur during such construction, primarily during grading. This impact will be limited to suspended particulate matter. The amount of particulate matter will be effectively reduced during grading by conventional grading practices required by the Engineering Department such as watering work areas and seeding or winterizing bare ground. This project would not expose sensitive receptors to substantial pollutant concentrations or be the source of any objectionable odors.

Mitigation: None required.

VI. TRANSPORTATION/TRAFFIC. Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (1)	___	___	<u>X</u>	___
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (1)	___	___	___	<u>X</u>
c) Result in a change in air traffic patterns, including either an				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
increase in traffic levels or a change in location that results in substantial safety risks? (1)	___	___	___	<u>X</u>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? ()	___	___	___	<u>X</u>
e) Result in inadequate emergency access? (1)	___	___	___	<u>X</u>
f) Result in inadequate parking capacity? (1)	___	___	___	<u>X</u>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (1)	___	___	___	<u>X</u>

Discussion of Evaluation: The proposed subdivision could result in construction of up to three additional single-family homes that would increase demand for parking and increase traffic in the area. However, such increase is minimal and is expected to be consistent with the zoning for the site and the area. Each new home will be required to provide a two-car garage pursuant to the B-5 zoning regulations for the site. Existing roadway capacities are capable of supporting the minimal increase in traffic generated by the project and, as such, no significant impacts are anticipated.

Additionally, the construction of up to three new single-family homes will have no effect on air traffic patterns, or substantially increase hazards due to a design feature or incompatible uses. The site does have adequate emergency access proposed with a turnaround of sufficient size to accommodate emergency vehicles and the project will have no effect on alternative Transportation modes.

Mitigation: None required.

VII. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?()	___	___	___	<u>X</u>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? ()	___	___	___	<u>X</u>
c) Have a substantial adverse effect on federally protected Wetlands as defined by Section 404 of the Clean Water Act				

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(including, but not limited to, marsh, vernal pool, coastal, etc.)
through direct removal, filling, hydrological interruption, or
other means? ()

___	___	___	<u> X </u>
-----	-----	-----	--------------

d) Interfere substantially with the movement of any native resident
or migratory fish or wildlife species or with established native
resident or migratory wildlife corridors, or impede the use of
native wildlife nursery sites? ()

___	___	___	<u> X </u>
-----	-----	-----	--------------

e) Conflict with any local policies or ordinances protecting
biological resources, such as a tree preservation policy or
ordinance? (2)

___	___	___	<u> X </u>
-----	-----	-----	--------------

f) Conflict with the provisions of an adopted Habitat
Conservation Plan, Natural Community Conservation Plan,
or other approved local, regional, or state habitat conservation
plan? (1)

___	___	___	<u> X </u>
-----	-----	-----	--------------

Discussion of Evaluation: The site is currently covered with grasses, weeds, dense brush and a few trees. The site is not located within a federally protected wetland. No known unique, rare, or endangered species are known to inhabit the site nor is the development location expected to change the diversity of any animals or species in the area. The site is not included in any adopted Habitat Conservation Plan, Natural Community Plan or any other approved conservation plan. The site location is not a known animal migratory route or riparian habitat and no significant environmental impacts are expected from the project.

Mitigation: None required.

VIII. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource
that would be of future value to the region and the residents
of the State? (1)

___	___	___	<u> X </u>
-----	-----	-----	--------------

b) Result in the loss of availability of a locally-important mineral
resource recovery site delineated on a local general plan,
specific plan or other land use plan? (1)

___	___	___	<u> X </u>
-----	-----	-----	--------------

Discussion of Evaluation: No known mineral resources are located on the site, nor has the site been used for mineral resource extraction.

Mitigation: None required.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment
through the routine transport, use, or disposal of hazardous

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
materials? ()	___	___	___	<u>X</u>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	___	___	___	<u>X</u>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ()	___	___	___	<u>X</u>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Sect. 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ()	___	___	___	<u>X</u>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use of airport, would the project result in a safety hazard for people residing or working in the project area? ()	___	___	___	<u>X</u>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? ()	___	___	___	<u>X</u>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1)	___	___	___	<u>X</u>
h) Expose people or structures to significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	___	___	___	<u>X</u>

Discussion of Evaluation: The proposed project will not involve the use of materials classified as hazardous substances and the project site does not contain any materials from a hazardous materials list pursuant to Government Code Section 65962.5. The site is not within two miles of a public airport or public use airport and will not interfere with any emergency response or evacuation plans. The project is not located in an area where there is significant risk of wild land fires.

Mitigation: None required.

X. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1)	___	___	___	<u>X</u>
b) Exposure of persons to or generation of excessive ground borne				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
vibration or ground borne noise levels? (1)	___	___	___	<u>X</u>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	___	___	___	<u>X</u>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	___	___	___	<u>X</u>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	___	___	___	<u>X</u>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	___	___	___	<u>X</u>

Discussion of Evaluation: The creation of three additional lots could result in the addition of a maximum of three new homes, which would create a new source of noise in the area. However, the anticipated noise is expected to be minimal and consistent with the existing noise levels in the surrounding single-family neighborhood. Noise will occur during the project construction, as with all new construction projects, resulting in increased exterior noise levels within the project vicinity. This would be a temporary impact. The project is not located within an airport land use plan, within two miles of a public airport or public use airport or within the vicinity of a private airstrip. No significant impact is expected.

Mitigation: None required.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

a) Fire protection? (1)	___	___	___	<u>X</u>
b) Police protection? (1)	___	___	___	<u>X</u>
c) Schools? (1)	___	___	___	<u>X</u>
d) Parks? (1)	___	___	___	<u>X</u>
e) Other public facilities? (1)	___	___	___	<u>X</u>

Discussion of Evaluation: As part of the Planning applications and/or Building Permit review

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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process, all departments and agencies responsible for providing services are consulted to determine their ability to provide services to proposed development projects. All applicable agencies have indicated they will be able to provide the needed public services at acceptable service levels to this project.

Mitigation: None required.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|--|-----|-----|-----|--------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? () | ___ | ___ | ___ | <u> X </u> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? () | ___ | ___ | ___ | <u> X </u> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? () | ___ | ___ | ___ | <u> X </u> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? () | ___ | ___ | ___ | <u> X </u> |
| e) Result in a determination by the wastewater treatment provider, who serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ___ | ___ | ___ | <u> X </u> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? () | ___ | ___ | ___ | <u> X </u> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? () | ___ | ___ | ___ | <u> X </u> |

Discussion of Evaluation: Electric, gas, water, storm, and sewer lines exist within close proximity of the project site. As part of the Planning application review process, all departments and agencies responsible for supplying utilities for this project have indicated their ability to meet the needs of the project.

Mitigation: None required.

XIII. AESTHETICS. Would the project:

- | | | | | |
|---|-----|-----|-----|--------------|
| a) Have a substantial adverse effect on a scenic vista? (2) | ___ | ___ | ___ | <u> X </u> |
|---|-----|-----|-----|--------------|

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (1) ___ ___ ___ X
- c) Substantially degrade the existing visual character or quality of the site and its surroundings? (2) ___ ___ ___ X
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ___ ___ ___ X

Discussion of Evaluation: The proposed subdivision would result in three additional, buildable lots that would likely result in the construction of three new homes. All new home construction is typically subject to existing City policies and Design Guidelines for height and materials. No scenic resources or historic buildings would be affected by this proposal. If any big trees need to be removed, a Heritage Tree Permit will be required and the existing trees that will remain will be protected during construction and maintained by the owner. The majority of the project site will remain in its natural state due to the extremely large lot size of more than an acre per lot. The subdivision is proposed in such a way as to preserve a majority of the hillside visible from Linda Mar Blvd. There would be no new source of substantial light or glare, which would effect day or nighttime views in the area.

Mitigation: None required.

XIV. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resources as defined in §15064.5? (1) ___ ___ ___ X
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (1) ___ ___ ___ X
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? () ___ ___ ___ X
- d) Disturb any human remains, including those interred outside of formal ceremonies? () ___ ___ ___ X

Discussion of Evaluation: There are no known cultural or historical resources or on the project site itself. However, the historic Sanchez Adobe building is within approximately 800 feet of the site, across from Linda Mar Blvd., and the proposed subdivision would have no impact on this structure. The project site does not contain any significant paleontological resources or unique geological features. No human remains are known to be interred on this site. Development has occurred within the vicinity of the site. No archaeological remains have been reported with the immediate or surrounding development.

Mitigation: None required.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. AGRICULTURAL RESOURCES. Would the proposal:

- | | | | | |
|--|-----|-----|-----|--------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1) | ___ | ___ | ___ | <u> X </u> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2) | ___ | ___ | ___ | <u> X </u> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use? | ___ | ___ | ___ | <u> X </u> |

Discussion of Evaluation: The proposed four-lot subdivision would not conflict with any agricultural resources. The project was removed from the California Land Conservation Contract (Williams Act) in 1999 and the property owner is no longer obligated to use the land solely for agricultural and related compatible uses. It is completely surrounded by single-family residential development. The surrounding area is zoned for residential development and not agriculture nor is any of the land either on the project site or in the surrounding area being used for farmland.

Mitigation: None required.

XVI. RECREATION. Would the proposal:

- | | | | | |
|---|-----|-----|-----|--------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated? () | ___ | ___ | ___ | <u> X </u> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? () | ___ | ___ | ___ | <u> X </u> |

Discussion of Evaluation: The project will neither generate nor create any need for additional recreational opportunities or facilities within the City.

Mitigation: None required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

___ ___ ___ X

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

___ ___ ___ X

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

___ ___ ___ X

Discussion of Evaluation: The proposed project requires approval of a Variance in order to allow three of the four newly created lots to be less than the lot width of 150 feet established by the B-5 zoning. However, the project does comply with all the requirements in Table 4 of the Subdivision Code. The potential impacts of the project include overall cumulative impacts associated with any new single-family residential construction; i.e. traffic, noise, and increase in impervious soil surfaces. This specific project is consistent with the surrounding development pattern and no significant impact is expected under this heading.

Mitigation: None required.

XVIII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a brief discussion should identify the following (attached additional sheets if necessary):

- a) Earlier analyses used. Identify and state where they are available for review.
- b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Discussion of Evaluation: None.

LIST OF REFERENCES AND CONTACTS

- | | |
|---|---|
| 1. City of Pacifica | <u>General Plan</u> , as amended to June 1993. |
| 2. City of Pacifica | <u>Zoning Code</u> , August 1992. |
| 3. City of Pacifica | <u>Local Coastal Program Land Use Plan</u> , March 1980. |
| 4. ABAG | <u>PROJECTIONS - 2000, Forecasts for the San Francisco Bay Area to the Year 2020</u> , December 1999. |
| 5. FEMA | Flood Insurance Rate Maps, City of Pacifica, San Mateo County, Panels 1-7 |
| 6. CA Dep't. of Conservation, Div. of Mines & Geology | Alquist-Priolo Earthquake Fault Zone Map, San Francisco South |
| 7. BAAQMD | CEQA Guidelines |
| 8. Planning Department | Staff knowledge via site visits and project research |
| 9. GeoForensics, Inc | Geotechnical Investigation for Proposed New Residences |

Attachments:

- Land Use & Zoning Exhibit
- Plans (8-1/2" x 11")

A 17-2000

2006-033134 CONF

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Count of pages 42

Recorded in Official Records

County of San Mateo

Warren Slocum

Assessor-County Clerk-Recorder



* 2 0 0 6 0 0 3 3 1 3 4 A R *

When Recorded Mail To:

Engineering Division
CITY OF PACIFICA
170 Santa Maria Avenue
Pacifica, California 94044

Space Above This Line For Recorder's Use

SUBDIVISION IMPROVEMENT AGREEMENT

(1165 Linda Mar Blvd. Subdivision)

THIS AGREEMENT is made this 14th day of February, 2006, by and between Gary and Dianne Bonini (together, "Subdivider"), and the City of Pacifica, a municipal corporation, ("City").

RECITALS

A. Subdivider is the owner of approximately 5.2 acres of real property located at 1165 Linda Mar Blvd. (APN 023-270-460), in the City of Pacifica, San Mateo County, California, more specifically described in **Exhibit A**, which is attached and incorporated herein by reference (the "Property"). The Property includes all lots and parcels within the Project, as defined below.

B. Subdivider submitted an application for City approval of a tentative subdivision map (SUB-200-03), modification of subdivision regulations (MOD-39-03), variance (PV-468-03), and negative declaration to subdivide the Property referred to as "1165 Linda Mar Blvd." The tentative subdivision map, modification of subdivision regulations, and variance are hereafter collectively referred to as the "Project."

C. On March 15, 2004, the City Planning Commission adopted the negative declaration and approved the Project. The approval of the Project shall be referred to as the "Initial Approvals." The Planning Commission's decision was appealed on March 25, 2004 to the City Council, which, on April 12, 2004, denied the appeal and upheld the Planning Commission's decision. The Initial Approvals were subject to the conditions of approval of the Project ("Conditions"). A copy of the Conditions is attached as **Exhibit B** and incorporated herein by reference and included in this Subdivision Improvement Agreement ("Agreement").



D. Condition 5 of the Conditions reads:

“The developer shall construct all street improvements and drainage improvements prior to approval of the final map. Should the developer desire to record the final map prior to completion and acceptance of improvements, plans for the improvements shall be approved by the City Engineer and bonds posted for all work to be done. An improvement agreement shall be executed to guarantee that the work will be done in accordance with the approved plan.”

E. The Municipal Code of the City of Pacifica, Section 10-1.1002, provides in part: “No final map shall be presented to the Council or parcel map to the City Engineer for approval until the Subdivider either completes the required improvements or enters into an agreement with the City agreeing to do the work.”

F. The required improvements (hereinafter, “Improvements”) include all those improvements, required by the Conditions and the Settlement Agreement (referenced in paragraph L of this Agreement) or otherwise indicated on the improvement plans (“the Plans”) as approved by the City Engineer, that are part of or appurtenant to the Property, including, but not limited to, all grading, erosion control, streets, street trees, street signs, curbs, gutters, sidewalks, lighting, utilities, traffic safety devices, paving, pathways, bikeways, catch basins, pipe, culverts, sanitary sewer, water systems, fire hydrants, and storm drain systems. Public Improvements are those improvements marked “Public” on the Plans as approved by the City Engineer.

G. The Plans were prepared by Ernest Renner, Professional Civil Engineer and Surveyor, and Walter H. Hensolt, Professional Structural Engineer, on behalf of the Subdivider, have been approved by the City Engineer, and shall be retained at the Pacifica City Hall (“City Offices”) under the collective title “1165 Linda Mar Blvd. Improvement Plans.”

H. Both parties agree that for the installation of the Improvements are an integral part of the Subdivider’s plan for development of the Project and are necessary to carry out the purpose and intent of the City’s approval of the Project. Both parties further agree that the Project would not have been approved without the assurance that this Agreement would be executed by Subdivider.

I. Subdivider has submitted, for approval and acceptance, a final map (“Map”) for the Project.

J. Subdivider has requested approval of the Map prior to the completion of the Improvements.

K. This Agreement is entered into in accordance with the Subdivision Map Act (Government Code sections 66410 et seq.) and the ordinances, rules, regulations, and determinations of the City.

L. On May 13, 2004, Neighbors Concerned About Pacifica, filed a civil lawsuit entitled *Neighbors Concerned About Pacifica v. City Council of Pacifica, et al.*, Case No. CIV 439332, in San Mateo County Superior Court. The Verified Petition for Writ of Mandate and Complaint for Preliminary and Permanent Injunctive Relief and Attorneys' Fees alleged that the City failed to comply with the California Environmental Quality Act ("CEQA") in granting the Initial Approvals and approving the Negative Declaration. This lawsuit was settled by the parties on March 1, 2005, subject to the terms and conditions enumerated in the settlement agreement ("Settlement Agreement"), a copy of which is attached hereto as Exhibit C.

NOW, THEREFORE, in consideration of the faithful performance of the terms and conditions set forth in this Agreement, it is agreed between the parties as follows:

1. **Purpose.** The purpose of this Agreement is to: (a) guarantee installation of the Improvements in accordance with the Plans; and (b) ensure satisfactory performance by the Subdivider of Subdivider's obligations. The recitals set forth above are hereby made a part of this Agreement.

2. **Improvements as a Benefit.** Subdivider agrees that the Improvements, which Subdivider is obligated to provide, will materially benefit the Property and are necessary to comply with the Conditions.

3. **Duty to Install Improvements.** Subdivider agrees to construct, install and complete, or cause to be constructed, installed and completed, at the Subdivider's own expense, all of the Improvements.

4. **Performance of Work.** Subdivider agrees that the work necessary to construct and install the Improvements will be done in a good and workmanlike manner, in accordance with accepted construction practices, and in a manner equal or superior to the requirements of the City's Municipal Code ("Code") and rulings made under it. In the event that any conflict between the Plans and the Code should arise after the date of this Agreement, the provisions of the Code shall control. Further, the work will be conducted in accordance with the requirements and procedures listed in the Conditions and the Settlement Agreement, in accordance with all City standards, specifications and applicable laws, rules and regulations, and to the satisfaction of the City Engineer or his/her designee. It is agreed that the City Engineer or his/her designee shall have the right to reject any or all of the work performed under this Agreement if such work does not conform to the Conditions, Plans, Settlement Agreement, City standards and specifications, or any applicable law, rule, or regulation.

5. **Settlement Agreement.** All obligations and requirements assumed by Subdivider in this Agreement are in addition to, and not in lieu of, the obligations and requirements of the Settlement Agreement.

6. **Commencement of Construction – Notice.** At least seven calendar days before the commencement of construction of any Improvement, Subdivider shall notify the City Engineer in writing of the date fixed by Subdivider for commencement so that the City Engineer is able to provide the service of inspection.

7. **Completion.** Subdivider agrees to complete the Improvements prior to the earlier of (a) the date a permit or other grant of approval for the development of any parcel within the Property is applied for or (b) within two (2) years from the date of this Agreement.

8. **Time of Essence – Extension.** Time is of the essence under this Agreement. However, in the event good cause is shown, the City Engineer may extend the time for completion of the Improvements. Any extensions which may be granted will not relieve Subdivider of the obligation to meet the improvement security requirements of this Agreement, or the requirements of Pacifica Municipal Code section 10-1.1008 and California Government Code section 66499, as may be amended from time to time. Before the City Engineer will grant an extension, Subdivider must show good cause satisfactory to the City Engineer for the extension and provide evidence satisfactory to the City Engineer that sufficient security will remain in place during the term of the extension to ensure the faithful performance of this Agreement. These determinations shall be made by the City Engineer in his/her sole discretion.

9. **Supplying “Record Drawing” Plans.** Upon completion of the Improvements and prior to certification of completion, Subdivider shall supply the City, at no cost to the City, one mylar (4 mils) set of “record” drawings. These drawings shall be certified as being “record drawings” and shall reflect the Improvements as actually constructed, with all changes to the Plans incorporated therein.

10. **Notice and Certification of Completion.** Subdivider shall advise the City Engineer in writing of the completion of the Improvements herein specified and request certification of completion. Upon satisfactory completion of the Improvements by Subdivider and request for certification of completion, the City Engineer or his/her designee shall issue a certificate indicating that the required Improvements have been completed. For the purposes of this Agreement, the date of completion shall be the date that the City Engineer or his/her designee issues a certificate of completion.

11. **Acceptance of Improvements.** The City Engineer or his/her designee may, but is not required to, accept any Improvement at any time after the Certificate of Completion has been issued by the City Engineer or his/her designee. Acceptance of improvements shall imply only that the improvements have been completed satisfactorily and that the public improvements have been accepted for public use. Acceptance of Public Improvements by the City Engineer shall not constitute acceptance of any offer of dedication made by Subdivider.

12. **Adequacy of and Revisions to Plans.** Subdivider warrants that the Plans are adequate to accomplish the Improvements. If, at any time before the City Engineer certifies completion of the Improvements, the Plans prove to be inadequate in any respect, the Subdivider shall bring those inadequacies to the attention of the City Engineer or his/her designee. Similarly, if the City Engineer or his/her designee discovers that the Plans are inadequate in any respect, the City Engineer or his/her designee shall notify the Subdivider of the inadequacy/inadequacies. If such inadequacies are discovered, the Subdivider shall make changes to the Plans to remedy the inadequacies and, upon approval of the revised Plans by the City Engineer or his/her designee, complete the Improvements according to the revised Plans.

13. **Guarantee and Maintenance of Improvements.** Subdivider agrees to maintain the Improvements in good condition and repair and to guarantee the Improvements against any defective workmanship, materials or unsatisfactory performance for one (1) year after the City Engineer or his/her designee certifies completion of the Improvements. This one year period shall be referred to hereinafter as "the warranty period." Subdivider shall comply with the requirements of this Paragraph in addition to, and not in lieu of, any other legal or contractual requirements to which Subdivider may be subject pertaining to the maintenance of the Improvements during the one-year warranty period and thereafter.

14. **Repair, Replacement or Reconstruction.** If, within the warranty period, all or any portion of the Improvements fails to fulfill the requirements of this Agreement, Subdivider, without delay and without cost to the City, shall repair, replace or reconstruct the defective or otherwise unsatisfactory Improvement or portion of Improvement and remedy the cause of such defect or failure. All such repair work, replacement, or reconstruction shall be completed to the satisfaction of the City Engineer or his/her designee within one year of the discovery of the defect or failure.

15. **Duty to Maintain Landscaping.** Subdivider agrees to diligently maintain in good repair the landscaping that it installs for one (1) year after the City Planning Department certifies completion of the landscaping. The Subdivider shall employ the standard of care necessary to prevent the landscaping from substantially deteriorating. Subdivider shall comply with the requirements of this Paragraph in addition to, not in lieu of, the requirements of the Settlement Agreement.

16. **Nonperformance and Costs.** If, within the time specified in this Agreement and any approved extension, Subdivider fails to complete the Improvements or to act promptly as required by this Agreement, or should an urgency arise that requires the repair or replacement of an Improvement, the City may, but is not required to, proceed to complete the Improvements pursuant to the Plans, by contract or otherwise, and Subdivider, immediately upon demand, shall pay the costs and charges related to said work, together with a fifteen percent (15%) overhead charge.

17. **Remedies.** The City may bring legal action to: (1) compel performance of the Agreement; (2) ensure compliance with the Conditions; and (3) recover the costs (including the City's administrative costs) of completing the Improvements pursuant to paragraph 16. The City may also seek any and all remedies available in law or equity. The Subdivider agrees that, if legal action is brought by the City, the Subdivider shall pay all of the costs of suit and reasonable attorneys' fees and all other expenses of litigation as determined by the court having jurisdiction over such suit, if such court rules that the Subdivider has failed to carry out any of its obligations under this Agreement.

18. **Responsibilities for Damage.** Any damage to the sewer system, utilities, concrete work, or street paving, or to any portion of adjacent properties, that occurs during construction or during the warranty period shall be completely repaired by the Subdivider to the satisfaction of the City Engineer or his/her designee.

19. **Utility Deposits – Statement.** Subdivider shall satisfy the City Building Official that it has made the deposits required for utilities to be supplied and connected within the subdivision prior to obtaining a building permit.

20. **Permits and Fee-Payments – Compliance with Law.** Subdivider shall obtain all necessary permits and licenses for the construction of Improvements, and shall pay all fees and taxes required by applicable law, including state law and local ordinance.

21. **Superintendence by Subdivider.** Subdivider shall personally supervise the work or have a competent foreman or superintendent on the work site at all times during the course of construction with the authority to act for Subdivider.

22. **Inspections – Payment of Fees.** The City is authorized to enter the Property for inspection purposes at any time. Subdivider shall at all times maintain the Property so that the City and any agency authorized to make inspections can safely access and inspect all parts of the Property. Subdivider shall pay to the City the cost of inspecting the Improvements, including the costs of staff time and any consulting services determined to be necessary by the City Engineer, as well as all the cost of all other services furnished by the City in connection with the Project. Subdivider further agrees to pay any required in-lieu fee for the undergrounding of utilities on peripheral streets, and all development fees required by Pacifica Municipal Code sections 3-13.02, including planned drainage facility fees.

23. **Security.** Subdivider shall at all times guarantee Subdivider's performance of this Agreement by furnishing to the City and maintaining good and sufficient security as required by the Subdivision Map Act and the Pacifica Municipal Code, on forms approved by the City, as follows:

- A. Concurrently with the execution of this Agreement, Subdivider shall furnish to the City good and sufficient security for:
 - I. faithful performance and guarantee of the work; and
 - II. payment of contractors, subcontractors and persons furnishing labor, materials or equipment.
- B. The security shall be one or more of the following forms at the option of, and subject to approval by, the City:
 - I. A bond (or bonds) by one or more duly authorized corporate sureties; or
 - II. A deposit with (1) the City or (2) a responsible escrow agent or trust company of money or negotiable bonds of the kind approved for securing deposits of public moneys, at the option of the City; or
 - III. An instrument of credit from one or more financial institutions subject to regulation by the State or Federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.

The form of the security shall be in accordance with Sections 66499-66499.2 of the Subdivision Map Act.

- C. The security furnished by the Subdivider shall be in the following amounts and for the following purposes:
 - I. An amount equal to one hundred percent (100%) of the total estimated cost of the Improvements (which estimated amount is set forth in **Exhibit D** attached hereto and incorporated herein by reference), as security for the faithful performance of this Agreement ("the Faithful Performance Security"). The estimated cost of the Improvements shall include:

A. Not less than five percent (5%) nor more than ten percent (10%) of the total construction cost for contingencies;

B. Increases for projected inflation computed to the estimated midpoint of construction;

C. All utility installation costs or a certification acceptable to the City Engineer from the utility company that adequate security has been deposited to ensure installation; and

D. Costs and reasonable expenses and fees, including attorney's fees, incurred in enforcing the obligation secured.

Liability upon the Faithful Performance Security shall both include, and be limited to, the matters specified in Section 66499.9 of the California Government Code; and

II. An amount equal to fifty percent (50%) of the total estimated cost of the Improvements (including those costs listed in Section 23C(I)(A)-(D), above, and as set forth in Exhibit D), as security for the payment of all persons performing labor and furnishing materials in connection with this Agreement ("the Payment Security");

III. One Thousand and no/100ths (\$1,000.00) Dollars, or amount greater than One Thousand dollars, as required by the City Engineer, in cash (which amount is set forth in Exhibit D attached hereto and incorporated herein by reference), which may be used at the discretion of the City to correct any deficiencies and conditions caused by Subdivider or a contractor that arise during or after the construction of the subdivision ("Cash Deposit"). *Provided* that the amount required for the Cash Deposit shall not exceed one percent of the construction cost unless one percent of the construction cost is one thousand dollars or less.

D. The instruments of credit referenced above shall be special account(s), the funds of which may not be withdrawn by the Subdivider without the approval of the City; provided, however, the City shall have the right to make withdrawals from such instruments of credit if the Subdivider fails to complete the work under the terms of this Agreement.

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- E. Upon acceptance of all of the Improvements by the City, the Subdivider shall provide a Warranty Security as required by Pacifica Municipal Code Section 10-1.1008(e). Reduction and release of each security by the City shall be in compliance with Pacifica Municipal Code Sections 10-1.1008(f)-(g) and California Government Code Section 66499.7. Any unexpended portion of the Cash Deposit shall be returned to the Subdivider when all other security has been released.
- F. Subdivider further agrees that no single reduction of security shall be less than twenty-five percent (25%) of the total estimated cost of the Improvements, nor shall the total number of requests for reduction of security exceed three (3) in number nor shall the aggregate of all partial reductions exceed seventy-five percent (75%) of the original amount of the improvement security.
- G. Where the performance of an obligation for which a security is required is subject to the approval of another agency, the City shall comply with Section 66499.8 of the California Government Code.
- H. The securities required by this Agreement shall be kept on file with the City Clerk. The terms of the security documents referenced in this Agreement are incorporated into this Agreement by this reference. If any security is replaced by another security approved by the City, the replacement shall be filed with the City Clerk and, upon filing, shall be deemed to have been made part of and incorporated into this Agreement. Upon filing of a replacement security with the City Clerk, the former security shall be released.

24. Acquisition of Easements and Rights-of-Way. Subdivider is required, within ten (10) days of the effective date of this Agreement, to deposit with the City a cash deposit in the amount specified below for the acquisition of any easement or right-of-way needed for the Improvements set forth in this Agreement. The below listed Improvement requires the acquisition of an easement or a right-of-way over the below listed parcels of land:

Improvement: NONE

Cash deposit: 0.00.

25. Erosion Control. Subdivider shall take all necessary actions during the course of construction of all Improvements to prevent erosion damage to adjacent properties or improvements (including, but not limited to, City streets and other City infrastructure or property). It is understood and agreed that in the event of failure on the part of Subdivider to prevent erosions, City may do the work of Improvement and/or

erosion protection measures on an emergency basis and Subdivider shall reimburse City for the actual expenses incurred (including administrative and/or legal expenses) within thirty (30) days after City mails a billing statement for such expenses to Subdivider. If such reimbursement is not timely made, City is entitled to obtain such reimbursement from Subdivider and/or to proceed against the Faithful Performance Security to cover City's expenses.

26. **No Waiver by City.** Inspection of the work and/or materials, or approval of work and/or materials inspected, or a statement by an officer, agent or employee of the City indicating the work complies with this Agreement, or acceptance of all of these acts shall not relieve Subdivider of its obligation to fulfill the Agreement; nor is the City by these acts prohibited from bringing an action for damages or specific enforcement arising from the failure to comply with this Agreement. No action or omission by the City shall constitute a waiver of any provision of this Agreement unless expressly provided in writing. No course of dealing between Subdivider and the City, or any delay on the part of the City in exercising any rights hereunder, shall operate as a waiver of any rights by the City, except to the extent these rights are expressly waived in writing by the City.

27. **Hold-Harmless Agreement.** Subdivider shall hold harmless, defend and indemnify the City, its officers, employees, and agents from and against any and all damage, injury, and/or death to persons and property, and any and all claims, demands, costs, losses, damages, injuries or liability, including attorneys' fees, howsoever caused, resulting directly or indirectly from the performance or nonperformance of any and all work done or to be done pursuant to this Agreement. Subdivider shall not be required to indemnify and hold harmless the City as set forth above for liability attributable to the sole fault of the City, provided such sole fault is determined by agreement between the parties or the findings of a court of competent jurisdiction.

28. **Subdivider's Insurance.** Subdivider may not begin work under this Agreement until Subdivider obtains insurance required under this paragraph that is acceptable to the City. Subdivider shall not allow a contractor or subcontractor to begin work on its contract or subcontract until all similar insurance required of the contractor or subcontractor is obtained.

A. **Workers' Compensation Insurance.** Subdivider shall maintain, during the life of this Agreement, Workers' Compensation Insurance in accordance with the provisions of California Labor Code sections 3700, et seq., for Subdivider's employees employed at the work site. If any of the work is subcontracted, Subdivider shall require the contractor or subcontractor to provide Workers' Compensation Insurance for such contractor's or subcontractor's employees. If a class of employees is not protected under the Workers' Compensation law, Subdivider shall provide, and have each contractor and subcontractor provide, adequate insurance for the protection of employees not otherwise protected. Subdivider agrees to indemnify the City for damage resulting to it from failure

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of Subdivider, contractor or subcontractor to take out or maintain such insurance.

B. **Public Liability and Property Damage Insurance.** Subdivider, at its expense, shall procure and maintain in full force at all times during the term of this Agreement the following insurance which shall be provided on an occurrence basis;

XX. **Comprehensive Liability and Broad Form Comprehensive Liability.** Subdivider shall maintain limits of no less than one million dollars (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage. If commercial General Liability Insurance or other form with a general aggregate limit is used, Subdivider shall procure and maintain a limit of liability of not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage. The policies are to contain, or be endorsed to contain, the following provisions:

- a) The City, its officers, officials, employees, consultants and agents are to be covered as additional insureds for liability arising out of activities performed by or on behalf of the Subdivider and completed operations of Subdivider, and premises owned, occupied, or used by Subdivider. The coverage shall contain no special limitation on the scope of protection afforded to the City, its officers, officials, employees, consultants or agents.
- b) Subdivider's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, consultants and agents. Any insurance or self-insurance maintained by the City, its officers, officials, employees, consultants or agents shall be in excess of Subdivider's insurance and shall not contribute to it.
- a) Any failure to comply with the reporting provisions of such policies shall not affect the coverage provided to the City, its officers, officials, employees, consultants or agents.

II. Other Insurance Provisions. The policies identified above shall be issued by an insurance carrier having a rating of Best A-/7 or better and shall be delivered to the City at the time of the execution of this Agreement. In lieu of actual delivery of the policy/policies, a certificate issued by the insurance carrier showing the insurance to be in force for the period covered by this Agreement may be delivered to the City. Such policy/policies and such certificate(s) shall be in a form approved by the City Attorney. The policy/policies shall name the City, its officers, officials, employees, consultants and agents as additional insureds and provide for thirty (30) days' notice of cancellation to the City. The policy/policies shall not be canceled nor the amount of coverage be reduced earlier than thirty (30) days after the City receives notice from the insurer of the intent of cancellation or reduction.

29. Subdivider Not Agent of City. Neither Subdivider nor its agents or contractors are agents of the City in connection with the performance of Subdivider's obligations under this Agreement.

30. Notice of Breach and Default. If Subdivider refuses or fails to prosecute the work required by this Agreement with such diligence as will ensure its completion within the time specified, or fails to complete the work within such time, or if the Subdivider is adjudged as bankrupt or makes a general assignment for the benefit of creditors, or if a receiver is appointed in the event of Subdivider's insolvency, or if Subdivider or Subdivider's contractors, subcontractors, agents or employees, violate this Agreement, the City may serve written notice upon Subdivider of breach of this Agreement.

31. Breach of Agreement - Performance by City. If the City gives notice of breach of this Agreement, the Subdivider shall provide written confirmation to the City of its intention to correct the deficiencies or complete the work under this contract within thirty (30) days after the date of such notice of breach. If the Subdivider does not correct the deficiencies or complete the work within sixty (60) days after the date of the notice of breach, or such additional time as necessary and as the City reasonably deems acceptable, the Subdivider shall be deemed in default, and the City may, but is not required to, take over the work and prosecute the same to completion by contract or other method which the City considers advisable, for the account, and at the expense, of Subdivider. In this event, the City, without liability for doing so, may take possession of and utilize in completing the work, such materials, appliances, plant and other property belonging to Subdivider as may be on the work site and necessary for completion of the work. The City may withdraw from the security specified in this Agreement to pay the face amount of the obligations for completion of the work, as well as any additional costs and reasonable expenses and fees, including reasonable attorney's fees and interest from the date of notice of such costs until the costs have been satisfied, incurred by the City of

Pacifica in successfully enforcing the obligations under this Agreement. In the event the cost of completing the work under this contract exceeds the amount contained in the security deposits specified under Paragraph 19, the Subdivider shall be responsible for any additional costs incurred by the City.

32. **Notices.** All notices required shall be in writing and delivered by registered mail, postage prepaid. A party may change its address by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address. All notices shall be deemed received three (3) business days after dispatch by regular mail, or one (1) business day after dispatch by a reputable overnight courier service (such as Federal Express).

Notices to be given to the City shall be addressed as follows:

City Engineer and City Building Official
City of Pacifica
170 Santa Maria Avenue
Pacifica, CA 94044

Notices to the Subdivider shall be addressed as follows:

Gary & Dianne Bonini
1165 Linda Mar Blvd.
Pacifica, CA 94044

33. **Change of Subdivider.** If the Subdivider ceases to have legal interest in the Project, then a notice to that effect shall be filed with the City. The notice shall include the name and address of the new Subdivider, submittal of new bonds or letters of credit in accordance with the Agreement (at which time the original bonds or letters of credit should be released), and a certified copy of the recorded deed. Unless a new Agreement between the City and any successor Subdivider is entered into, upon the filing of the notice with the City, the successor Subdivider is charged with the obligations under this Agreement in lieu and in place of Subdivider, and Subdivider shall thereafter have no further obligations to the City under this Agreement except for any liability, obligations, acts or omissions incurred prior to such transfer.

34. **Heirs, Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties.

35. **Agreement Attaches to the Land – Recordation.** This Agreement pertains to and runs with the Property described. This Agreement shall be recorded in the office of the County Recorder at the expense of the Subdivider and shall constitute notice to all successors and assigns of the title to the real property of the obligations set forth herein. This Agreement shall also constitute a lien on the Property, subject to foreclosure in the event of default in payment, in an amount sufficient to fully reimburse the City for any

cost to the City of enforcing this Agreement, including interest from the date of the notice of any cost or expense until paid.

36. Miscellaneous Terms and Provisions.

- A. If any provision of this Agreement is adjudged illegal, inoperative, or invalid, the remaining provisions of this Agreement, to the extent practicable, shall continue in full force and affect.
- B. This Agreement contains a full, final and exclusive statement of the Agreement of the parties regarding the subject matter hereof.
- C. The obligations upon the Subdivider signing this Agreement terminate personally as to him when he conveys his interest in the subdivision, files for record with the County Recorder a copy of assignment of the Agreement, and complies with paragraph 28.
- D. This Agreement shall be administered, interpreted and enforced under the laws of the State of California and the City of Pacifica. In case of dispute, venue shall reside in San Mateo County, California.
- E. Subdivider warrants and represents that the person signing on behalf of Subdivider has the authority to execute this Agreement on behalf of Subdivider, and has the authority to bind the Subdivider and the Property to the terms and obligations set forth in this Agreement. Subdivider agrees that this Agreement, and any instrument or agreement required hereunder, are within the Subdivider's powers, and have been duly authorized and delivered, and do not conflict with Subdivider's organizational powers.
- F. Subdivider agrees that the Conditions are reasonable, valid and binding. Subdivider agrees that this Agreement is a valid, legal and binding Agreement, enforceable against Subdivider in accordance with its terms, and that any instrument or agreement required hereunder, when executed and delivered, will be similarly legal, valid, binding, and enforceable. Subdivider agrees that this Agreement does not conflict with any law, agreement, or obligations by which Subdivider is bound.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Mateo } ss.

On February 14, 2000 before me, Kathy O'Connell, notary public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Scott Holmes
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hér/their authorized capacity(ies), and that by his/hér/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Kathy O'Connell
Signature of Notary Public
Kathy O'Connell

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____





IN WITNESS WHEREOF, the parties have executed the Agreement on the day and year above written.

CITY OF PACIFICA,
a California municipal corporation

By: 
Scott Holmes, City Engineer


SUBDIVIDER,
Gary & Dianne Bonini

By: 
Gary Bonini

Dianne Bonini

ATTEST


Kathy O'Connell
City Clerk

APPROVED AS TO FORM


Cecilia M. Quick, City Attorney

P:\PACIFICA\Bonini\wk001v6(Subdivision Agreem Unannot).doc

State of California

County of San Mateo

On February 8, 2007 before me, Jennifer Samujh
a Notary Public in and for said State, personally appeared Gary Bonini

Gary Bonini, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Name

Jennifer Samujh
(typed or printed)

(Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

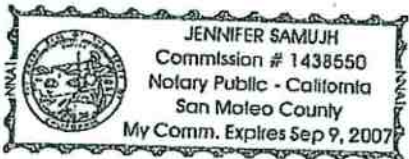
State of California

County of San Mateo } ss.

On Feb. 8, 2006 before me, Jennifer Samujh Notary Public

personally appeared Dianne Bonini
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
[Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Subdivision Improvement Agreement

Document Date: February 8, 2006 Number of Pages: 15

Signer(s) Other Than Named Above: Scott Holmes Gary Bonini
City Clerk Cecilia M. Quick

Capacity(ies) Claimed by Signer

- Signer's Name: _____
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



EXHIBIT A

LANDS OF BONINI
LEGAL DESCRIPTION

Parcel A, as delineated upon that certain Parcel Map filed in the Office of the Recorder of the County of San Mateo, State of California on October 24, 1973, in Volume 22 of Parcel Maps at Page 32.

END OF DESCRIPTION

EXHIBIT B

CONDITIONS OF APPROVAL



Scenic Pacifica

CITY HALL • 170 Santa Maria Avenue • Pacifica, California 94044-2506

Telephone (650) 738-7300 • Fax (650) 359-6038
www.ci.pacifica.ca.us

April 13, 2004

Gary and Dianne Bonini
1165 Linda Mar Blvd.
Pacifica, CA 94044

Re: 1165 Linda Mar Blvd.; Subdivision, SUB-200-03, Modification of Subdivision Regulations, MOD-39-03, Variance, PV-468-03; and Negative Declaration (APN 023-270-460)

Dear Mr. and Mrs. Bonini:

The City Council of the City of Pacifica, at their regular meeting of April 12, 2004, DENIED the appeal, ADOPTED the Negative Declaration, and UPHELD the Planning Commission's approval of the above referenced permits. The Planning permits are approved subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans titled "Tentative Parcel Map 1165 Linda Mar Blvd.," consisting of one (1) sheet, dated March 2, 2004, except as modified by the following conditions.
2. A Residential Growth Allocation shall be obtained prior to approval of the Final Map.
3. Upon approval of the subdivision, the applicant shall provide formal written notice to the City Council and a copy to the Planning Director that the conditions and contingencies enumerated in the certificate of tentative cancellation for the Williamson Act Contract have been satisfied. The applicant shall cooperate with the City and authorize the City to record a certificate of cancellation of contract prior to obtaining a final map.

Engineering Division:

4. Existing pavement on Malavear Dr. to the end of the curve returns on Sheila Lane shall be ground and overlaid with a minimum of 2" A.C. Applicant shall submit Improvement Plans showing in detail the proposed improvements, including but not limited to street and drainage improvements, and shall be signed and stamped by a licensed civil engineer. An Encroachment Permit must be obtained for all work within City right-of-way. All proposed improvements within City right-of-way shall be constructed per City Standards.

Gary and Dianne Bonini
1165 Linda Mar Blvd.
March 26, 2004
Page 2

5. The developer shall construct all street improvements and drainage improvements prior to approval of the final map. Should the developer desire to record the final map prior to completion and acceptance of improvements, plans for the improvements shall be approved by the City Engineer and bonds posted for all work to be done. An improvement agreement shall be executed to guarantee that the work will be done in accordance with the approved plan.
6. All utilities serving the subdivision shall be underground. Utility work shall be part of the improvement plans.
7. The developer shall submit a final map for approval by the City Engineer. All required monumentation shall be shown on the map and set prior to recordation of the map. A deposit of \$1100 for the final map review shall also be submitted to the Engineering Division. All taxes, assessment, bonds or liens shall be paid prior to the recordation of the final map.
8. The applicant shall include in the Improvement Plans all proposed site drainage including but not limited to a concrete swale and its ultimate discharge, and diversion of existing swale due to the regrading of the site. All site drainage shall be discharged unto the street. All proposed Storm Drain Inlets shall be stenciled in thermoplastic with "No Dumping Drains to Stream".
9. Extension of Malavear Dr. including the cul-de-sac shall be dedicated as a city street.

Sincerely,



Michael Crabtree
City Planner

c: Engineering, Building/Fire, Project File
 Assessor
 PG&E
 Post Office
 NCCWD
 Brian Gaffney, Law Offices, 370 Grand Ave. #5, Oakland, Ca 94610
 Dave Melton, 17 Shenandoah Way, Pacifica, Ca 94044
 Ernest Renner, 3270 Mendocino Ave., Suite 1A, Santa Rosa, Ca 95403

EXPIRATION DATE: April 12, 2006

The Subdivision (SUB-200-03), Modification to Subdivision Regulations (MOD-39-03), and Variance (PV-468-03) permits will expire on the above date unless all the conditions of approval have been satisfied and a Final Map has been recorded.

PLEASE NOTE THIS IS NOT A BUILDING PERMIT

EXHIBIT C

SETTLEMENT AGREEMENT

SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS

This Settlement Agreement and Mutual Release of Claims ("Agreement") is entered into by and among Petitioner and Plaintiff NEIGHBORS CONCERNED ABOUT PACIFICA ("NCAP"), Defendants and Respondents CITY COUNCIL OF PACIFICA and CITY OF PACIFICA (collectively "City"), Real Parties in Interest and Defendants GARY BONINI, DIANNE BONINI (collectively "RPI"), and DAVE MELTON, DEWEY MELTON, and MAT BRADSHAW (collectively "Purchasers"). NCAP, City, RPI, and Purchasers are individually referred to as "Party" and collectively as "Parties." The parcels to which this agreement applies are described in Exhibit "D", which is attached hereto and incorporated herein by reference.

RECITALS

A. On April 12, 2004, the City adopted a Negative Declaration pursuant to the California Environmental Quality Act ("CEQA") for approval of a Tentative Parcel Map (Sub-200-3), Modification of Subdivision Regulations (PV-468-03), and Variance (PV-468-03) (collectively "subdivision approvals"). The subdivision approvals were sought by RPI to subdivide an approximately five-acre parcel ("Property") into four separate lots. The City granted the subdivision approvals on April 12, 2004. RPI and/or Purchasers are also required by law to obtain a Site Development Permit and building permits (collectively "subsequent approvals") prior to developing three of the lots. The subdivision approvals, subsequent approvals, and Exhibits A, B, C, and D, which Exhibits are hereby incorporated by reference as if fully set forth herein, are collectively referred to as the "Project."

B. On May 13, 2004, NCAP filed a civil lawsuit entitled *Neighbors Concerned About Pacifica v. City Council of Pacifica, et al.*, Case No. CIV 439332 ("Action"), in San Mateo County Superior Court ("Superior Court"). The Verified Petition for Writ of Mandate and Complaint for Preliminary and Permanent Injunctive Relief and Attorneys' Fees ("Petition") alleges that the City failed to comply with CEQA in issuing the subdivision approvals. The claims and allegations of the Petition are hereby incorporated by reference into this Agreement solely for the purpose of identifying the various allegations and claims set forth by NCAP.

C. On July 13, 2004, pursuant to stipulation, the Superior Court entered an order

suspending further proceedings in the Action to allow the Parties' settlement negotiations to proceed. On September 23, 2004, again pursuant to stipulation, the Superior Court extended the suspension of proceedings in the Action until November 1, 2004. On November 5, 2004, the Superior Court approved a stipulation further extending the suspension of proceedings until December 15, 2004. These stipulations and orders are collectively referred to as "Stipulations."

D. The City and RPI dispute the claims in the Action. No answer or other responsive pleading has been filed in the Action because all proceedings therein have been suspended pursuant to the Stipulations.

E. As set forth in this Agreement, the Parties mutually desire to avoid further litigation and to remove from litigation all claims, counterclaims, and disputes among them of any kind relating to the Petition and the Action. As a result, the Parties have agreed to settle such claims, counterclaims, and disputes on the terms and conditions set forth below.

F. The Purchasers are not parties to the Action but are parties to this Agreement. The Purchasers have contracted to purchase from RPI a portion of the Property and agree to be bound by the terms of this Agreement in exchange for the consideration set forth herein.

TERMS AND CONDITIONS

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties agree as follows:

1. Dismissal of Litigation. NCAP shall sign and deliver to the City and RPI a standard form Dismissal With Prejudice for the Action within ten (10) business days after receipt of payment of NCAP's attorneys' fees pursuant to Paragraph 6 of this Agreement. NCAP and the individual members of NCAP agree not to file, join, encourage, assert or otherwise support any objection(s) to subsequent approvals by the City, or any judicial claim, action, or other proceeding challenging the legality of any approvals needed for implementation of the Project, as long as such approvals are consistent with and do not violate the terms of this Agreement and comply with existing law. The parties expressly agree, however, that disagreement by NCAP, or any member thereof, with discretionary elements of determinations by the City Planning Commission and/or City Council on subsequent approvals as defined herein, shall not be

considered a failure to comply with existing law. The Parties also expressly agree that existing law does not require the City, RPI, or Purchasers to undertake new or further CEQA review for the subsequent approvals, unless substantial changes occur in the Project, circumstances, or information such that further review is required pursuant to the Public Resources Code and the CEQA Guidelines. This Agreement may be pled as a full and complete defense to, and may be used as a basis for injunctive relief against, any objection, claim, action, or other proceeding that may be asserted, instituted, or prosecuted in breach of this Agreement.

2. On-Site Drainage and Other Improvements.

a. Site Improvements. RPI and/or Purchasers shall make improvements to the site as directed in the Preliminary Improvement Plan attached to this Agreement as Exhibit A, which Exhibit is hereby incorporated by reference as if fully set forth herein. The contours of the site shall be generally consistent with those depicted in said plan. The scope of such improvements include preservation and maintenance of the "detention ponds" described and mapped on the Preliminary Improvement Plan, direction of the surface runoff as described below in paragraph 2.c., and protection of the hillside as described in paragraph 4. Special care shall be taken in the installation of the overflow drain pipe assembly depicted in said plan to ensure that the installation does not create a path through which neither the water nor the soils will be permitted to drain.

b. Maintenance of Detention Ponds. The owner of Lot 2 on which the detention ponds are located, shall maintain the ponds, drainage, and planting required herein, as required by the Maintenance Plan attached hereto as Exhibit B, which Exhibit is hereby incorporated by reference as if fully set forth herein. Neither RPI nor Purchasers shall take any action on the Property inconsistent with the continued existence and maintenance of said ponds.

c. Direction of Surface Runoff. Surface runoff from Parcels 2 and 3 as designated on the Subdivision Map and Preliminary Improvement Plan, shall be directed into the detention ponds in the manner indicated in the Preliminary Improvement Plan and as further provided in the Maintenance Plan. Surface runoff from Parcels 1 and 4, as designated on the

Subdivision Map and Preliminary Improvement Plan, shall be directed to the City's storm drainsystem.

3. Contribution to Offsite Creek Restoration. RPI and/or Purchasers shall pay the amount of \$5,000.00 to the San Pedro Creek Watershed Coalition ("Coalition"), P.O. Box 850, Pacifica, CA 94044, an Internal Revenue Code § 501(c)(3) not-for-profit corporation, as a contribution toward a future restoration project on the North Fork of San Pedro Creek. Plaintiff and its members represent that said contribution is a deductible charitable contribution for State and Federal tax purposes. The address of the Coalition shall be provided to RPI and Purchasers by NCAP. RPI and/or Purchasers may make this contribution in \$2,500.00 increments, with the first payment due within thirty (30) days after full execution of this Agreement, and the balance payable on or before December 31, 2005. Contemporaneously with the payment of each installment, RPI shall provide, by U.S. Mail, each of the other Parties with a photocopy of each check and letter of transmittal.

4. Protection of Hillside.

a. No Structures or Impervious Surfaces. Neither RPI nor Purchasers shall construct or place any structures or impervious surface in the area of the Property upslope of the line denominated as "Development Boundary" and depicted in the Preliminary Improvement Plan.

b. Seeding With Native Plants. Within one (1) year after execution of this Agreement, RPI and/or Purchasers shall complete seeding of the area beyond the Development Boundary with native plants as provided for in the Native Plant Seeding Plan ("Seeding Plan") attached to this Agreement as Exhibit C, which Exhibit is hereby incorporated by reference as if fully set forth herein. This obligation to seed with native plants shall not be construed to prevent RPI or Purchasers from planting, in addition to the planting required by the Seeding Plan, fruit trees.

5. No Further Variances.

a. Neither RPI nor Purchasers shall seek for the Project and/or the Property any further variances or modifications of applicable provisions of the City of Pacifica Municipal

Code for development of the Project and Property, including but not limited to provisions of the City of Pacifica Zoning Ordinance.

b. Consistent with Paragraph 5.a, RPI and Purchasers retain their rights to develop the Project and otherwise use and enjoy the Property subject to applicable provisions of the City of Pacifica Municipal Code, including but not limited to provisions of the City of Pacifica Zoning Ordinance, the terms and conditions of any approvals granted by the City for the Project, and the terms and conditions of this Agreement.

c. Nothing in this Section 5 shall bind the City in any respect. This Paragraph neither obligates the City to take any particular action nor prohibits the City from taking any particular action. As such, this Paragraph represents an agreement solely by and among RPI, Purchasers, and NCAP.

6. NCAP's Attorneys' Fees and Costs. RPI shall pay NCAP the sum of \$15,000.00 in full settlement of NCAP's claim to reasonable attorneys' fees and costs attributable to prosecution of the Action. RPI shall make payment to The Law Offices of Sharon E. Duggan within ten (10) business days after execution of this Agreement.

7. Conditions of Approval.

City staff, RPI, and/or Purchasers shall recommend to the City of Pacifica Planning Commission, and, if necessary, to the City of Pacifica City Council, that the site improvements, maintenance requirements, and surface run-off described in Paragraph 2 and the hillside protection and seeding requirements described in Paragraph 4 shall be made binding conditions of subsequent approvals which shall therefore be binding and enforceable conditions of future development of the Project and Property.

In the event the City is unwilling to impose said obligations as binding conditions of subsequent approvals which are necessary for the future development of the Project and Property, this Agreement may nevertheless be enforceable between the Parties as provided in Paragraph 35 or by any other action or proceeding provided by law or in equity for the enforcement thereof.

8. City's Retention of Police Power. Nothing in this Agreement shall constitute or be construed to constitute an abdication or surrender of the City of Pacifica's police power or to otherwise bind in any respect the City's exercise of its legislative, executive, or adjudicatory discretion. Nothing in this Agreement shall obligate the City to take, or prohibit the City from taking, any legislative, executive, or adjudicatory action.

9. Mutual Release.

a. NCAP, on their own behalf and on behalf of their predecessors, successors, assigns, subsidiaries, affiliates, officers, directors, employees, members, shareholders and attorneys, hereby acknowledge full and complete satisfaction of, covenants not to sue with respect to, and release and discharge the City, RPI, and Purchasers and their predecessors, successors, assigns, subsidiaries, affiliates, officers, directors, employees, shareholders, members, managers and attorneys from any and all claims, demands, actions, causes of action, suits, liabilities, losses, agreements, contracts, covenants, wages, debts, costs, attorneys' fees or expenses, known or unknown, suspected or unsuspected, related to or arising from the Project, which NCAP had, now has or claims to have against the City, the RPI and/or Purchasers whether or not known, suspected or alleged as of the Effective Date of this Settlement Agreement.

b. The City, RPI, and Purchasers, on their own behalf and on behalf of their predecessors, successors, assigns, subsidiaries, affiliates, officers, directors, employees, shareholders, managers and attorneys, hereby acknowledge full and complete satisfaction of, covenants not to sue with respect to, and release and discharge NCAP and their predecessors, successors, assigns, subsidiaries, affiliates, officers, directors, employees, members, shareholders and attorneys, from any and all claims, demands, actions, causes of action, suits, liabilities, losses, agreements, contracts, covenants, wages, debts, costs, attorneys' fees or expenses, known or unknown, suspected or unsuspected, related to arising from the Project, which the City, RPI, or Purchasers had, now has, or claims to have against NCAP whether or not known, suspected or alleged as of the Effective Date of this Settlement Agreement.

10. No Assignment. The Parties represent and warrant that they have not sold, assigned, transferred, conveyed or otherwise disposed of any claim, demand, cause of action,

obligation, damage or liability released in Paragraph 9 above, and each further agrees to indemnify and hold the others harmless from any liability, claims, demands, damages, costs, expenses, and attorneys' fees incurred by any such assignment or transfer.

11. General Release and Waiver of Civil Code Section 1542. With respect to claims related to the action within the foregoing releases, the Parties specifically and expressly waive any right and benefit available to them under the provisions of Section 1542 of the Civil Code of the State of California which provides:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

It is understood and agreed by the Parties that this Agreement is a full and final general release and shall extinguish all of the Parties past and present claims, demands and causes of action against each other, whether known or unknown, foreseen or unforeseen, anticipated or unanticipated, that arise out of or in any way relate to the Action, which claims, demands and causes of action are remised and forever discharged.

12. Notices. All notices and other communications required to be provided pursuant to this Agreement shall be by certified mail, return receipt requested to the following persons at the following addresses:

TO RPI:

Gary and Dianne Bonini
1165 Linda Mar Blvd.
Pacifica, California 94404
Telephone: (650) 355-7440

With a copy to:

William F. Pagano
Pagano & McKinney
1424 Chapin Avenue
Burlingame, California 94010
Telephone: (650) 347-9900
Facsimile: (650) 373-0330

TO PURCHASERS

Mat Bradshaw
860 Crespi Drive
Pacifica, California 94044
Telephone: (650) 438-7339

David Melton
1031 Rio Vista Drive
Pacifica, California 94044
Telephone: (650) 557-1484

Dewey Melton
815 Bower Road
Pacifica, California 94044
Telephone: (650) 355-8012

With a copy to:

William F. Pagano
Pagano & McKinney
1424 Chapin Avenue
Burlingame, California 94010
Telephone: (650) 347-9900
Facsimile: (650) 373-0330

TO THE CITY OF PACIFICA:

Joseph Tanner, City Manager
City of Pacifica
170 Santa Maria Avenue
Pacifica, California 94044
Telephone: (650) 738-7301
Facsimile: (650) 359-6038

With copies to:

Cecilia M. Quick
City Attorney
City of Pacifica
170 Santa Maria Avenue
Pacifica, California 94044
Telephone: (650) 738-7408
Facsimile: (650) 359-8947

TO NCAP:

Neighbors Concerned About Pacifica
P.O. Box 260
Pacifica, California 94044
Telephone: none
Facsimile: none

With a copy to:

Sharon E. Duggan
Law Offices of Sharon E. Duggan
2070 Allison Way, Suite 300
Berkeley, California 94704
Telephone: (510) 647-1904
Facsimile: (510) 647-1905

Any Party may change its above listed address for notices by sending notice thereof to all other parties.

13. Advice of Counsel. In executing this Agreement, the Parties acknowledge that they have consulted with and been advised by their respective attorneys, and that they have executed this Agreement after independent investigation, and without fraud, duress or undue influence. The Parties further acknowledge and agree that they have had a reasonable period of time for deliberation before executing this Agreement.

14. Future Waivers. No waiver by a Party of any condition or term of this Agreement shall be deemed a waiver of any other condition or provision at the same or any other time.

15. Modification. This Agreement may be modified only in a writing signed by the Parties or the Parties' successors-in-interest.

16. No Admission of Liability. This Agreement is the result of a compromise and shall never at any time for any purpose be considered as an admission of liability or responsibility on the part of any Party hereto, and each Party continues to deny any liability to the other, and further agrees not to represent to any other person or entity that this Agreement, or

any of the provisions hereof, represents a confession or admission of liability on the part of any other Party.

17. No Representations. Each Party to this Agreement acknowledges that it is fully aware of the significance and legal effect of this Agreement, including its release provisions, and is not entering into this Agreement in reliance on any representation, promise, or statement made by any Party, except those explicitly contained in this Agreement.

18. Mistake. Each of the Parties to this Agreement has investigated the facts pertaining to the Action and to this Agreement to the extent each party deems necessary. In entering into this Agreement, each party assumes the risk of mistake with respect to such facts. This Agreement is intended to be final and binding upon the Parties regardless of any claim of mistake.

19. Severability. The provisions of this Agreement are contractual, and not mere recitals, and shall be considered severable, so that if any provision or part of this Agreement shall at any time be held invalid, that provision or part thereof shall remain in force and effect to the extent allowed by law, and all other provisions of this Agreement shall remain in full force and effect, and be enforceable.

20. Applicable Law. This Agreement shall be governed by and interpreted under the laws of the State of California.

21. Construction. This Agreement has been reviewed by the Parties, and by their respective attorneys, and the Parties have had a full opportunity to negotiate the contents of this Agreement. The Parties expressly waive any common law or statutory rule of construction that ambiguity should be construed against the drafter of this Agreement, and agree that the language in all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning.

22. No Third Party Beneficiaries. The mutual promises in this Agreement are intended only for the benefit of the Parties, and may be enforced by the Parties hereto. The Parties agree that there are no intended or incidental third party beneficiaries to this Agreement.

23. Survival of Provisions. All promises, covenants, releases, representations and warranties contained in this Agreement shall survive the execution and delivery of this Agreement and the consummation of the transactions contemplated herein.

24. Attorneys' Fees Arising Out of The Enforcement of the Agreement. In the event of litigation arising out of any alleged breach of this Agreement, the prevailing party shall be entitled to recover its costs, expenses, and reasonable attorneys' fees in addition to any other relief to which it may be entitled.

25. Binding Effect.

a. This Agreement may be recorded and re-recorded by any Party to this Agreement so as to provide notice to any successors in interest or future purchasers of the Property, or subdivided parcels thereof of the terms and conditions of this Agreement.

b. In the event the parcel or Property commonly known as Lands of Bonini, APN 023-270-460 is subdivided, the Parties agree to provide legal descriptions and assigned Assessor Parcel numbers for the subdivided parcels sufficient for recording purposes after the Parcel Map creating same is recorded and the descriptions are, therefore, available.

26. Effective Date. This Agreement shall be effective as of the date upon which all of the signatories have signed the agreement.

27. Execution in Counterpart. This Agreement may be executed in counterpart, and all executed copies are duplicate originals, equally admissible in evidence. The Parties agree that the transmission of an executed copy of this Agreement by facsimile shall be valid and binding, and shall have the same full force and effect as if an executed original of this Agreement had been delivered.

28. Entire Agreement. This Agreement contains the entire agreement among the Parties hereto with respect to the matters covered hereby, and supersedes all prior agreements, written or oral, among the Parties. No other agreement, statement, or promise made by any party not contained herein shall be binding or valid.

29. Cooperation. The Parties agree to cooperate fully, reasonably, and in good faith in the implementation of this Agreement. Each of the Parties will execute, acknowledge, and

deliver, or cause to be executed, acknowledged, and delivered, such further instruments and documents as may be necessary to consummate or implement this Agreement.

30. Time Of the Essence. Time is of the essence of this Agreement and the performance by each party hereto of the obligations on that party's part to be performed.

31. Force Majeure Events. If any of the Parties fails to perform its obligations because of strikes, lockouts, labor disputes, embargoes, acts of God, inability to obtain labor or other materials or reasonable substitute for labor or materials, governmental restrictions, governmental regulations, governmental controls, judicial orders, enemy or hostile governmental action, civil commotion, fire, flood, storm, explosion, earthquake, or other casualty, or any other cause beyond the reasonable control of the Party obligated to perform, then that Party's performance shall be excused to the extent performance is no longer practically possible. To the extent that obligations can still be performed as a practical matter at the conclusion of any of the events described above, then performance of the obligations shall be delayed for a period equal to the period of such cause for failure to perform.

32. Recitals in Captions. The recitals in the captions of the paragraphs and subparagraphs of this Agreement are for convenience and reference only; the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction or meaning of the provisions of this Agreement.

33. Warranty of Authority. Each individual executing this Agreement on behalf of any Party represents that he/she is authorized to execute this Agreement on behalf of the Party or Parties he/she purports to represent and does so execute this document on behalf of said Party.

34. Filing of Fictitious Name Statement. NCAP shall file a fictitious name statement within the County of San Mateo, California.

35. Enforcement. The Parties agree that this Agreement may be enforced on motion of any Party pursuant to California Code of Civil Procedure Section 664.6 or by any other action or proceeding provided by law or in equity for the enforcement thereof, except that the Parties may enforce the terms and conditions of this Agreement only after the complaining party has first given notice to the Party allegedly failing to comply with the terms and conditions of the

Settlement Agreement and has attempted, in an open and good faith manner, to resolve such Party's alleged failure to comply.

36. Court Jurisdiction. Notwithstanding the filing of the dismissal required in Paragraph 1 of this Agreement, the Parties stipulate and agree that the court shall retain jurisdiction of this case and over the parties personally until final performance of the Settlement Agreement. This includes tolling of any applicable statute, rule, or court order affecting timely prosecution of this action, including the 5 year dismissal statute.

Dated: 2/15/05

REAL PARTIES IN INTEREST

GARY AND DIANNE BONINI

By: Gary Bonini

Gary Bonini

Notary

By: Diane Bonini

Diane Bonini

Notary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

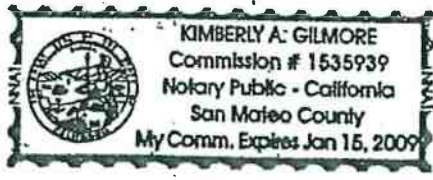
State of California

County of San Mateo } ss.

On 2/15/05 before me, Kimberly A Gilmore
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Gary Bonini
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

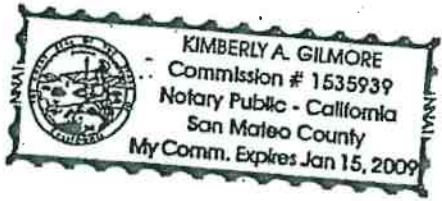
County of San Mateo } ss.

On 2/15/05 before me Kimberly A Gilmore
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Jane Brown
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
Kimberly A Gilmore
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

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Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer is Representing: _____



Dated: 2/14/05

PURCHASERS

MAT BRADSHAW

By: Mat Bradshaw

Mat Bradshaw

Notary

Dated: 2/14/05

DAVID MELTON

By: David Melton

David Melton

Notary

Dated: 02-14-05

DEWEY MELTON

By: Dewey Melton

Dewey Melton

Notary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

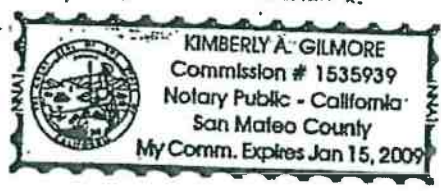
State of California

County of San Mateo } ss.

On 2/14/05 before me, Kimberly A Gilmore
Date Name and Title of Officer (e.g., "Jeno Doc, Notary Public")

personally appeared Max Bradshaw
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal
Kimberly A Gilmore
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Max

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer is Representing: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

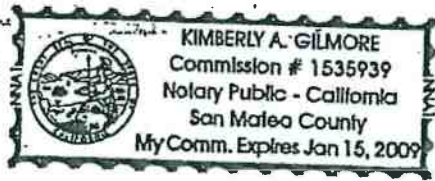
State of California

County of San Mateo } ss.

On 2/14/05 before me, Kimberly A Gilmore
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared David Melton
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
[Signature]
Signature of Notary Public

OPTIONAL

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- Other: _____

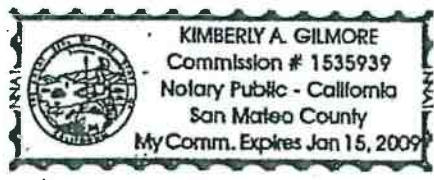
Signer Is Representing: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Mateo } ss.
On 2/14/05 before me, Kimberly A. Gilmore
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared [Signature] Melton
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



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WITNESS my hand and official seal
[Signature]
Signature of Notary Public

OPTIONAL

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- Signer's Name: _____
- Individual
 - Corporate Officer — Title(s): _____
 - Partner — Limited General
 - Attorney-in-Fact
 - Trustee
 - Guardian or Conservator
 - Other: _____

Signer Is Representing: _____



Dated: 3-1-05

CITY OF PACIFICA

By: _____

Joseph Tanner

City Manager

Notary

Approved as to form

Cecilia M. Quill

City Attorney

Dated: 3-1-05

NEIGHBORS CONCERNED ABOUT
PACIFICA

By: _____

Brian Gaffney (Title)

Notary

ATTACHMENTS

EXHIBIT A- Preliminary Improvement Plan

EXHIBIT B -Maintenance Plan

EXHIBIT C - Native Plant Seeding Plan

EXHIBIT D - Description of Parcels

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Mateo } ss.

On March 1, 2005 before me, Kathy O'Connell
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Joseph M. Tanner
Name(s) of Signer(s)

- personally known to me
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Kathy O'Connell
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



Dated: _____

CITY OF PACIFICA

By: _____

Joseph Tanner

City Manager

Notary

Dated: 2/22/05

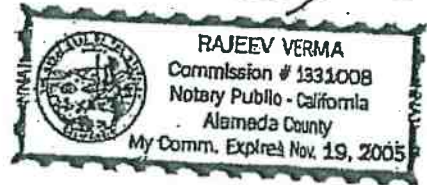
NEIGHBORS CONCERNED ABOUT
PACIFICA

By: *Brian Gaffney*

Brian Gaffney (Title)

Notary

Rajeev Verma



ATTACHMENTS

EXHIBIT A- Preliminary Improvement Plan

EXHIBIT B -Maintenance Plan

EXHIBIT C - Native Plant Seeding Plan

EXHIBIT D - Description of Parcels

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

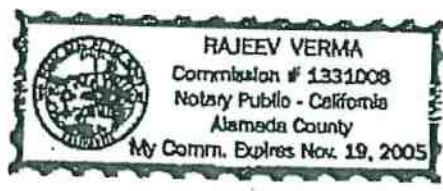
State of California
County of Alameda } ss.

On Feb 22 2005 before me, RAJEEV VERMA, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Brian Gallardo
Name(s) of Person(s)

personally known to me
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]
Signature of Notary Public

OPTIONAL

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Signer's Name: _____

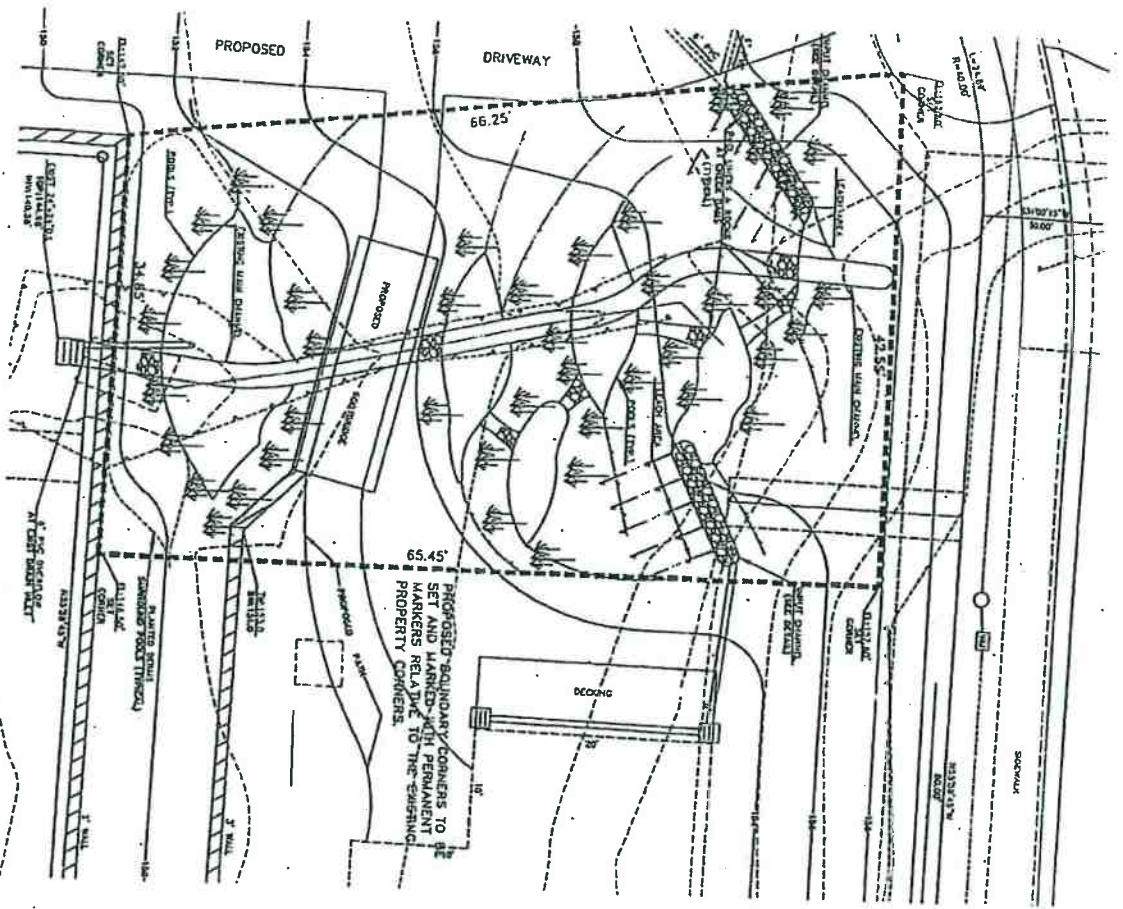
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- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



EXHIBIT A

PRELIMINARY IMPROVEMENT PLAN



NOTES

1. PROPERTY BOUNDARIES SHOWN IN GREEN. ALL DIMENSIONS ARE TO BE TAKEN FROM THE CORNERS OF THE PROPERTY AS SHOWN ON THE SURVEY. ALL DIMENSIONS ARE TO BE TAKEN FROM THE CORNERS OF THE PROPERTY AS SHOWN ON THE SURVEY. ALL DIMENSIONS ARE TO BE TAKEN FROM THE CORNERS OF THE PROPERTY AS SHOWN ON THE SURVEY.

UNAUTHORIZED CHANGES & USES

2. NO CHANGES TO THIS PLAN SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER. ANY UNAUTHORIZED CHANGES OR USES SHALL BE AT THE USER'S SOLE RISK. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

ENGINEER'S NOTE TO CONTRACTOR

3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF EXISTING UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

UTILITY SERVICES

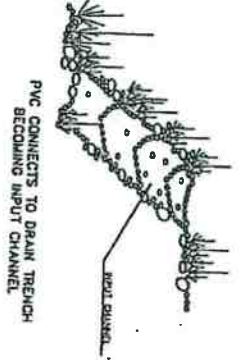
4. ALL UTILITY SERVICES SHALL BE LOCATED AND DEPTH VERIFIED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

CONSTRUCTION STANDING LIBRARY NUMBER

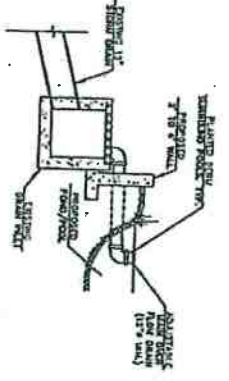
5. THIS DOCUMENT IS THE PROPERTY OF RENNER GROUP AND SHALL BE KEPT IN THE OFFICE OF THE ENGINEER. IT IS TO BE USED ONLY FOR THE PROJECT AND SHALL NOT BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER.

SITE PLAN

SCALE: 1" = 10'



DETAIL "A"



PRELIMINARY IMPROVEMENT PLAN SPECIFICATIONS

1. GRADES OF THE POOL AREA SHALL BE DETERMINED AND VERIFIED PRIOR TO CONSTRUCTION TO BE 0.25 TO 0.50 PERCENT.
2. THE POOL SHALL BE SET AT A GRADE THAT PROVIDES ADEQUATE DRAINAGE AND IS NOT SUBJECT TO FLOODING.
3. GRADES OF THE POOL SHALL BE DETERMINED PRIOR TO POOL CONSTRUCTION.
4. GRADES OF THE POOL SHALL BE DETERMINED PRIOR TO POOL CONSTRUCTION.
5. THE POOL SHALL BE SET AT A GRADE THAT PROVIDES ADEQUATE DRAINAGE AND IS NOT SUBJECT TO FLOODING.
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13. THE POOL SHALL BE SET AT A GRADE THAT PROVIDES ADEQUATE DRAINAGE AND IS NOT SUBJECT TO FLOODING.

LEGEND

- 1. POOL LINER
- 2. ROCKS
- 3. CHECK DAM
- 4. DRAIN TRENCH
- 5. SANITARY SEWER LINE
- 6. SANITARY SEWER MANHOLE
- 7. SANITARY SEWER CONNECTION
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- 100. SANITARY SEWER CONNECTION



EXHIBIT B

MAINTENANCE PLAN

The owner upon which the detention ponds are located (hereinafter "owner") shall monitor and maintain said ponds including native plantings in and adjacent thereto until the following are achieved: (1) the main channel to the ponds is established without visible channel failure and/or clogging; and (2) the plantings in and adjacent to the ponds have approximately the same or greater native species as existed prior to construction. In addition, in the event of sedimentation of the ponds, channel failure, or drain pipe failures, desilting shall be completed by the owner as soon as the site can be accessed. Remedial efforts including desilting and replanting shall continue for a period of not less than ten (10) years.

Said owner shall not be responsible for preserving or maintaining water sources for the ponds beyond the boundaries of the owner's property, but shall preserve and maintain the flow of such water after it enters onto the owner's property.

Upon requests by NCAP not more frequently than two (2) times per annum, which requests shall not be unreasonably denied, NCAP shall be permitted to inspect the pond area. NCAP expressly assumes the risk of injury to its representative(s) during any such inspections, and expressly agrees to indemnify and hold owner harmless from any and all claims and causes of action arising from or related to any such said inspections.

EXHIBIT C

NATIVE PLANT SEEDING PLAN

Care should be taken with planting shade species on areas surrounding native plantings where insufficient sun exposure will impair growth of said native plantings.

Species shall be selected to avoid diversion of water flow via conduits/cracks in the soil created by root structures.

Subject to the above conditions, the following are acceptable native plants for planting:

- Juncus patens* - wire rush
- J. effuses* - tall wire rush
- J. bufonious* - toad rush
- Carex aquatilis* - coastal sedge uncommon
- C. sp.* Small cespitose - sedge needs I.D. uncommon
- Equisetum arvense* - common horsetail
- Epilobium ciliatum* - willow herb
- Rorippa nasturtium-aquaticum* - water cress
- Rubus ursinus* - California blackberry
- Cornus sericea* - American or creek dogwood
- Veronica americanus* - American brooklime
- Polygonum punctatum* - smartweed
- Mimulus guttatus* - common monkey flower
- Juncus balticus*
- J. bufonious var. conjesta* - compact toad rush
- J. xiphiodes* - iris leafed rush
- Scirpus cernua* - fiber optic grass
- S. californicus* - California tule (contain)
- S. Microcarpus* - small seed tule (contain)
- Oenanthe sarmentosa* - water parsnip (contain)
- Typha angustifolia* - narrow leafed cattail (contain)
- T. latifolia* - broad leafed cattail (contain)
- Scrophularia californica* - bee plant
- Herculeum lanatum* - cowparsnip
- Rosa californica* - California wild rose
- Rubus parviflorus* - Thimble berry
- Ribes sp.* - local current
- R. sp.* - local gooseberry
- Symphoricarpos alba* - snowberry
- Lonicera hispidula* - California honeysuckle
- L. involucrate* - twinberry
- Baccharis pilularis var. consanguinia* - coyote bush

Alnus ruba - red alder
Heteromeles arbutifolia - toyon
Sambucus racemosa - red elderberry
Salix hookerianna - coastal willow
S. lavigata - red willow

EXHIBIT D

DESCRIPTION OF PARCEL

This Agreement applies to the Property, commonly described as the Lands of Bonini, Assessor Parcel No. APN 023-270-460, and to the parcels created pursuant to the application for subdivision (SUB-200-03) filed by Gary and Diane Bonini in the City of Pacifica, California.

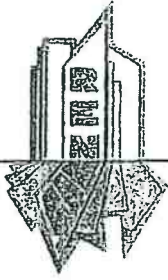
EXHIBIT D

ENGINEER'S ESTIMATE

EXHIBIT "D"
SECURITY BOND
1165 LINDA MAR BLVD

Agreement Sections

Sect. 23-C-I	Engineer's Estimate Costruction Cost	\$120,000.00
Sect. 23-C-IA	10% Contingency	\$12,000.00
Sect. 23-C-IB	3.2% Inflation Rate	\$3,840.00
Sect. 23-C-IC	Already Included in Engineer's Estimate	\$0.00
Sect. 23-C-ID	5% Other Expenses and Fees	\$6,000.00
	Total Cost of Improvements	\$141,840.00
Sect. 23-C-II	50% Payment Security	\$70,920.00
	TOTAL SECURITY BOND	\$212,760.00
Sect. 23-C-III	CASH DEPOSIT	\$1,000.00



ERNEST RENNER GROUP

3270 MENDOCINO AVENUE, SUITE E-2 • SANTA ROSA, CALIFORNIA 95403 • 707-569-9757 • FAX: 707-569-9762
226 LORTON AVENUE • BURLINGAME, CALIFORNIA 94010 • 650-685-8131 • FAX: 650-685-8313

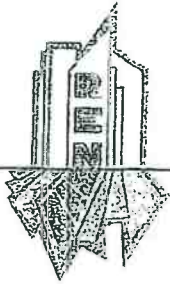
TOTAL PROJECT COST : \$120,000

FOR CUL-DE-SAC IMPROVEMENTS

(Within Proposed City Right-of-Way)

Clearing & Grubbing	Lump Sum	\$ 1,500.00
Grading Excavation	400 cu.yds @ \$ 5.00 cu.yd.	\$ 2,000.00
Grading Embankment	500 cu. yds @ \$ 11.00 cu. yd.	\$ 6,050.00
Asphalt Concrete	420 cu. yds @ \$ 10.00 cu. yd.	\$ 4,200.00
Aggregate Base	1,200 cu. yds @ \$ 4.00 cu. yd.	\$ 4,800.00
Curb & Gutter	155 ft. @ \$ 20.00 ln. ft.	\$ 3,100.00
Sidewalk	1,200 sq. ft. @ \$ 1.00 sq. ft.	\$ 4,800.00
Street Light Standards	2 @ \$ 3,000.00	\$ 6,000.00
Storm Drains/Catch Basins	Lump Sum	\$ 6,000.00
Asphalt Concrete Overlay	7,500.00 sq. ft. @ \$ 1.50 sq. ft.	\$ 11,250.00
Utilities	Lump Sum	\$ 12,000.00
		<u>\$ 61,700.00</u>
	USE:	\$ 65,000.00





RENNER GROUP

3270 MENDOCINO AVENUE, SUITE E-2 • SANTA ROSA, CALIFORNIA, 95403 • 707-569-9757 • FAX: 707-569-9762
226 LORTON AVENUE • BURLINGAME, CALIFORNIA 94010 • 650-685-8131 • FAX: 650-685-2313

PROJECT IMPROVEMENTS

(Not including cul-de-sac)

Upgrade Existing Improvements	- Lump Sum	\$ 8,000.00
Proposed Storm Drainage	- Lump Sum	\$12,000.00
Retaining Walls	- Lump Sum	\$18,000.00
Wetland Improvements	- Lump Sum	\$ 7,500.00
Grading Excavation & Embankment) (Balanced Cut and Fill)	- Lump Sum	\$ 7,500.00
		<hr/>
		\$53,000.00

Use: \$55,000.00



ENGINEERING

SURVEYING

PROJECT MANAGEMENT

January 10, 2016

City of Pacifica
Lands of Bonini Settlement Agreement Requirements

RECEIVED
JAN 11 2016
City of Pacifica

The following is a list of the requirements and there current status:

1. Required attorneys fees to date have been paid. This includes, attorney fees for purchaser/seller. Attorney's fees for Neighbors Concerned for Pacifica. Also the attorneys hired by the City of Pacifica. This does not include any current review fees.
2. The hillside behind proposed houses has been planted with drought resistant native plants; this included the removal of undocumented mounds of soil shown on plans. This was done immediately after the signing of the settlement agreement.
3. The \$5,000.00 contribution to the San Pedro Creek steelhead fund has been paid. This was paid immediately following the signing of the settlement agreement.
4. The street improvements and infrastructure have completed according to the plans and specifications. The remaining items to be completed include the street monuments and light pole. A current encroachment permit will be obtained to complete such work.
5. Other outstanding requirements include the detention ponds, input channels and replanting of pond area as shown on existing plans. Detention pond boundaries will be permanently identified and staked as required in said settlement agreement. Permits will be made current for the above-mentioned work as well.
6. Any and all additional requirements from the said settlement agreement will be completed as specified in the agreement and to the satisfaction of both The City of Pacifica and Neighbors Concerned for Pacifica.

Sincerely,

Dave Melton



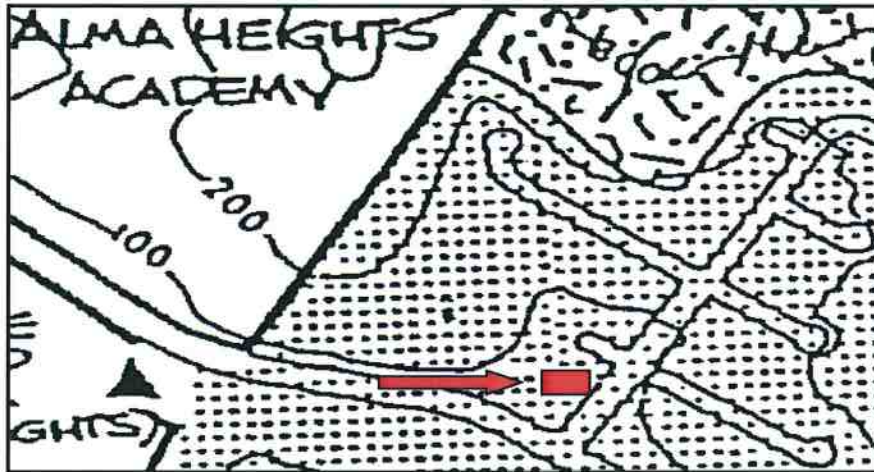
Zoning & Land Use Exhibit

City of Pacifica
Planning Development Department

General Plan Diagram

Neighborhood: Linda Mar Neighborhood

Land Use Designation: Low Density Residential



Zoning Map Diagram

Existing Zoning District: R-1/A/B-5 (Agricultural/Lot Size Overlay)



North Arrow 

Maps Not to Scale



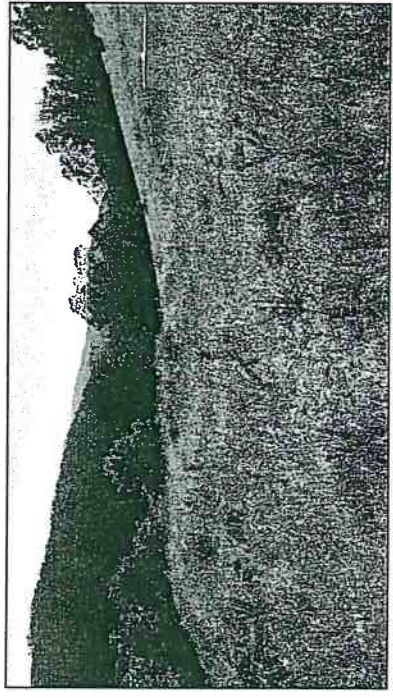
REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/08/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE-SUBMITTAL

PROJECT NAME:
NEW SINGLE FAMILY HOME / 2ND UNIT :
PROJECT SCOPE:
NEW SINGLE FAMILY HOME
WITH DETACHED 2ND UNIT
ON VACANT PARCEL

PROJECT ADDRESS:
21 MALAVEAR DRIVE
PACIFICA, CA 94044

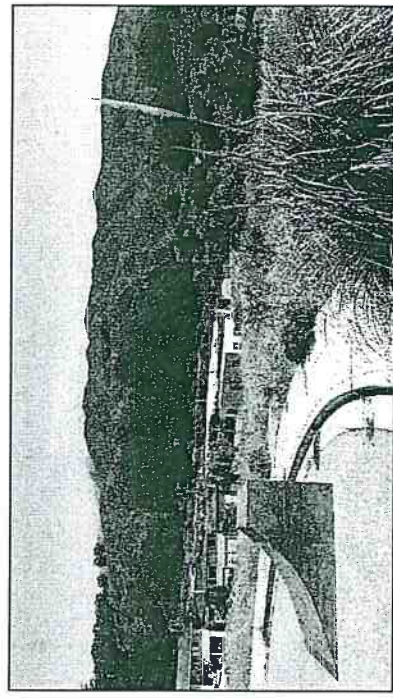
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EXISTING SITE
PHOTOS

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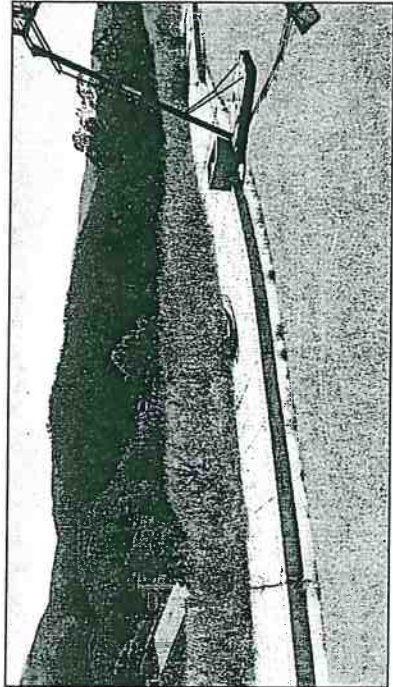
VIEW LOOKING SOUTHWEST AT FLATTER
PORTION OF SUBJECT PARCEL WHERE
PROPOSED BUILDING FOOTPRINT WILL BE

2
A0.1



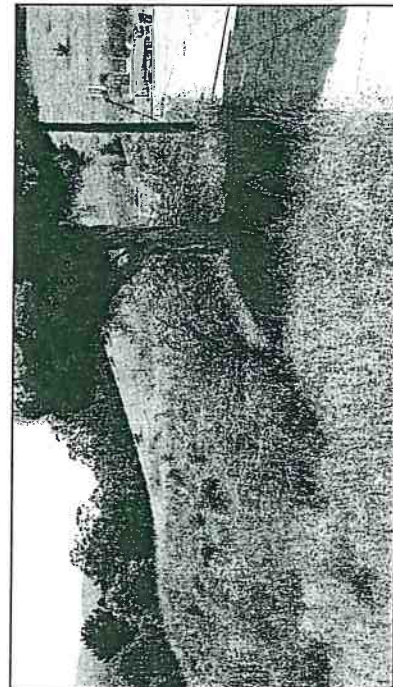
VIEW FROM MALAVEAR CUL-DE-SAC
LOOKING SOUTHEAST TOWARDS SOUTHERN
PORTION OF SUBJECT PARCEL

4
A0.1



VIEW LOOKING SOUTHWEST FROM MALAVEAR
STREET TOWARDS PORTION OF SUBJECT
PARCEL WITH PROPOSED IMPROVEMENTS

1
A0.1



VIEW FROM (E) SIDEWALK AT MALAVEAR
(NEAR SHEILA LANE) LOOKING WEST
TOWARDS SUBJECT PARCEL

3
A0.1

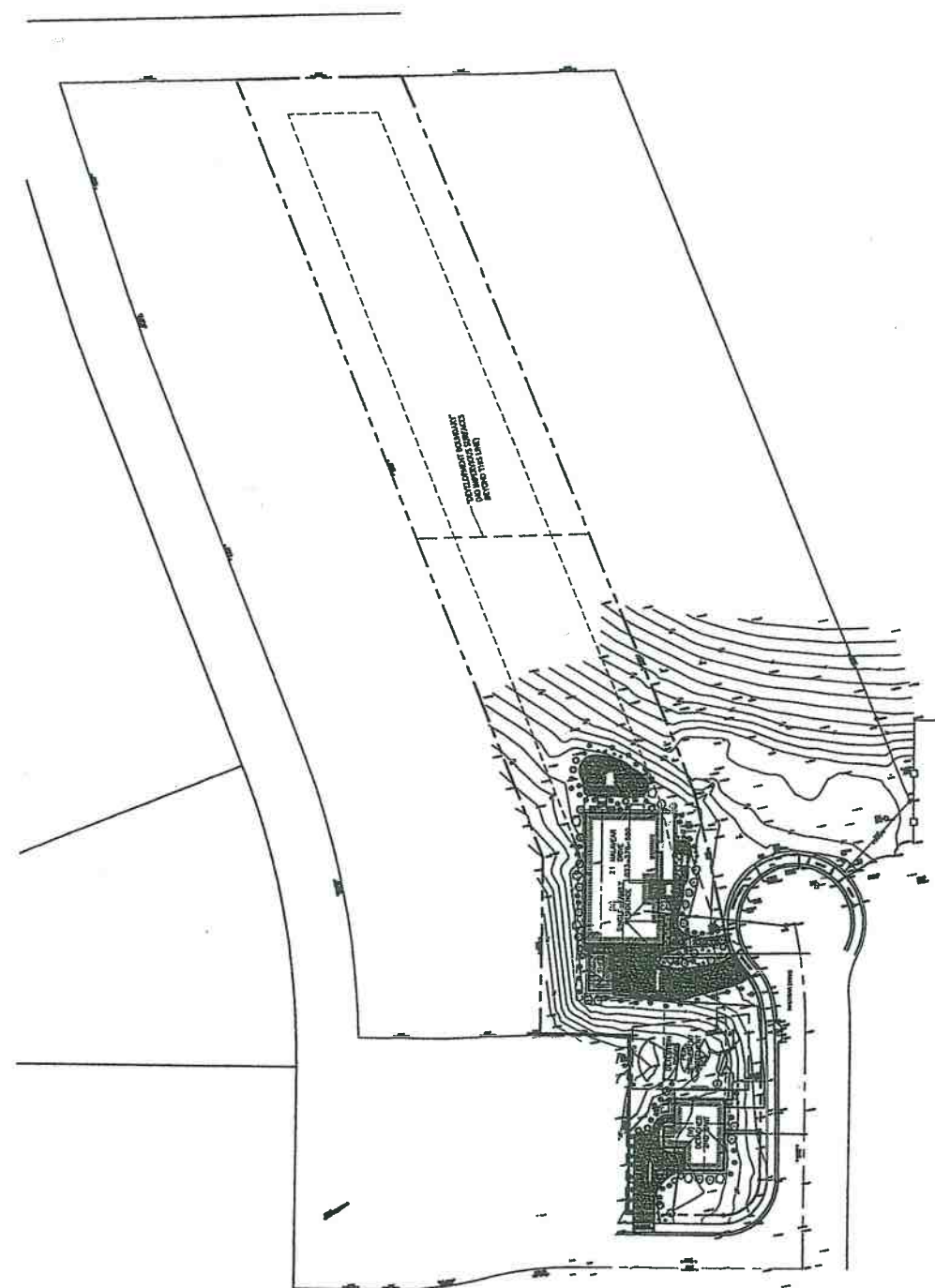
8224V BIRDMAN
 DRAFTING & DESIGN
 642 Havens Drive
 Pacific, CA 94044
 (650) 822-7883



REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/08/15	PLANNING SUBMITTAL
2	06/27/15	PLANNING RESUBMITTAL

PROJECT NAME: NEW SINGLE FAMILY HOME / 2ND UNIT :
 PROJECT ADDRESS: 21 MALAWEAR DRIVE
 PACIFICA, CA 94044
 PROJECT SCOPE: NEW SINGLE FAMILY HOME WITH DETACHED 2ND UNIT ON VACANT PARCEL

SHEET TITLE: PROPOSED OVERALL SITE PLAN
 SHEET: A1.1



1
 A1.1
 PROPOSED OVERALL SITE PLAN
 SCALE: 1" = 30'-0"



Brian Brinkman
Drafting & Design
648 Newark Drive
Pacifica, CA 94044
(950) 922-7003

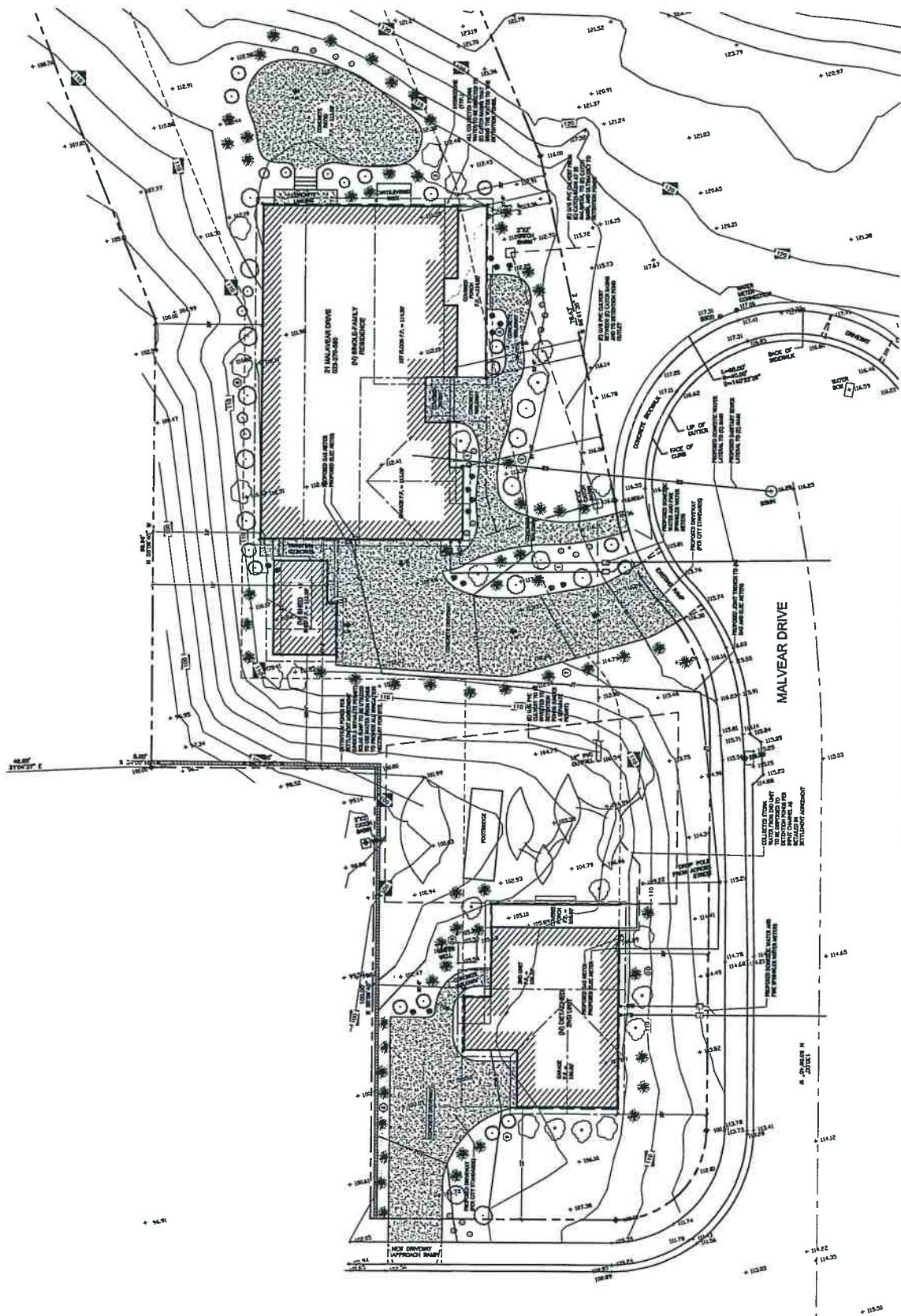
REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/09/15	PLANNING SUBMITTAL
2	08/27/15	PLANNING RE-SUBMITTAL

PROJECT NAME:
NEW SINGLE FAMILY HOME / 2ND UNIT :
WITH DETACHED 2ND UNIT
ON VACANT PARCEL

PROJECT ADDRESS:
21 MALVEAR DRIVE
PACIFICA, CA 94044

SHEET TITLE:
PROPOSED
PARTIAL SITE
PLAN

SHEET:
A1.2



PROPOSED PARTIAL SITE PLAN
SCALE: 1" = 10'-0"



A1.2

B
 REYAN REYNOLAN
 DRAFTING & DESIGN
 846 Mountain Drive
 Pacifica, CA 94044
 (650) 922-7900

REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLANS SET
1	06/03/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE-SUBMITTAL

NEW SINGLE FAMILY HOME WITH DETACHED 2ND UNIT ON VACANT PARCEL

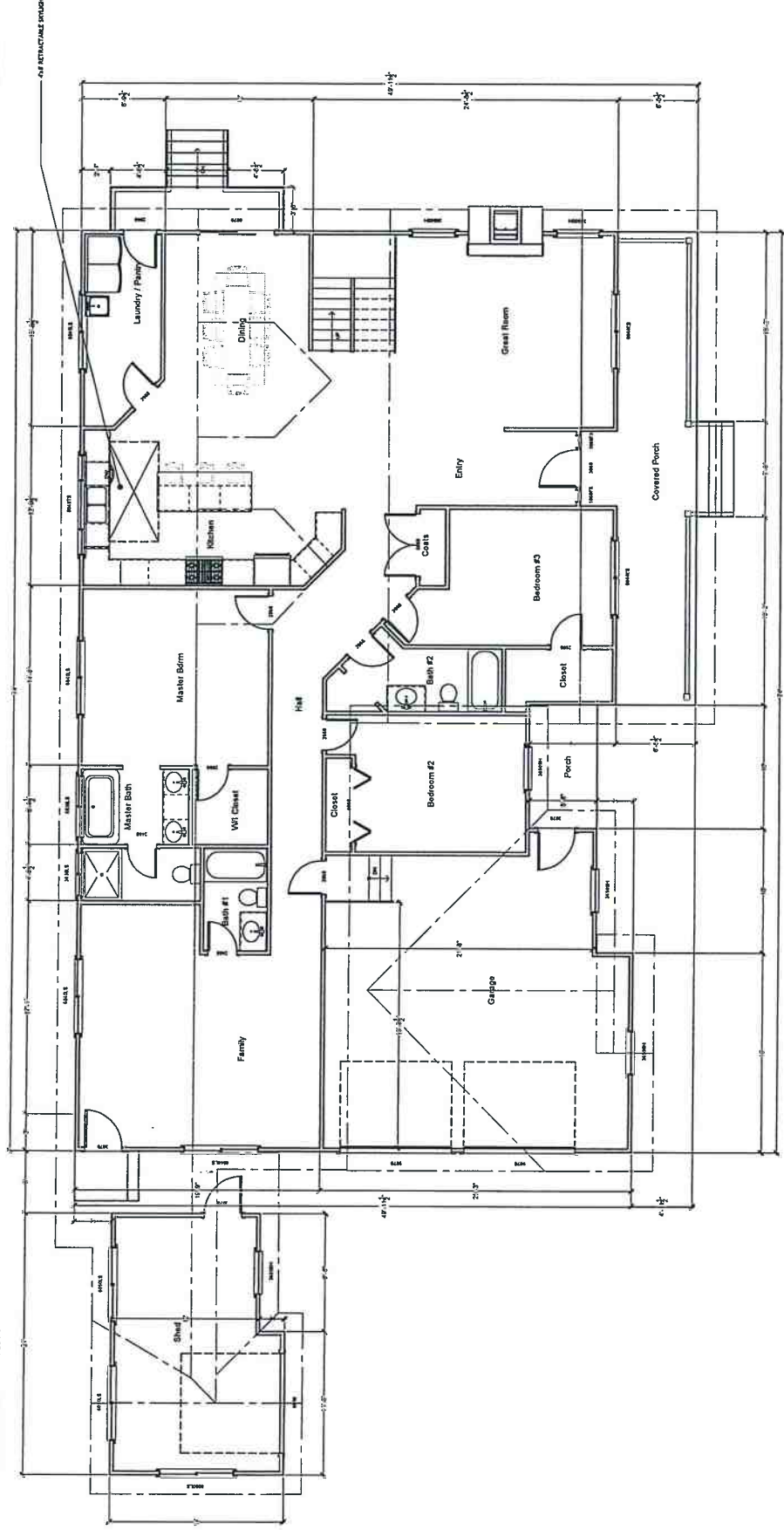
PROJECT NAME:
 NEW SINGLE FAMILY HOME / 2ND UNIT :
 MELTON RESIDENCE
 PROJECT ADDRESS:
 21 MALAVEAR DRIVE
 PACIFICA, CA 94044

SHEET TITLE:
 PROPOSED
 1ST FLOOR
 PLAN

SHEET:
 A2.1

WALL LEGEND

	PROPOSED STUD WALL
	PROPOSED 47" HIGH STUD WALL
	PROPOSED 47" HIGH DECK RAILING
	PROPOSED CONCRETE RETAINING WALL



- PLUMBING FIXTURE NOTES:**
- MAX FLOW RATE OF SHOWERS SHALL BE 2.0 GPM
 - MAX FLOW RATE OF SINKS/BATHS SHALL BE 1.5 GPM
 - MAX FLOW RATE OF KITCHEN SINKS SHALL BE 1.8 GPM
 - ALL TOILETS SHALL BE MAX 1.28 GPF
- EGRESS NOTE:**
- AT LEAST ONE WINDOW IN EACH BEDROOM SHALL MEET THE FOLLOWING REQUIREMENTS:
 - MIN. 5.7 SF IN OVERALL SIZE
 - MIN. 2' CLEAR OPENING HEIGHT
 - MIN. 20" CLEAR OPENING WIDTH
 - SHALL A MAX. OF 47" ABOVE FINISHED FLOOR

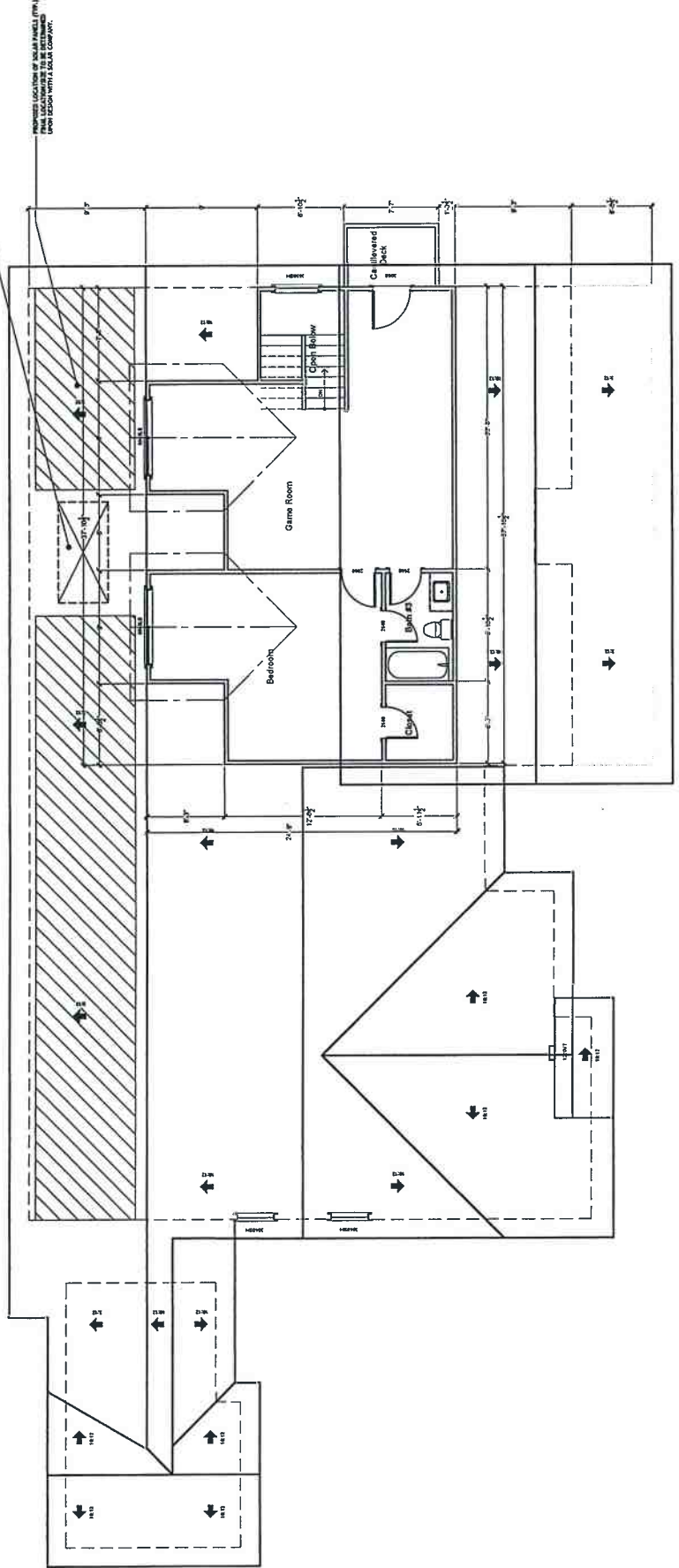
NOTE: FIRE SPRINKLERS REQUIRED UNDER A SEPARATE PERMIT.

1
 A2.1
 PROPOSED 1ST FLOOR PLAN
 SCALE: 1/8" = 1'-0"

WALL LEGEND

	PROPOSED STUD WALL
	PROPOSED 42" HIGH STUD WALL
	PROPOSED 42" HIGH DECK RAILING
	PROPOSED CONCRETE RETAINING WALL

FOR RETRACTABLE LIGHTING



- PLUMBING EXCERPT NOTES:**
- MAX FLOW RATE OF SHOWERHEADS SHALL BE 2.0 GPM
 - MAX FLOW RATE OF LAVATORY FAUCETS SHALL BE 1.5 GPM
 - MAX FLOW RATE OF KITCHEN FAUCETS SHALL BE 1.8 GPM
 - ALL TOILETS SHALL BE MAX 1.6 GPF
- EGRESS NOTES:**
- AT LEAST ONE WINDOW IN EACH BEDROOM SHALL MEET THE FOLLOWING REQUIREMENTS:
 - MIN. 20" CLEAR OPENING HEIGHT
 - MIN. 20" CLEAR OPENING WIDTH
 - SILL A MAX. OF 42" ABOVE FINISHED FLOOR

PROPOSED 2ND FLOOR & LOWER ROOF PLAN
SCALE: 1/4" = 1'-0"



1
A2.2

NOTE: FIRE SPRINKLERS REQUIRED UNDER A SEPARATE PERMIT.

SHEET: **A2.2**

PROJECT TITLE:
PROPOSED
2ND FLOOR &
LOWER ROOF
PLAN

PROJECT NAME:
NEW SINGLE FAMILY HOME / 2ND UNIT :
MELTON RESIDENCE

PROJECT ADDRESS:
21 MALAWEAR DRIVE
PACIFICA, CA 94044

PROJECT SCOPE:
NEW SINGLE FAMILY HOME
WITH DETACHED 2ND UNIT
ON VACANT PARCEL

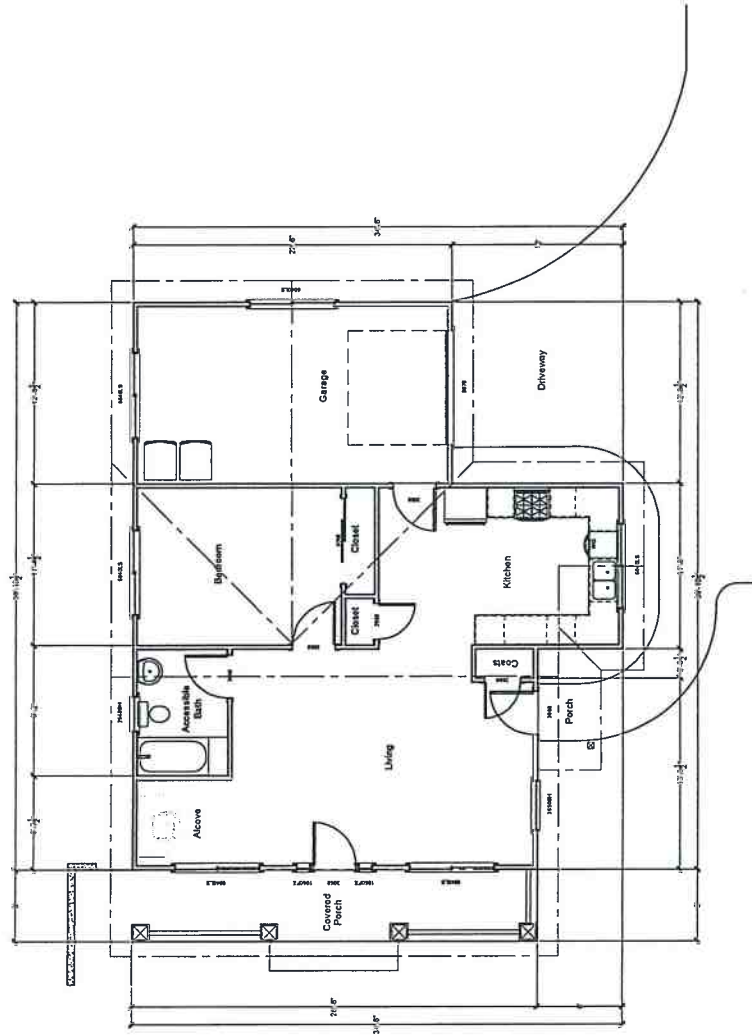
REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/08/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE-SUBMITTAL

BRAN BRUNCKMAN
DRAWING & DESIGN
448 Newbury Drive
Pacifica, CA 94044
(650) 822-7893

- PLUMBING FEATURE NOTES:**
- MAX FLOW RATE OF SHOWERHEADS SHALL BE 2.0 GPM
 - MAX FLOW RATE OF LAVATORY FAUCETS SHALL BE 1.5 GPM
 - MAX FLOW RATE OF SINK FAUCETS SHALL BE 1.5 GPM
 - ALL TOILETS SHALL BE MAX 1.2 GPM
- EGRESS NOTE:**
- AT LEAST ONE WINDOW IN EACH BEDROOM SHALL MEET THE FOLLOWING REQUIREMENTS:
 - MIN. 5.7 SQ. FT. OPENING AREA
 - MIN. 20" CLEAR OPENING HEIGHT
 - MIN. 20" CLEAR OPENING WIDTH
 - SILL A MAX. OF 4" ABOVE FINISHED FLOOR

WALL LEGEND

	PROPOSED STUD WALL
	PROPOSED 42" HIGH STUD WALL
	PROPOSED 42" HIGH DECK
	PROPOSED CONCRETE
	RETAINING WALL



1 PROPOSED 2ND UNIT FLOOR PLAN
SCALE: 1/4" = 1'-0"

REYAN BENDMAN
DRAWING & DESIGN
945 Mariner Drive
Pacifica, CA 94044
(650) 922-7993

REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/09/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE-SUBMITTAL

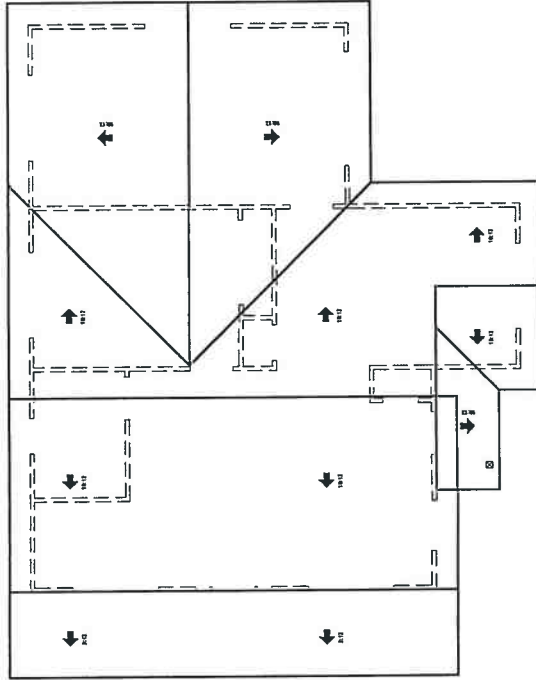
PROJECT NAME: NEW SINGLE FAMILY HOME / 2ND UNIT :
PROJECT ADDRESS: 21 MALAVERA DRIVE
PACIFICA, CA 94044
PROJECT SCORE: NEW SINGLE FAMILY HOME WITH DETACHED 2ND UNIT ON VACANT PARCEL

SHEET TITLE: PROPOSED 2ND UNIT FLOOR PLAN

SHEET: A2.3

NOTE: FIRE SPRINKLERS REQUIRED UNDER A SEPARATE PERMIT.

- PLUMBING EXISTENCE NOTES:**
- ALL EXISTING PLUMBING SHALL BE 1/2" CPVC
 - MAX FLOW RATE OF LAVATORY FAUCETS SHALL BE 1.5 GPM
 - MAX FLOW RATE OF KITCHEN FAUCETS SHALL BE 1.8 GPM
 - ALL TOILETS SHALL BE MAX 1.8 GPM
- EXISTS NOTE:**
- WINDOW IN EACH BEDROOM SHALL MEET THE FOLLOWING REQUIREMENTS:
 - MIN. 5.7 SF IN OVERALL SIZE
 - MIN. 20" CLEAR OPENING HEIGHT
 - MIN. 20" CLEAR OPENING WIDTH
 - SILL A MAX. OF 4" ABOVE FINISHED FLOOR



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

WALL LEGEND

	PROPOSED STUD WALL
	PROPOSED 4' HIGH STUD WALL
	PROPOSED 4' HIGH DECK RAILING
	PROPOSED CONCRETE RETAINING WALL

BRIAN BRINDMAN
DRAWING & DESIGN
645 TOWNSEND DRIVE
PACIFICA, CA 94044
(650) 922-7803

REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/08/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE-SUBMITTAL

PROJECT NAME:
NEW SINGLE FAMILY HOME / 2ND UNIT :
MELTON RESIDENCE
PROJECT SCORE:
NEW SINGLE FAMILY HOME
WITH DETACHED 2ND UNIT
ON VACANT PARCEL

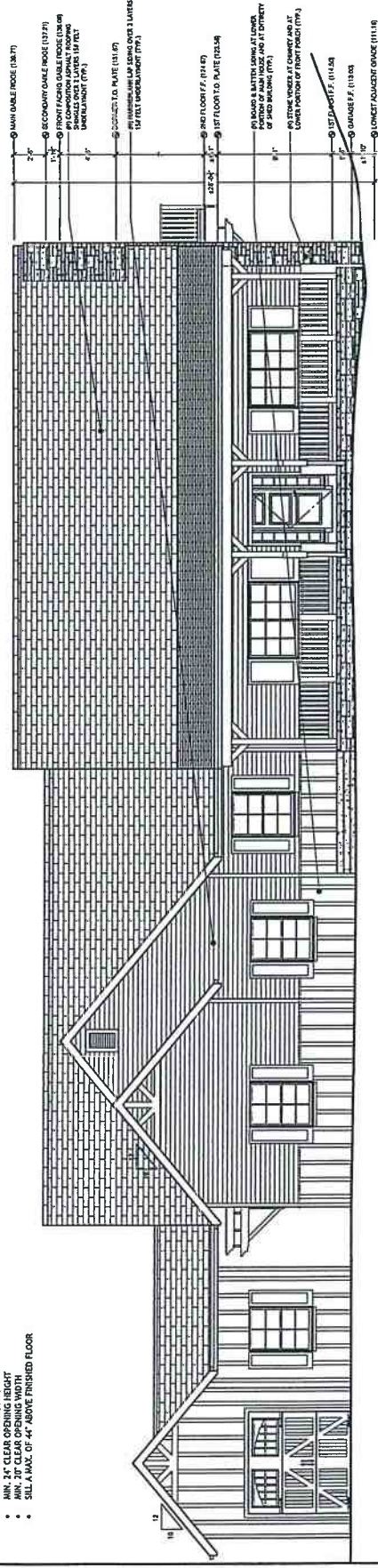
PROJECT ADDRESS:
21 MALVEAR DRIVE
PACIFICA, CA 94044

SHEET TITLE:
PROPOSED
2ND UNIT
ROOF PLAN

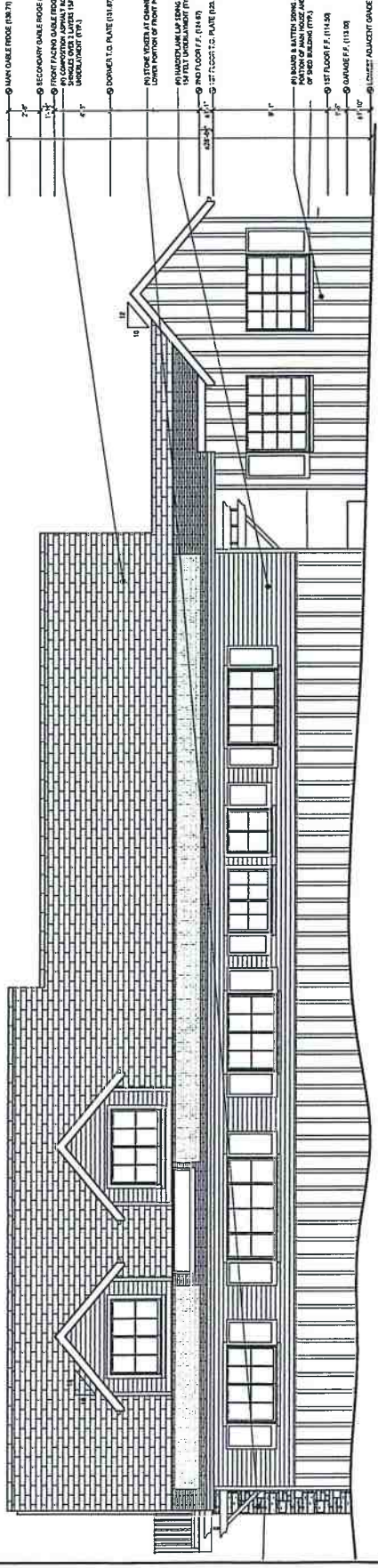
SHEET:
A2.4

NOTE: FIRE SPRINKLERS REQUIRED UNDER
A SEPARATE PERMIT.

- PLUMBING FIXTURE NOTES:**
- MAX FLOW RATE OF SHOWER SHALL BE 2.0 GPM
 - MAX FLOW RATE OF WASHRYN AND SINK SHALL BE 1.8 GPM
 - MAX FLOW RATE OF KITCHEN FAUCETS SHALL BE 1.4 GPM
 - ALL TOILETS SHALL BE MAX 1.28 GPF
- EXPRESS NOTE:**
- ALL TOILETS SHALL MEET THE FOLLOWING REQUIREMENTS:
 - MIN. 5.7' FT IN OVERALL SIZE
 - MIN. 24" CLEAR OPENING HEIGHT
 - MIN. 24" CLEAR OPENING WIDTH
 - SILL A MAX. OF 4" ABOVE FINISHED FLOOR



1
A3.1
PROPOSED FRONT (NORTH) ELEVATION
SCALE: 1/4" = 1'-0"



2
A3.1
PROPOSED REAR (SOUTH) ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: FIRE SPRINKLERS REQUIRED UNDER A SEPARATE PERMIT.

BRAND BRIDGMAN
DRAWING & DESIGN
645 N. Main Drive
Stockton, CA 95210
(959) 922-7933

REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/08/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE SUBMITTAL

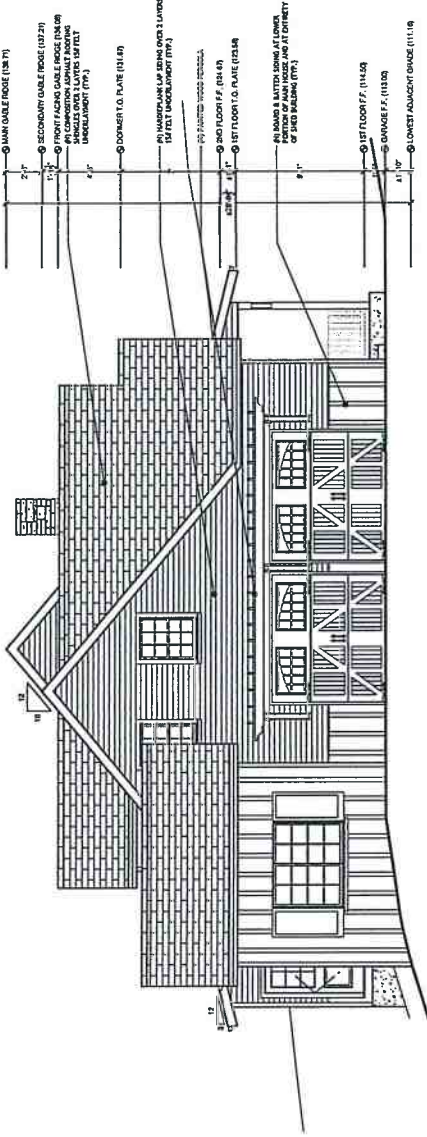
PROJECT SCORE:
NEW SINGLE FAMILY HOME
WITH DETACHED 2ND UNIT
ON VACANT PARCEL

PROJECT NAME:
NEW SINGLE FAMILY HOME / 2ND UNIT :
MELTON RESIDENCE
PROJECT ADDRESS:
21 MALAWEAR DRIVE
PACIFICA, CA 94044

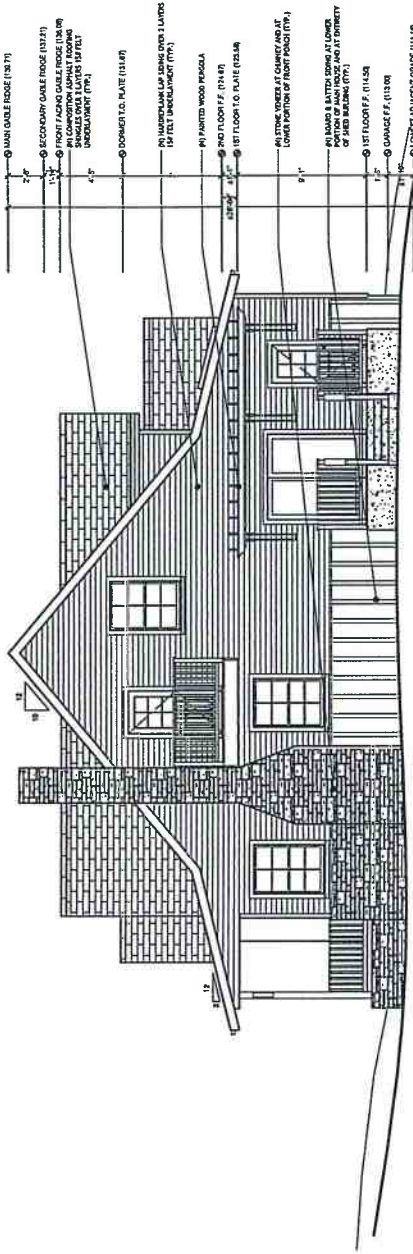
SHEET TITLE:
PROPOSED
FRONT AND
REAR
ELEVATIONS

SHEET:
A3.1

- PLUMBING FEATURE NOTES:**
- MAX FLOW RATE OF SHOWERHEADS SHALL BE 2.0 GPM
 - MAX FLOW RATE OF LAVATORY FAUCETS SHALL BE 1.5 GPM
 - MAX FLOW RATE OF KITCHEN FAUCETS SHALL BE 1.4 GPM
 - ALL TOILETS SHALL BE MAX 1.28 GPF
- EGRESS NOTE:**
- AT LEAST ONE WINDOW IN EACH BEDROOM SHALL MEET THE FOLLOWING:
 - MIN. 5.7 SF IN OVERALL SIZE
 - MIN. 24" CLEAR OPENING HEIGHT
 - MIN. 20" CLEAR OPENING WIDTH
 - SILL A MAX. OF 4" ABOVE FINISHED FLOOR



1 ○ PROPOSED LEFT (EAST) ELEVATION
SCALE: 1/4" = 1'-0"



2 ○ PROPOSED RIGHT (WEST) ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: FIRE SPRINKLERS REQUIRED UNDER A SEPARATE PERMIT.

RYAN BURMAN
DESIGNING & DESIGN
644 Newmans Drive
Pacific, CA 94044
(925) 822-7900

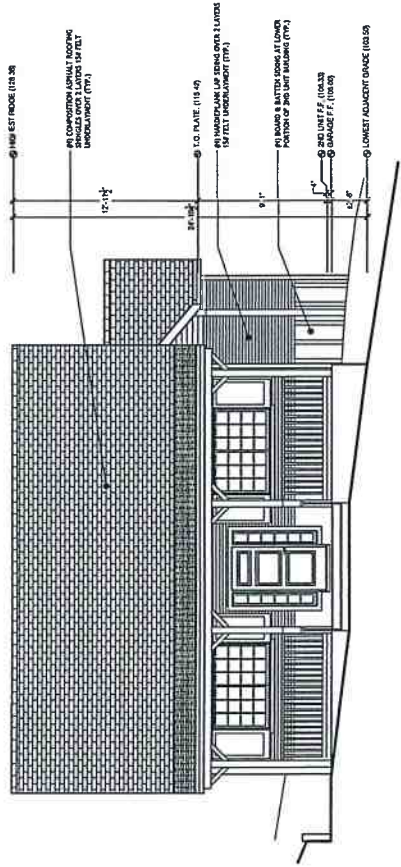
REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/04/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RE-SUBMITTAL

PROJECT NAME:
NEW SINGLE FAMILY HOME / 2ND UNIT :
PROJECT ADDRESS:
21 MALAVER DRIVE
PACIFICA, CA 94044
PROJECT SCOPE:
NEW SINGLE FAMILY HOME
WITH DETACHED 2ND UNIT
ON VACANT PARCEL

SHEET TITLE:
PROPOSED
SIDE
ELEVATIONS

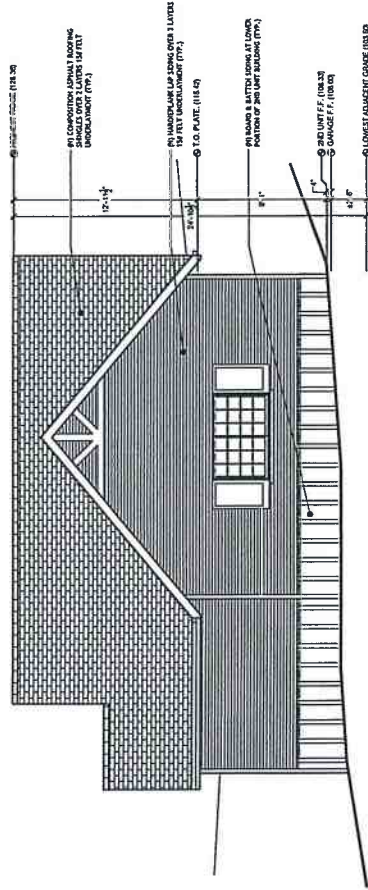
SHEET:
A3.2

- PLUMBING FIXTURE NOTES:**
- MAX FLOW RATE OF SHOWERHEADS SHALL BE 2.0 GPM
 - MAX FLOW RATE OF LAVATORY FAUCETS SHALL BE 1.5 GPM
 - MAX FLOW RATE OF KITCHEN FAUCETS SHALL BE 1.8 GPM
 - TOILETS SHALL BE MAX 1.8 GPM
- EXCESS WATER IN EACH BEDROOM SHALL MEET THE FOLLOWING REQUIREMENTS:**
- MIN. 5.7" IN OVERALL SIZE
 - MIN. 20" CLEAR OPENING WIDTH
 - SILL A MAX. OF 4" ABOVE FINISHED FLOOR



1 PROPOSED 2ND UNIT NORTHWEST ELEVATION

A3.4 SCALE: 1/4" = 1'-0"



2 PROPOSED 2ND UNIT SOUTHEAST ELEVATION

A3.4 SCALE: 1/4" = 1'-0"

BRAND BRIDGMAN
DRAWING & DESIGN
462 MARKET DR
PACIFICA, CA 94044
(959) 222-7993



REV	DATE	DESCRIPTION
0	04/15/15	PRELIMINARY PLAN SET
1	06/08/15	PLANNING SUBMITTAL
2	11/20/15	PLANNING RESUBMITTAL

PROJECT NAME: NEW SINGLE FAMILY HOME / 2ND UNIT :
PROJECT ADDRESS: 21 MALAVEAR DRIVE
PACIFICA, CA 94044
PROJECT SCOPE: NEW SINGLE FAMILY HOME WITH DETACHED 2ND UNIT ON VACANT PARCEL

SHEET TITLE: PROPOSED 2ND UNIT NORTHWEST AND SOUTHEAST ELEVATIONS
SHEET: A3.4

NOTE: FIRE SPRINKLERS REQUIRED UNDER A SEPARATE PERMIT.